

Google beats oracle in \$9 billion android trial

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A U. S. jury handed Google a major victory on Thursday in a long-running copyright battle with Oracle Corp. over Android software used to run most of the world's smartphones.

The jury unanimously upheld claims by Google that its use of Oracle's Java development platform to create Android was protected under the fair-use provision of copyright law, bringing trial to a close without Oracle winning any of the \$9 billion in damages it requested.

Oracle said it saw many grounds to appeal and would do so. " 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 a statement.

Alphabet Inc.'s Google in a statement called the verdict " 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."

The trial was closely watched by software developers, who feared an Oracle victory could spur more software copyright lawsuits.

Google relied on high-profile witnesses like Alphabet Executive Chairman Eric Schmidt to convince jurors it used Java to create its own innovative product, rather than steal another company's intellectual property, as Oracle claimed.

In the retrial at U. S. District Court in San Francisco, Oracle said Google's Android operating system violated its copyright on parts of Java. Alphabet's

Google unit said it should be able to use Java without paying a fee under fair use.

A trial in 2012 ended in a deadlocked jury.

Shares of Oracle and Alphabet were little-changed in after-hours trade following the verdict.

After the first trial, U. S. District Judge William Alsup ruled that the elements of Java at issue were not eligible for copyright protection at all. A federal appeals court disagreed in 2014, ruling that computer language that connects programs -- known as application programming interfaces, or APIs -- can be copyrighted.

A flood of copyright lawsuits has failed to materialize in the two years since that federal appeals court ruling, suggesting Oracle's lawsuit will not ultimately have a wide impact on the sector.

Under U. S. copyright law, " fair use" allows limited use of material without acquiring permission from the rights holder for purposes such as research.

During retrial, Oracle attorneys deemed Google's defenses the " fair-use excuse."

(By Jim Christie; Additional reporting by Dan Levine; Editing by Andrew Hay)