



ASX Announcement

11 October 2010

Oracle Markman Hearing Update

ipernica Ltd

ABN 37 083 702 907

Head Office:

Street Address: 16 Ord Street,
West Perth, WA
Tel: +61 8 9420 8500
Fax: +61 8 9420 8547
Email: ipernica@ipernica.com

Postal Address:

Postal Address: P O Box 1327,
West Perth, WA 6872, Australia

Australian Stock Exchange:

Code: IPR

Board of Directors

Non-executive Chairman:

Ross Norgard

Managing Director:

Graham Griffiths

Non-executive Directors:

Conrad Crisafulli

Karl-Christian Agerup

Stuart Nixon

Senior Management:

Group Chief Financial Officer:

Mark Maitland

General Counsel:

Jonathan Lawe Davies

Capital Structure

Fully-Paid Shares on Issue:

323.1 million

Unlisted Options on Issue:

7.76 million @ 16c

27.38 million @ 20c

12.50 million @ 40c

47.64 million

Cash Reserves:

A\$10.5M as at 30 June 2010

Perth, Western Australia – Diversified technology and intellectual property group, ipernica Ltd (ASX:IPR), today announced that a “Markman” hearing took place in Texas on 7 October 2010 in the patent litigation between Financial Systems Technologies Pty Ltd and Oracle Corporation.

“Markman” hearings are pre-trial hearings at which each side presents their arguments to a judge, as to how the claims of the particular patent being asserted should be interpreted. This interpretation of the patent claims is applied by the jury at trial to determine infringement and validity of the patent.

ipernica will report to the market once the judge delivers his decision, which is likely to be several weeks after the hearing.

Meanwhile, the parties continue to prepare for trial which is scheduled for 3 January 2012.

Background

ipernica is engaged by the Melbourne based Financial Systems Technologies group of companies (“FST”) to assist in respect of the defence of two of its US database patents against allegedly unauthorised uses by Oracle Corporation. The case is being conducted in the District Court of the Eastern District of Texas and FST are represented by a US national law firm, on a contingency fee (at risk) basis, including advancing certain out of pocket expenses.

In October 2004, ipernica announced that Oracle Corporation was named as the defendant in a US lawsuit filed by FST, claiming infringement of two of its patents. Between 2005 and 2009, Oracle sought to invalidate the two FST patents by initiating various re-examination proceedings with the US Patent and Trademark Office (“USPTO”). The re-examinations included assessment of prior art presented to the USPTO by Oracle. The USPTO has confirmed that both FST patents are valid in their original form. All re-examination proceedings at the USPTO have been favourably terminated or denied.

Oracle has also attempted, on several occasions, to move the litigation from the District Court of the Eastern District of Texas to the District Court of the Northern District of California. Both the US District and Federal Courts have previously rejected Oracle’s motions on this issue. Oracle filed yet another petition for a writ of mandamus with the Federal Court on 23 July 2010, seeking the same result. FST has opposed all motions to move the litigation to the Northern District of California and is confident that it will succeed in resisting the change of venue request.

about ipernica

ipernica is a diversified technology and intellectual property (“IP”) commercialisation group which is focused on the creation and exploitation of IP rights on a global basis, including 100% owned subsidiary NearMap.com, a location based media company that creates high quality, current and changing PhotoMaps.

Further Information:	Graham Griffiths, Managing Director, ipernica ltd Tel: +618 9420 8500 Email: graham.griffiths@ipernica.com Website: http://www.ipernica.com
----------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------