

As trial looms, Oracle taking aim at HP's new CEO

October 28 2010, By JORDAN ROBERTSON , AP Technology Writer

(AP) -- Oracle Corp. CEO Larry Ellison is escalating his attacks on his friend-turned-foe Hewlett-Packard Co.

Ellison claims he has proof that HP's new CEO, Leo Apotheker, oversaw a corporate-espionage scheme at a previous employer, [SAP AG](#), that involved the theft of Oracle software.

Oracle's trial against SAP is scheduled to start Monday in California, the same day Apotheker is scheduled to start work at HP.

The trial wasn't expected to produce fireworks, since SAP has acknowledged that a subsidiary stole Oracle customer-support materials, and the two sides are now fighting only over damages.

But it's now shaping up to be a spectacle involving three of the biggest companies in enterprise computing.

HP said that Apotheker didn't supervise the subsidiary and shut it down shortly after he took the reins at SAP in 2008. SAP called Ellison's comments an attempt to create a "sideshow."

The trial has let Ellison drag several old foes at once into a public brawl.

One is SAP. Oracle has long competed with SAP in business software.

Another is Apotheker, who spent more than 20 years at SAP, most

recently as CEO. He went head-to-head against Oracle in software for years, and now at HP, will do the same in computer servers, earning him Ellison's wrath twice over.

And still another is Ray Lane, a former Oracle president whom Ellison ousted in a high-profile power struggle a decade ago, and who is HP's new chairman.

Ellison has broadcast his animosity for Apotheker and Lane in a series of news releases.

He criticized Apotheker for not immediately shutting down the SAP division that stole Oracle documents, TomorrowNow, when he was named SAP's co-CEO in April 2008, and Lane for coming to Apotheker's defense.

In July 2008, SAP announced plans to shut the troubled subsidiary, and several months later it was officially closed.

"Why so long? We'd like to know," Ellison said. "Ray Lane and the rest of the HP board do not want anyone to know. That's the new HP Way with Ray in charge and Leo on the run. It's time to change the HP tagline from 'Invent' to 'Steal'."

SAP called Ellison's comments show his "personal campaign against HP and desire to create a sideshow."

"Our focus in the case is on determining fair and reasonable compensation, and we won't let personal vendettas interfere with the court's judgment," SAP said in a statement Wednesday.

HP emphasized that Apotheker wasn't responsible for the problematic SAP division and had little knowledge about its innerworkings.

"Given Leo's limited knowledge of and role in the matter, Oracle's last-minute effort to require him to appear live at trial is no more than an effort to harass him and interfere with his duties and responsibilities as HP's CEO," HP said.

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