

Legal Strategy and Overview

Daniel B. Winslow
EVP, Chief Legal Officer & Secretary



Rimini Street Disrupting a \$170 Billion Market

Market disruptors often have to battle incumbents trying to preserve and control the market

“At all relevant times, Rimini Street, Inc. (“Rimini”) provided third-party support for Oracle’s enterprise software, in lawful competition with Oracle’s direct maintenance services.”

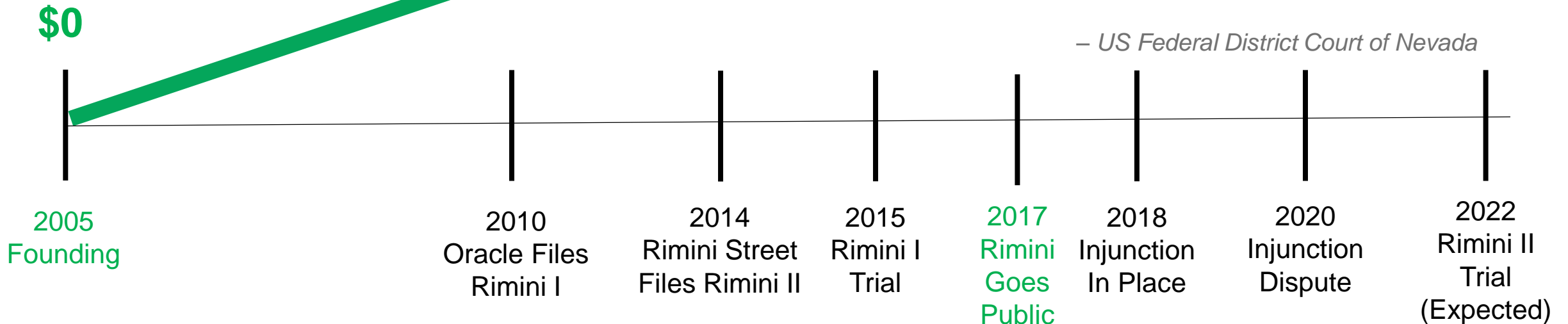
– US Ninth Circuit Court of Appeals

Rimini Street Annual Revenue

\$300M+

“[w]hat was (and is) at issue [in the litigation] is the manner in which Rimini performed that third-party support [for some licensees of specific Oracle products].”

– US Federal District Court of Nevada



Third Party Support Is Allowed and Legal

The Court – and Oracle – agree that clients have right to choose their after-market support provider

- Licensees can choose support provider
- Third parties can provide support services to licensees
- Court declared Rimini Street to be “in lawful competition with Oracle’s direct maintenance services”

“whether third-party support is allowed under the licensing agreements is not at issue in this [Rimini II] lawsuit, nor was it at issue in [Rimini I].”

- US Federal District Court of Nevada

“the [enterprise software] licenses ... generally allow for a third-party service provider, like Rimini, to copy the software in place of the licensee and customize it for the licensee.”

- US Federal District Court of Nevada

“[o]ne of the key features of enterprise software is its customizability; the software can be modified to fit the specific needs of the organization licensing it.”

- US Federal District Court of Nevada

Litigation About “Manner” in Which Support Performed

Litigation over “how” –what tools and processes – Rimini uses to provide support for certain Oracle products

▪ Rimini I (Final)

- Oracle filed against Rimini in 2010
- Oracle lost 23 out of 24 claims
- Oracle won a claim of “Innocent Infringement”
- Rimini Street paid Oracle \$35 million for “Fair Market license”
- Court ruled that certain Oracle software can only be used at the client’s “facilities” and that Rimini Street’s servers are not client’s “facilities” (Process 1.0)
- Court ruled Rimini Street cannot copy and share Oracle code, under the color of a license held by one client, for another client that also holds the same license (Process 1.0)
- Rimini Street complied with the Court findings, stopped using Process 1.0 and developed and deployed Process 2.0 by July 2014 that addresses Court ruling
- Court issued injunction against future use of Process 1.0

*Innocent Infringement:
Rimini “was not aware”
and “had no reason to
believe” that some of its
legacy processes
 (“Process 1.0”) infringed
certain Oracle
copyrights.*

Litigation About “Manner” in Which Support Performed

Litigation over “how” –what tools and processes – Rimini uses to provide support for certain Oracle products

▪ Rimini II (Trial Expected in 2022)

- Rimini filed against Oracle in 2014
- Rimini deployed advanced, innovative technology called “Automated Framework” (AFW) for development, and for which it has received a US patent
- Rimini asserts its Process 2.0 and AFW do not infringe, Oracle claims they do infringe
- Rimini claim against Oracle for injunctive relief for anticompetitive business practices
- Clean-up item from Rimini I – Court finding of infringement on “gap” clients where Process 1.0 was used after the Rimini I trial cutoff so left out of Rimini I case (Rimini believes it already paid Oracle for this in Rimini I)

Rimini contends that its Process 2.0 (including its AFW tools) is non-infringing, and filed Rimini II case against Oracle to get a judicial declaration that it is non-infringing

Oracle asked Court to declare on summary judgment that Process 2.0 and AFW infringe; Court did not find Process 2.0 or AFW infringe as a matter of law – so will be decided by jury at trial

Strategic Litigation

Rimini Street plans to accelerate its position as IT industry thought leader, innovation leader, and service leader

We will fight the battles we need to fight to assure a fair, legal, and competitive marketplace for the \$180 billion global enterprise software support spend, in general, and to protect our market right to aggressively challenge Oracle for a significant share of its \$20 billion in annual support revenue, in particular.





Rimini Street[®]

