

# Google wins in retrial of Oracle copyright lawsuit

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Oracle sought billions in damages from Google over the search engine company's use of Java programming language in its Android smartphone operating system

A jury ruled Thursday that Google did not unfairly use parts of Java programming language, saving the tech giant from a possible multibillion-dollar verdict in a lawsuit brought by business software firm Oracle.

The retrial stemmed from a 2012 case in which Google also prevailed,

and has been closely watched by the tech industry because of its implications for software innovation and copyright law.

Oracle sought billions in damages from Google over the search engine company's use of Java programming language in its Android smartphone operating system.

But Google and its allies argued that extending copyright protection to bits of code, called application programming interfaces, or APIs, would threaten innovation.

Google said in a statement that the verdict "represents a win for the Android ecosystem, for the Java programming community and for software developers who rely on open and free programming languages to build innovative consumer products."

Oracle, which obtained Java when it acquired Sun Microsystems in 2009, had been seeking some \$9 billion in damages.

After Google prevailed in the first trial, Oracle appealed, and an appellate panel ruled in 2014 that the lower court had erred, sending the case between the two Silicon Valley titans back for a new trial.



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Oracle said Thursday its battle was not over.

"We strongly believe that Google developed Android by illegally copying core Java technology to rush into the mobile device market," Oracle general counsel Dorian Daley said in an email.

"Oracle brought this lawsuit to put a stop to Google's illegal behavior," he added.

"We believe there are numerous grounds for appeal and we plan to bring this case back to the Federal Circuit on appeal."

## **Silicon Valley victory**

Public interest and industry groups hailed the verdict as a win for the software makers and technology innovators.

Silicon Valley had been watching the case closely, since weaving open source code into software programs is commonplace and often eliminates a need to re-invent commands considered fundamental.



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APIs are seen as snippets of code that simply direct one program to another, almost the way a restaurant menu points diners to meal options.

"While the legal process may still be ongoing, this is an important win for software developers everywhere and it promotes innovation,"

Computer and Communications Industry Association chief executive Ed Black said.

"APIs are important building blocks for all software. Allowing copyright claims to block their use by third parties would have a chilling effect across the entire software industry."

The CCIA describes itself as an international, nonprofit group representing a cross-section of the computer, communications and Internet industries.

"Software developers always have been, and should continue to be, free to develop new products that are compatible with other pieces of software," said John Bergmayer, senior staff attorney at public interest group Public Knowledge.

"It's been the norm in the software industry for decades. The jury's verdict is a welcome dose of common sense."

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