

Oracle submits opening brief to Federal Circuit appeals court after

Oracle America, Inc. v. Google Inc. (2016)

Context

- Sun Microsystems originally developed Java, which continued to be developed by Oracle when it acquired the firm
- Android's operating system used Java APIs for communication compatibility across programs
- Oracle filed a suit against Google, which owns Android, for copyright and patent infringement in 2010
- Google claims its use of the Java APIs amounted to "fair use," and therefore was not an intellectual property violation

History

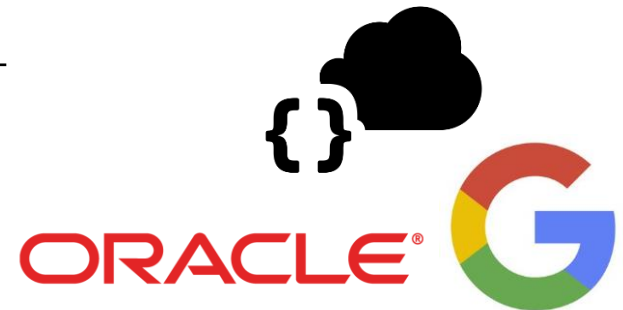
- The district court ruled that APIs are not copyrightable in 2012
- Both parties filed for appeal in 2013, where the Federal Circuit Court of Appeals ruled that APIs are copyrightable, but Google would have been able to argue that it was fair use
- Google filed a petition for the Supreme Court to review the lower court decision, but it was denied
- The case was remanded to district court to determine whether Google's use of the Java APIs was fair use

The issue

- The case hinges on whether Oracle can claim copyright on Java APIs, and if so, whether Google's use of the Java APIs constitutes fair use

How did the court rule?

- The jury ruled that Google's use was fair use in May 2016
- Had the ruling gone in favor of Oracle, it would be much harder to create new software because APIs are key in developing modern software
- On February 10, 2017, Oracle filed the opening briefs for its appeal in the US Court of Appeals for the Federal Circuit
- Oracle argues that Google's copying was purely commercial and not transformative, that it harmed potential markets for the Java program and that the API packages were creative
- For these reasons, Oracle believes it is entitled to a new trial



Sources: *Oracle America, Inc. v. Google Inc.*, February 10, 2017; "Oracle v. Google," Electronic Frontier Foundation, September 27, 2016; Noun Project, 2017.