

MORRISON & FOERSTER LLP
MICHAEL A. JACOBS (Bar No. 111664)
mjacobs@mofo.com
MARC DAVID PETERS (Bar No. 211725)
mdpeters@mofo.com
DANIEL P. MUINO (Bar No. 209624)
dmuino@mofo.com
755 Page Mill Road
Palo Alto, CA 94304-1018
Telephone: (650) 813-5600 / Facsimile: (650) 494-0792

BOIES, SCHILLER & FLEXNER LLP
DAVID BOIES (Admitted *Pro Hac Vice*)
dboies@bsflfp.com
333 Main Street
Armonk, NY 10504
Telephone: (914) 749-8200 / Facsimile: (914) 749-8300
STEVEN C. HOLTZMAN (Bar No. 144177)
sholtzman@bsflfp.com
1999 Harrison St., Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000 / Facsimile: (510) 874-1460

ORACLE CORPORATION
DORIAN DALEY (Bar No. 129049)
dorian.daley@oracle.com
DEBORAH K. MILLER (Bar No. 95527)
deborah.miller@oracle.com
MATTHEW M. SARBORARIA (Bar No. 211600)
matthew.sarboraria@oracle.com
500 Oracle Parkway
Redwood City, CA 94065
Telephone: (650) 506-5200 / Facsimile: (650) 506-7114

Attorneys for Plaintiff
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

CASE NO. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING
ORACLE AMERICA'S MOTION FOR
ADMINISTRATIVE RELIEF
REGARDING STATEMENT TO JURY**

Judge: Honorable William H. Alsup

1 The Court has read and considered Oracle's Motion for Administrative Relief Regarding
2 Statement to Jury. Based on the arguments presented in the motion, the pleadings on file, and any
3 other relevant matter, the jury shall be told:

4 The names of the various items appearing in the disputed API package specifications,
5 such as names of API files, packages, classes, and methods, are not protected.

6 The selection or arrangement of the names of the various items in the API package
7 specifications may still be protected by copyright if those names are numerous
8 enough and their selection and arrangement original enough that their combination
9 constitutes an original work. The Court will instruct the jury on this issue following
10 the close of evidence.

11
12 IT IS SO ORDERED.

13 Date: _____

14 Honorable William H. Alsup
15 Judge of the United States District Court
16
17
18
19
20
21
22
23
24
25
26
27
28