

## OutlookSoft Prevails in Patent Infringement Lawsuit

2006-09-15

WilmerHale client, OutlookSoft Corporation, a leading provider of performance management solutions, today announced that it has prevailed in the patent infringement suit brought against the company in December 2004 by Hyperion Solutions in the US District Court for the Eastern District of Texas.

The lawsuit, which charged that OutlookSoft infringes on two Hyperion patents, was presided over by US District Judge T. John Ward. The jury found today that there was no infringement and that the Hyperion patents in question were invalid.

"The judge and jury have affirmed what we have known all along-the patents in question are invalid," said Phil Wilmington, President and CEO of OutlookSoft. "While the legal system works, we believe it is wrong for a company to use invalid patents in an attempt to thwart a competitor's efforts to bring products to the market. We maintain that using the legal system as a competitive weapon does a disservice to the industry and, more importantly, our customers. The market, not the courtroom, should determine the ultimate success of companies. We thank the judge and jury, and look forward to returning to our core focus: delivering innovative and industry-leading performance management solutions."

The WilmerHale trial team included [Mark Matuschak](#), Paul Keller, Caren Khoo, [Peter Shen](#), Philip Poh. Others who provided critical assistance through the case included [Gary Walpert](#), John Hintz, Matthew Byrne, Benjamin Stern, [Laura Paquette](#), [Alexandra McTague](#) and Benjamin Brown. The firm was also assisted at trial by co-counsel, Joe Redden of Beck Redden & Secrest.