

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

E-filing

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

SUMMONS IN A CIVIL CASE

CASE NUMBER: **1658**

C 07

v.

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

EMC

TO: (Name and address of defendant)

SAP AG
Dietmar-Hopp-Allee 16
69190 Walldorf
Germany

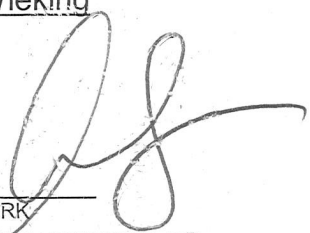
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

BINGHAM McCUTCHEEN LLP
Christopher B. Hockett (SBN 121539)
Geoffrey M. Howard (SBN 157468)
Zachary J. Alinder (SBN 209009)
Bree Hann (SBN 215695)
Three Embarcadero Center
San Francisco, CA 94111-4067

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK



(BY) DEPUTY CLERK

ANNA SPRINKLES

MAR 22 2007

DATE _____

CERTIFICATE
ATTESTATION

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention.

1) that the document has been served*

1) que la demande a été exécutée

-the (date) -le (date)

-at (place, street, number) -à (localité, rue, numéro)

April 11, 2007

SAP AG, Dietmar-Hopp-Allee 16, 69190 Walldorf

--in one of the following methods authorized by article 5:

--dans une des formes suivantes prévues à l'article 5:

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.
a) selon les formes légales (article 5. alinéa premier, lettre a)

(b) in accordance with the following particular method:

b) selon la forme particulière suivante: Service through a bailiff (§ 176 para. 1, 177 et seq. German Civil Proceedings Code)

(c) by delivery to the addressee, who accepted it voluntarily.*
c) par remise simple.

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à

*-(identity and description of person)
(Identité et qualité de la personne)*

Professor Henning Kagermann

-relationship to the addressee family, business or other

-liens de parenté de subordination ou autres avec le destinataire de l'acte:

(Vorstand der SAP AG) Board

2) that the document has not been served, by reason of the following facts*:

2) que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pieces renvoyées

Duplicate

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

Done at Wiesloch, the 11.04.2007

Fait à , le

Signature and/or stamp

Signature et/ou cachet

Rederath

(Rederath)

Diplom-Rechtspflegerin (FH)

