

Oracle agrees to \$306 mn settlement in SAP case

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The agreement is a stipulation between the two firms to end the case in the lower courts and allow an appeal to proceed.

Oracle was awarded \$1.3 billion by a jury in November 2010 in the case in which SAP was accused of a massive scheme to download and copy software from the [Silicon Valley](#) giant.

US [District Court Judge](#) Phyllis Hamilton slashed the amount in September of last year to \$272 million, saying the amount was "grossly excessive." Oracle rejected that and a new trial had been set before the settlement was announced.

The case can now be immediately taken to the Ninth Circuit Court of Appeals.

Oracle said that if the ruling stands, SAP must pay a minimum of \$426 million, including attorneys' fees.

"The conduct that led to this lawsuit and jury award is truly unprecedented," said Oracle attorney Geoff Howard.

"SAP's web scraper alone resulted in more than 10 million copies of Oracle's downloaded software and support materials running on SAP's servers. SAP's executive management team, including former CEO [Leo Apotheker](#) and current executives, knew about this massive theft all along and SAP had to concede infringement."

Oracle filed suit against SAP in April 2007 and won the largest copyright [jury verdict](#) in US history. SAP also paid Oracle \$120 million in attorneys' fees. SAP also settled US criminal charges in the case.

SAP said in a separate statement that the new settlement was more than reasonable but that the case had dragged on long enough.

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