

EXHIBIT TT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE CORPORATION, a)
Delaware corporation, ORACLE)
USA, INC., A Colorado)
Corporation, and ORACLE)
INTERNATIONAL CORPORATION,)
A California corporation)

Plaintiffs,)

Vs.)

Case No.
07-CV-01685
PJH (EDL)

SAP AG, a German corporation,)
SAP AMERICA, INC., a Delaware)
Corporation, TOMORROWNOW,)
INC., a Texas corporation,)
And DOES 1-50, inclusive,)

Defendant.)

VIDEOTAPED DEPOSITION UPON
ORAL EXAMINATION
OF
LEO APOTHEKER

Taken on:

Thursday, October 2, 2008
Commencing at 8:58 a.m.

Taken at:

American Consulate General
Special Consular Services,
Giessener Strasse 30
60435 Frankfurt am Main, Germany

REPORTED BY: FREDERICK WEISS, CSR, CM

Frederick Weiss & Associates - <http://www.eureporter.com>

10:44:03 1
10:44:12 2
10:44:14 3
10:44:16 4
10:44:17 5
10:44:17 6
10:44:18 7
10:44:22 8
10:44:23 9
10:44:24 10
10:44:26 11
10:44:28 12
10:44:30 13
10:44:32 14
10:44:33 15
10:44:35 16
10:44:39 17
10:44:42 18
10:44:43 19
10:44:48 20
10:44:51 21
10:44:52 22
10:44:55 23
10:44:57 24
10:44:59 25

REDACTED

Q. And can you elaborate on SAP's belief in IP rights?

REDACTED

A. As I said early on, I'm not a lawyer, so I can't disclose here on particulars of IP legislation and rights.

But from a purely business point of view, you will recollect that the entire software industry was founded on IP rights.

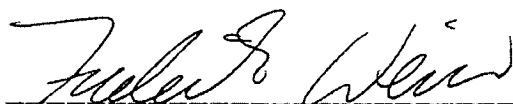
And therefore, if you are a software company dealing with software like we all do, then you have to believe in IP rights. Otherwise, you have no foundation for your business.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

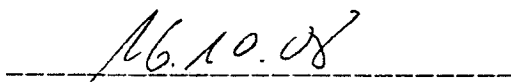
CERTIFICATE OF COURT REPORTER

I, Frederick Weiss, CSR, CM, do hereby certify that I took the stenotype notes of the foregoing deposition and that the transcript thereof is a true and accurate record transcribed to the best of my skill and ability.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.



FREDERICK WEISS, CSR, CM



DATE