IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

i2 Technologies US, Inc., and
i2 Technologies, Inc.,

Plaintiffs,

v.

SAP AG, and
SAP Americas, Inc.

Defendants.

Civil Action No. 2-06CV-352

JURY TRIAL REQUESTED

TJW

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs i2 Technologies US, Inc. and i2 Technologies, Inc. (collectively, "i2") file this complaint for patent infringement and state as follows:

THE PARTIES

1. Plaintiff i2 Technologies US, Inc. is a corporation organized under the laws of Nevada with its principal place of business at 11701 Luna Road, Dallas, Texas, 75234

2. Plaintiff i2 Technologies, Inc. is a corporation organized under the laws of Delaware with its principal place of business at 11701 Luna Road, Dallas, Texas, 75234.

3. Upon information and belief, Defendant SAP AG is a corporation organized and existing under the laws of Germany with its principal place of business at Dietmar-Hopp-Allee 16, Waldorf, Germany 69190

4. Upon information and belief, Defendant SAP Americas, Inc. is a corporation organized and existing under the laws of Delaware with its principal place of business at 3999 West Chester Pike, Newton Square, Pennsylvania 19703. SAP Americas, Inc. is qualified to

do business in the state of Texas, Filing No. 9185006, and has appointed CT Corporation System, 350 N. St. Paul Street, Suite 750, Dallas, Texas 75201, as its agent for service of process

5. SAP AG and SAP Americas, Inc. are collectively referred to herein as "SAP."

6. SAP manufactures for sale and/or sells software products to consumers in the United States and, more particularly, in the Eastern District of Texas.

JURISDICTION AND VENUE

7. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. Jurisdiction as to these claims is conferred on this Court by 35 U.S.C. §§ 1331 and 1338(a).

8. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391 and 1400(b).

9. This Court has personal jurisdiction over each Defendant. Each Defendant has conducted and does conduct business within the State of Texas. Each Defendant, directly or through intermediaries (including distributors, retailers, and others), ships, distributes, offers for sale, sells, and advertises its products in the United States, the State of Texas, and the Eastern District of Texas. Each Defendant has purposefully and voluntarily sold one or more of its infringing products with the expectation that they will be purchased by consumers in the Eastern District of Texas. These infringing products have been and continue to be purchased by consumers in the Eastern District of Texas. Each Defendant has committed acts of patent infringement within the State of Texas and, more particularly, within the Eastern District of Texas. Each defendant has also filed claims in the Eastern District of Texas

PATENT INFRINGEMENT

10. i2 incorporates by reference paragraphs 1-9 as if fully set forth herein.

11. On June 9, 1998, United States Patent No. 5,764,543 ("the '543 patent") entitled "Extensible Model Network Representation System for Process Planning" was duly and legally issued with Brian M. Kennedy as the named inventor after full and fair examination. All rights and interest in the '543 patent are owned by i2 Technologies US, Inc.

12. On July 27, 1999, United States Patent No. 5,930,156 ("the '156 patent") entitled "Extensible Model Network Representation System for Process Planning" was duly and legally issued with Brian M Kennedy as the named inventor after full and fair examination. All rights and interest in the '156 patent are owned by i2 Technologies US, Inc.

13. On November 9, 1999, United States Patent No 5,983,194 ("the '194 patent") entitled "Planning Coordination Systems for Coordinating Separate Factory Planning Systems and a Method of Operation" was duly and legally issued with John C. Hogge, Brian M. Kennedy, and Lamott G. Oren as the named inventors after full and fair examination. All rights and interest in the '194 patent are owned by i2 Technologies US, Inc.

14. On April 25, 2000, United States Patent No. 6,055,519 ("the '519 patent") entitled "Framework for Negotiation and Tracking of Sale of Goods" was duly and legally issued with Brian M. Kennedy and Christopher D. Burchett as the named inventors after full and fair examination. All rights and interest in the '519 patent are owned by i2 Technologies US, Inc.

15. On December 26, 2000, United States Patent No. 6,167,380 ("the '380 patent") entitled "System and Method for Allocating Manufactured Goods to Sellers" was duly and

legally issued with Brian M. Kennedy and Christopher D. Burchett as the named inventors after full and fair examination. All rights and interest in the '380 patent are owned by i2 Technologies US, Inc.

16. On February 13, 2001, United States Patent No. 6,188,989 ("the '989 patent") entitled "System and Method for Managing Available to Promised Product (ATP)" was duly and legally issued with Brian M. Kennedy as the named inventor after full and fair examination. All rights and interest in the '989 patent are owned by i2 Technologies US, Inc.

17. On August 1, 2006, United States Patent No. 7,085,729 ("the '729 patent") entitled "System and Method for Allocating Manufactured Products to Sellers" was duly and legally issued with Brian M. Kennedy and Christopher D. Burchett as the named inventors after full and fair examination. All rights and interest in the '729 patent are owned by i2 Technologies US, Inc.

18 The '543, '156, '194, '519, '380, '989, and '729 patents are collectively referred to herein as the "Patents-in-Suit."

19. SAP has infringed and/or continues to infringe the Patents-in-Suit. SAP is liable for direct infringement, as well as indirect infringement by way of inducement or contributory infringement, of the Patents-in-Suit pursuant to 35 U.S.C. § 271 (a), (b), (c), and (f).

20. SAP's acts of infringement have caused damage to i2. i2 is entitled to recover from SAP the damages sustained by i2 as a result of SAP's wrongful acts in an amount subject to proof at trial. SAP's infringement of i2's rights under the Patents-in-Suit will continue to

damage i2's business, causing irreparable harm, for which there is no adequate remedy of law, unless enjoined by this Court.

21. SAP has received actual notice of infringement. SAP has also received constructive notice, as i2 has complied with the requirements of 35 U.S.C. § 287.

22. SAP's infringement of the Patents-in-Suit is willful and deliberate entitling i2 to enhanced damages and to attorneys' fees incurred in prosecuting this action.

DEMAND FOR JURY TRIAL

i2 hereby demands a jury for all issues so triable.

PRAYER

WHEREFORE, i2 prays for judgment that:

1. SAP has directly infringed, and/or indirectly infringed by way of inducement and/or contributory infringement, the Patents-in-Suit;

2. SAP, and any of its officers, agent, servants, employees, subsidiaries, parents, attorneys, and those persons acting in concert, on behalf of, in joint venture, or in partnership with SAP, be enjoined from infringing, inducing to infringe, or contributing to the infringement of any of the Patents-in-Suit;

3. Damages be paid to i2 by SAP for SAP's infringement of the Patents-in-Suit;

4. SAP's infringement is willful and deliberate, entitling i2 to enhanced damages;

5. This case be found an exceptional case, entitling i2 to attorneys' fees incurred in prosecuting this action;

6. i2 is entitled to an accounting of SAP's revenues resulting directly or indirectly from SAP's infringement of the Patents-in-Suit, including supplemental damages for any continuing post-verdict infringement up until entry of the final Judgment;

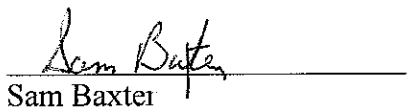
7. SAP pay i2 pre-judgment and post-judgment interest on the damages awarded;

8. i2 be granted such other and further relief as the Court may deem just and proper.

DATED: September 5, 2006

Respectfully submitted,

McKOOL SMITH, P.C.



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