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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 ANSWER MUST BE UNANIMOUS.

1. As to all 37 APIs in question taken as a group:

A. Has Oracle proven the 37 APIs had an overall structure, sequence and organization and that Google copied it?

Yes _____ No _____

B. If so, has Google proven that its use of the overall structure, sequence and organization constituted "fair use"? (If you answered "no" to Question 1A, then skip to Question No. 2.)

Yes _____ No _____

NOTE: THE 37 APIs IN QUESTION ARE LISTED IN QUESTION NO. 2.

packages

2. As to each of the 37 APIs listed below, considered individually:

A. Has Oracle proven that Google copied the structure, sequence and organization of the individual API ^{package} implementation? Please indicate your answer to each in the first column below.

B. If, in column 1 your answer is “yes,” then state in the second column whether or not Google has proven that its use constituted “fair use” (as defined in the instructions). If you answered “no” in column 1, you should leave the second column blank or enter “NA” for “not applicable.”

C. Has Oracle proven that Google copied the documentation for the individual API? Please indicate your answer as to each in the third column below.

D. If, in column 3, your answer is “yes,” then state in the fourth column whether or not Google has proven that its use constituted “fair use” (as defined in the instructions). If you answered “no” in column 3, you should leave the fourth column blank or enter “NA” for “not applicable.”

(IN ANSWERING THE FOUR ABOVE SUB-QUESTIONS, PLEASE REMEMBER THE DISTINCTION BETWEEN “IMPLEMENTATION” AND “DOCUMENTATION,” AS DEFINED IN THE INSTRUCTIONS, AS WELL AS THE “WORK AS A WHOLE” ALSO DEFINED IN THE INSTRUCTIONS.)

	IMPLEMENTATION		DOCUMENTATION	
	Copying Proven? (Yes or No)	Fair Use Proven? (Yes, No or NA)	Copying Proven? (Yes or No)	Fair Use Proven? Yes, No or NA)
java.awt.font	_____	_____	_____	_____
java.beans	_____	_____	_____	_____
java.io	_____	_____	_____	_____
java.lang	_____	_____	_____	_____
java.lang.annotation	_____	_____	_____	_____
java.lang.ref	_____	_____	_____	_____

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IMPLEMENTATION

DOCUMENTATION

**Copying
Proven?
(Yes or No)**

**Fair Use
Proven?
(Yes, No or NA)**

**Copying
Proven?
(Yes or No)**

**Fair Use
Proven?
Yes, No or NA)**

java.lang.reflect

java.net

java.nio

java.nio.channels

java.nio.channels.spi

java.nio.charset

java.nio.charset.spi

java.security

java.security.acl

java.security.cert

java.security.interfaces

java.security.spec

java.sql

java.text

java.util

java.util.jar

java.util.logging

java.util.prefs

java.util.regex

java.util.zip

javax.crypto

javax.crypto.interfaces

javax.crypto.spec

javax.net

javax.net.ssl

javax.security.auth

javax.security.auth.callback

javax.security.auth.login

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IMPLEMENTATION

DOCUMENTATION

	Copying Proven? (Yes or No)	Fair Use Proven? (Yes, No or NA)	Copying Proven? (Yes or No)	Fair Use Proven? Yes, No or NA)
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javax.security.auth.x500	_____	_____	_____	_____
javax.security.cert	_____	_____	_____	_____
javax.sql	_____	_____	_____	_____

3. Has Oracle proven that Google copied the items listed below (col. 1) and if so has Google proven that its copying was fair use (col. 2) or de minimis (col. 3)? If you answer "no" in the first column, then you should leave the second and third columns blank or enter "NA."

	Copied? (Yes or No)	Fair Use? (Yes, No or NA)	De Minimis? (Yes, No or NA)
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A. The rangeCheck method in TimSort.java and ComparableTimSort.Java	_____	_____	_____
B. Source Code in seven "Impl.java files plus _____ file	_____	_____	_____
C. The English-language comments in CodeSourceTest.java and CollectionCertStoreParametriums Test.java	_____	_____	_____

4. If you found in Questions 1, 2, or 3 that Google copied Oracle's works and that the copying was not excused by fair use or de minimis, then answer the following questions:

- (a) Has Oracle proven that third-party mobile device manufacturers or end-users infringed Oracle's copyrights by copying or using Android software?
- (b) (If you answered "yes" to 4(a)) Has Oracle proven that Google intentionally induced or materially contributed to the third-party infringement you found in Question No. 4(a)?
- (c) (If you answered "yes" to 4(a)) Has Oracle proven that Google vicariously infringed Oracle's copyrights as a result of the third-party infringement you found in Question No. 4(a)?

Dated:

FOREPERSON