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 ORACLE AMERICA, INC.

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN FRANCISCO DIVISION

21 ORACLE AMERICA, INC.
 22 Plaintiff,
 23 v.
 24 GOOGLE INC.
 25 Defendant.

Case No. CV 10-03561 WHA

**ORACLE STATEMENT
 REGARDING J2SE 5.0
 SPECIFICATION LICENSE
 (TX610.1)**

Dept.: Courtroom 8, 19th Floor
 Judge: Honorable William H. Alsup

1 This morning, the Court asked the parties where the capitalized word “Specification” in
2 the Specification License (TX610.1) is defined. As the Court noted, the formal definition of
3 “Specification” is contained in the first line of the document:

4 **Specification: JAVA 2 PLATFORM STANDARD EDITION**
5 **DEVELOPMENT KIT 5.0 Specification (“Specification”)**

6 (TX610.1.)

7 Of particular relevance here, however, is that this is the Specification License for the
8 Java 2 SE 5.0 API “Specification”—the same API specification of which Google claims Android
9 is an implementation.

10 Sun and Oracle have included versions of this license in all releases of the Java API
11 Specification from 1996 to the present, including on the copyright notice page of the book
12 versions of the Java API Specification. *See* THE JAVA™ APPLICATION PROGRAMMING
13 INTERFACE, VOLUME 1: CORE PACKAGES (1996) (TX 980) at 6 (copyright page); THE JAVA™
14 APPLICATION PROGRAMMING INTERFACE, VOLUME 2: WINDOW TOOLKIT AND APPLETS (1996)
15 (TX 981) at 5 (copyright page).

16 Confirmation that the “Specification” referred to in the definitional language of the license
17 includes the API Specification may be seen most readily by examining the JDK 5.0
18 documentation. This documentation was submitted as TX 610.2. The documentation includes
19 the license agreement itself and also links to it from portions of the documentation. One of those
20 links is from the Java 2 Platform Standard Edition 5.0 API Specification, which is also part of TX
21 610.2.

22
23 Dated: May 2, 2012

MORRISON & FOERSTER LLP

24 By: /s/ Michael A. Jacobs

25 *Attorneys for Plaintiff*
26 ORACLE AMERICA, INC.