## **EXHIBIT A**

#### 17-51926-177k510926#8blk1CFailerd#1091/1741/467 0091/14/467 0091/14/127c1u4n:55t48a@xlilbif 2 Pg 2 of 8

Fill in this information to identify the case:				
Debtor 1 Crossroads Systems, Inc.				
Debtor 2				
(Spouse, if filing)				
United States Bankruptcy Court Western District of Texas				
Case number: 17–51926				

FILED

U.S. Bankruptcy Court Western District of Texas

9/11/2017

Yvette M. Taylor, Clerk

# Official Form 410 Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

1.Who is the current creditor?	Oracle Corporation  Name of the current creditor (the person or entity to be paid for this claim)					
0.000						
	Other names the creditor	used with the debtor				
2.Has this claim been acquired from someone else?	✓ No ☐ Yes. From wh	om?		_		
3.Where should notices and payments to the creditor be sent?	Where should notices	to the creditor be sent?	Where should payments to the creditor be sent? (if different)			
	Oracle Corporation		EunHae Park			
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name		Name			
	Jacqueline Marcus 767 Fifth Avenue New York, NY 1015.	3	500 Oracle Parkway			
	New Tork, NT 1013.	3	Redwood Shores, CA 94065			
	Contact phone	212-319-8000	Contact phone _	650-506-1241		
	Contact email jacqueline.marc	us@weil.com_	Contact email	eunhae.park@oracle.com		
	Uniform claim identifier for electronic payments in chapter 13 (if you use one):					
4.Does this claim amend one already filed?		per on court claims registry (if known)		Filed on		
5.Do you know if anyone else has filed a proof of claim for this claim?	☐ Yes. Who mad	de the earlier filing?		MM / DD / YYYY		

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6. <b>Do you have any</b>	<b>V</b>	No						
number you use to identify the debtor?		you use to identify the debtor:						
7.How much is the claim?	\$ unl	[	Does this amount include interest or other charges? ☐ No					
		✓ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).						
8.What is the basis of the claim?	deat Banl	th, or credit card. Attach reda kruptcy Rule 3001(c).	acted copies of any	ces performed, personal injury or wrongful documents supporting the claim required by				
		Limit disclosing information that is entitled to privacy, such as healthcare information.  See Attached Addendum						
9. Is all or part of the claim secured?	<b>№</b> (	Yes. The claim is secured by  Nature of property:  Real estate. If the clain	m is secured by the	e debtor's principal residence, file a <i>Mortgage</i> Official Form 410–A) with this <i>Proof of Claim</i> .				
		Basis for perfection:						
		Attach redacted copies of cinterest (for example, a mo document that shows the lie	rtgage, lien, certific	hat show evidence of perfection of a security ate of title, financing statement, or other recorded.)				
		Value of property:	\$					
		Amount of the claim that secured:	\$					
	Amount of the claim th unsecured:		is <u>\$</u>	(The sum of the secured and unsecured amounts should match the amount in line 7.)				
		Amount necessary to cur date of the petition:	e any default as c	f the \$				
		Annual Interest Rate (whe	en case was filed)	<u></u> %				
		☐ Fixed ☐ Variable						
10.Is this claim based on a lease?		☐ Variable No	o cure any defaul	as of the date of the petition.\$				

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12.Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<b>N</b>	No Yes. <i>Check</i>	all that apply:				Amount entitled to priority
A claim may be partly priority and partly		☐ Domestic		ions (includ (1)(A) or (a	ing alimony ar )(1)(B).	nd child support)	\$
nonpriority. For example in some categories, the law limits the amount entitled to priority.		Up to \$2,8 property of U.S.C. § 5	850* of deposits or services for position (7)	toward pur ersonal, fan	chase, lease, nily, or housel	or rental of hold use. 11	\$
Change to phony.		☐ Wages, sa 180 days	alaries, or comn before the bank ends, whicheve	ruptcy petit	ion is filed or	the debtor's	\$
			penalties owed		-	. , . ,	\$
		☐ Contributi	ons to an emplo	oyee benefit	t plan. 11 U.S	.C. § 507(a)(5).	\$
		☐ Other. Sp	ecify subsection	of 11 U.S.	C. § 507(a)(_)	) that applies	\$
		* Amounts are s of adjustment.	subject to adjustme	nt on 4/01/19	and every 3 yea	rs after that for case	es begun on or after the date
Part 3: Sign Below							
The person completing this proof of claim must sign and date it. FRBP 9011(b).  If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature	□ <b>⊻</b> □	I am the trust I am a guara	ditor. ditor's attorney o tee, or the debto ntor, surety, end	or, or their a dorser, or o	authorized age ther codebtor.	ent. Bankruptcy l . Bankruptcy Rul s as an acknowledg	e 3005.
is. A person who files a	I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.  I have examined the information in this Proof of Claim and have a reasonable belief that the information is true						
fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.	and correct.  I declare under penalty of perjury that the foregoing is true and correct.						
18 U.S.C. §§ 152, 157 and 3571.	Executed on date 9/11/2017						
	MM / DD / YYYY						
	/s/ EunHae Park						
- Signature						_	
	Print the name of the person who is completing and signing this claim:						
	Nam	те		EunHae Pa	rk		
	Title	<b>;</b>		First name Managing 0	Middle name Counsel	Last name	
	Company		Oracle Corporation				
				Identify the corporate servicer as the company if the authorized agent is a servicer			
	Add	ress		500 Oracle	Parkway		
	Number Street						
				Redwood S	Shores, CA 940	65	
	Con	tact phone	650 506 104	City State	ZIP Code Email	h	
	COIT	tact priorie	650–506–124	I	Liliali	eunhaepark@or	acie.com

#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

	8	
In re	§	Chapter 11
	§	
CROSSROADS SYSTEMS, INC.,	§	Case No. 17-51926
	§	
Debtors.	§	
	§	

#### ADDENDUM TO PROOF OF CLAIM OF ORACLE CORPORATION

- 1. Oracle Corporation ("Oracle") hereby submits this addendum to its proof of claim (the "Proof of Claim") against Crossroads Systems, Inc. ("Crossroads").
- 2. On August 13, 2017, the debtors in the above-captioned cases (the "Debtors") filed a petition for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division (the "Court"). Pursuant to an order, dated August 18, 2017 [Docket No. 22], the Court established September 13, 2017 as the deadline for non-governmental creditors to file proofs of claim in the above-captioned Chapter 11 Case.
- 3. Prior to the date of commencement of these chapter 11 cases (the "Commencement Date"), on October 7, 2013, Crossroads brought suit against Oracle in the Western District of Texas (the "District Court") alleging infringement of certain claims of three patents (United States Patent Nos. 6,425,035, 7,051,147, and 7,934,041, together, the "Patents") by various Oracle storage products (the "District Court Litigation"). On June 16, 2015, the District Court granted Oracle's motion to stay and stayed the District Court Litigation pending resolution of proceedings before the U.S. Patent Office.
- 4. On January 29, 2016 and on March 17, 2016, the U.S. Patent Office issued a number of decisions (the "USPTO Decisions") which collectively invalidated all asserted

claims of the three Patents. Crossroads appealed the USPTO Decisions to the U.S. Court of Appeals for the Federal Circuit (such court, the "Federal Court," and such proceeding, the "USPTO Appeal"). The Federal Court affirmed the USPTO Decisions on June 6, 2017. The judgment is subject to a further petition for certiorari to the U.S. Supreme Court (such proceeding, the "Supreme Court Proceeding," and together with the District Court Litigation and the USPTO Appeal, the "Litigation").

- 5. In the event that judgment is entered against Crossroads in the Litigation, Oracle will be entitled to costs incurred in connection at least with the District Court Litigation under section 1920 of chapter 123 of title 28 of the United States Code and has the right to seek attorney's fees under section 285 of chapter 29 of title 35 of the United States Code.
- 6. Oracle submits this Proof of Claim for any and all amounts and other obligations that are or may be owed to Oracle in connection with the Litigation, including any costs, interest, fees, expenses, or other amounts to which Oracle is entitled to in respect of the Litigation.

#### **Reservation of Rights**

- 7. Oracle does not waive or release, and expressly reserves, all rights and remedies at law or in equity that it has or may have against Crossroads and/or any other Debtor, person, or entity.
- 8. Oracle reserves the right to amend, modify, supplement, reclassify, or otherwise revise its Proof of Claim at any time and in any respect, including, without limitation, as necessary or appropriate to amend, quantify or correct amounts, to provide additional detail regarding the Claims set forth herein, to fix the amount of any contingent and/or unliquidated part of the Claims, to assert additional grounds for any of the Claims, or to reflect any and all

additional Claims of whatever kind or nature that Oracle has or may have against Crossroads, including, without limitation, any claims arising after the Commencement Date.

9. The execution and filing of this Proof of Claim is not and shall not be deemed any of the following: (i) a waiver of the right to withdraw the reference, or otherwise to challenge the jurisdiction of this Court, with respect to the subject matter of the Claims asserted herein, any objection or other proceeding commenced with respect thereto, or any other proceeding commenced in these cases against or otherwise involving Oracle; (ii) an admission that any matter is a core matter or is a matter as to which this Court can enter a final judgment; (iii) the waiver of the right to have final orders entered in matters as to which the Court lacks the authority to enter final orders only after a de novo review by the district court; (iv) a consent to the entry by this Court of final judgment with respect to the Claims asserted herein or any other matter; (v) a waiver or release of Oracle's claims or rights against any other entity or person that may be liable for all or any part of the Claims or any matters related to the Claims; (vi) a waiver of any right related to the confirmation of any plan of reorganization proposed in this Chapter 11 Case; and/or (vii) a waiver or agreement granting any party relief, including any lifting of the stay. Neither this Proof of Claim nor any of its contents shall be deemed or construed as an acknowledgment or admission of any liability or obligation on the part of Oracle. Oracle specifically reserves all of its defenses and rights, procedural and substantive, including, without limitation, its rights with respect to any claim that may be asserted against Oracle or any of its affiliates, by Crossroads, and/or any other Debtor, person, or entity.

### **Right of Setoff and Recoupment**

10. Oracle reserves all rights of setoff and recoupment that it may have. To the extent Crossroads asserts any claim against Oracle, Oracle shall have a secured claim to the

extent of its right of setoff under section 553 of the Bankruptcy Code or right of recoupment against such claim with respect to the Claims asserted herein and any amendments thereto.

#### **Notice**

11. Copies of all notices and communications concerning this Proof of Claim should be sent to:

Jacqueline Marcus

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Email: jacqueline.marcus@weil.com

-and-

EunHae Park

#### **ORACLE CORPORATION**

500 Oracle Parkway

Redwood Shores, California 94065

Telephone: (650) 506-1241 Facsimile: (650) 506-7114

Email: eunhae.park@oracle.com

Attorneys for Oracle Corporation