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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 ORACLE AMERICA, INC.

12 Plaintiff,

13 v.

14 GOOGLE INC.

15 Defendant.
16

Case No. CV 10-03561 WHA

**GOOGLE'S PROPOSED
STATEMENT OF ISSUES
REGARDING COPYRIGHT**

Date: April 16, 2011
Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

Pursuant to the Court’s request (ECF No. 854), Google Inc. hereby provides its proposed statement of Oracle’s copyright infringement allegations:

Oracle accuses the following of copyright infringement:

1. 37 API packages in the Android class library source code, as well as the corresponding object code implementing those APIs, but only as to their selection, structure, and organization (it being conceded that the implementing source code and object code are different). Oracle claims that the tangible medium or media of expression in which the selection, structure and organization of the 37 APIs are fixed are electronic storage media and printed documentation.

2. The declarations of the API elements in Android class library source code and object code that implements the 37 API packages.

3. The English-language Android documentation for the 37 API packages, sometimes called the API “specifications.” Oracle alleges that approximately 103,400 lines in Google’s Android documentation were copied from Oracle’s Java API specifications.

4. The Android class library source and object code as derivative works of Oracle’s English-language documentation of the 37 API packages.

5. 12 Android files of source code (copied from 11 Java files):

a. The nine-line rangeCheck function and four lines of related comments in two Android source code files, TimSort.java and ComparableTimSort.java, as well as the corresponding object code. This method is part of Android’s implementation of the 37 API packages.

b. Eight Android source code files—AclEntryImpl.java, AclImpl.java, GroupImpl.java, OwnerImpl.java, PermissionImpl.java, PrincipalImpl.java, PolicyNodeImpl.java, AclEnumerator.java—which are not part of Android’s implementation of the 37 API packages.

c. Twenty English-language comments contained in two Android source code files, CodeSourceTest.java and CollectionCertStoreParametersTest.java, which are not part of Android’s implementation of the 37 API packages.

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2 **Oracle does not accuse the following of copyright infringement:**

- 3 1. Android's use of the Java programming language.
- 4 2. The names of the API elements, including the names of files, packages, classes,
5 methods, fields, exceptions, and parameters.
- 6 3. The Android source code implementing the APIs contained in the 37 packages, with the
7 exception of rangeCheck and the declarations of the API elements.
- 8 4. The ideas underlying the APIs.
- 9 5. The Dalvik virtual machine (not including the associated class libraries).
- 10 6. Android APIs and associated class libraries other than the accused 37 API packages and
11 associated class libraries.
- 12 7. Android source and object code except as listed above.
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2 Dated: April 12, 2011

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