

ARIBA V. EMPTORIS PATENT LITIGATION CASE APPEAL CONCLUDED

Specific Software Code in Dispute Has Been Long Removed from the Company's Sourcing Solution

Burlington, MA – (January 13, 2010) – Emptoris, Inc., a leading provider of enterprise supply and contract management software, today announced that the U.S. Court of Appeals for the Federal Circuit, has upheld the October 2008 decision of the U.S. District Court for the Eastern District of Texas in the Ariba v. Emptoris patent litigation case (Case Number 2009-1230).

“The ruling concludes the Ariba v. Emptoris litigation case and has no impact on Emptoris' current solutions or business. I want to re-emphasize that the specific software code in dispute has been long removed from the company's sourcing solution. As well, the damages awarded to Ariba were fully provided for over a year ago. Thus, there is no financial or operational impact on Emptoris, or its customers, as a result of this decision. We're pleased to have this matter concluded and look forward to competing in the marketplace,” said Robert Kellegrew, General Counsel for Emptoris, Inc.

The company emphasized that no action is required of Emptoris customers. For further background on the Ariba v. Emptoris case, please refer to the following press release:

http://www.emptoris.com/newsroom/pressreleases/news_press166.asp

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