IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

    Plaintiff,   No. C 10-03561 WHA

  v.

GOOGLE INC.,   **SPECIAL VERDICT FORM**

    Defendant.
_____/

YOUR ANSWERS MUST BE UNANIMOUS.

1.   As to the compilable code for the 37 Java API packages in question taken as a group:

    A.   Has Oracle proven that Google has infringed the overall structure, sequence and organization of copyrighted works?

        Yes _____   No _____

(IF YOU ANSWER "NO" TO QUESTION 1A, THEN SKIP TO QUESTION NO. 2.)

    B.   Has Google proven that its use of the overall structure, sequence and organization constituted "fair use"?

        Yes _____   No _____

2.   As to the documentation for the 37 Java API packages in question taken as a group:

      A.   Has Oracle proven that Google has infringed?

           Yes _____   No _____

(IF YOU ANSWER "NO" TO QUESTION 2A, THEN SKIP TO QUESTION NO. 3.)

      B.   Has Google proven that its use of Oracle's Java documentation constituted "fair use"?

           Yes _____   No _____

3.   Has Oracle proven that Google's conceded use of the following was infringing, the only issue being whether such use was de minimis:

	Yes (Infringing)	**No** (Not Infringing)
A. The rangeCheck method in TimSort.java and ComparableTimSort.Java	_____	_____
B. Source code in seven "Impl.java" files and the one "ACL" file	_____	_____
C. The English-language comments in CodeSourceTest.java and CollectionCertStoreParameters Test.java	_____	_____

4. Answer the following special interrogatories only if you answer "yes" to Question 1A.

    A. Has Google proven that Sun and/or Oracle engaged in conduct Sun and/or Oracle knew or should have known would reasonably lead Google to believe that it would not need a license to use the structure, sequence, and organization of the copyrighted compilable code?

        Yes _____   No _____

    B. If so, has Google proven that it in fact reasonably relied on such conduct by Sun and/or Oracle in deciding to use the structure, sequence, and organization of the copyrighted compilable code without obtaining a license?

        Yes _____   No _____

Your answers to Questions 4A and 4B will be used by the judge with issues he must decide. Questions 4A and 4B do not bear on the issues you must decide on Questions 1 to 3.

Dated:

                          _____
                                FOREPERSON