

Oracle to HP: Core of lawsuit 'complete fiction'

JORDAN ROBERTSON - AP Technology Writer - Associated Press

Oracle says a former Hewlett-Packard executive has been falsely accused of stealing trade secrets in one of several ongoing legal skirmishes between the two technology heavyweights.

Oracle Corp. demanded in a letter sent to Hewlett-Packard Co. on Thursday that it drop its lawsuit against Adrian Jones, a former senior vice president who was in charge of HP's server, storage and networking businesses in Asia before going to work for rival Oracle.

HP says Jones resigned in February before he was about to be fired for allegedly failing to disclose a "close personal relationship" with a subordinate and submitting thousands of dollars in expenses for visiting the subordinate without a legitimate business purpose.

Palo Alto-based HP sued, also alleging that Jones downloaded hundreds of files and thousands of emails detailing HP's secrets before he quit. But Oracle now argues that a subsequent investigation revealed that the hard drive containing the sensitive information was never in Jones' possession, and that HP itself had created the backup of Jones' files as part of its internal investigation into his behavior.

"The central allegation in HP's employment lawsuit against Adrian Jones has turned out to be complete fiction," Oracle spokeswoman Deborah Hellinger said Thursday. "If they did it knowingly then HP and their lawyers should be sanctioned. If they did it mistakenly then they simply owe Mr. Jones an apology."

HP said Thursday that Jones did possess trade secrets after he left HP, contrary to a sworn declaration, and that only after the court issued a temporary restraining order requested by HP did Jones return to HP "certain confidential information."

Neither side addressed the other allegations against Jones in their statements Thursday.

The case is one in a series of legal battles between the Silicon Valley titans. Oracle and HP have had a decades-long partnership that is now strained by Oracle's entry into the computer server business, an HP stronghold. Oracle's hiring of former HP CEO Mark Hurd after he resigned under pressure from HP is another wedge.

Another ongoing lawsuit concerns Oracle's decision to stop supporting a particular type of HP server in future versions of its database software. Oracle says Intel Corp. is planning on phasing out the server chip, called Itanium. Intel denies that. HP says Oracle is trying to strong-arm customers into buying Oracle's Sun servers.

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