

# Google's API copyright Supreme Court ruling will provide needed legal clarity for developers

Article

In a 6-2 ruling, the US Supreme Court **ruled** Google did not violate copyright law when it used parts of Oracle's API to create its Android operating system in 2005, and that Google's.

copying of 11,000 lines of code in Oracle's Java programming language was permissible under **the Copyright Act's** fair use doctrine. Justice Stephen G. Breyer expanded on the ruling in the Court's majority opinion, arguing Google's use of the code created something new in its mobile operating system and that "its new product offer[ed] programmers a highly creative and innovative tool for a smartphone environment." Ultimately, the Court held that APIs are uniquely different from other kinds of computer programs and shouldn't face the same copyright restrictions. (For context, APIs, or application programming interfaces, are software **intermediaries** that let two applications communicate with one another.)

**Android has grown into the world's most popular mobile operating system in the years since the suits began.** Oracle's suit, which originally **included** seven patents and copyright claims and **sought** \$9 billion in damages, dates back to 2010 and has gone **through** three trials and two separate appeals. Though Oracle's copyright violation complaint revolves around the 11,000 lines of code Google copied, Justice Breyer points out those lines represented just 0.4% of the total Java code at the time. As of 2017, Android OS was made up of **somewhere between 12 and 15 million** estimated lines of code.

**The ruling provides much-needed clarity on the question of implementing APIs, a common practice that previously existed in a legal gray area.** **Proponents** of the recent ruling, like the Electronic Frontier Foundation, claim these API copying practices aren't just **needed** but were **essential** to the development of the modern internet. APIs are generally becoming more widespread as well. **According to** JP Morgan's 2020 Business Leader Outlook, 46% of executives from US midsize companies said they planned to use APIs 2020: If the court had sided with Oracle and determined APIs were protected under copyright laws, it's **likely** smaller developers would risk facing waves of lawsuits for reimplementing APIs themselves.

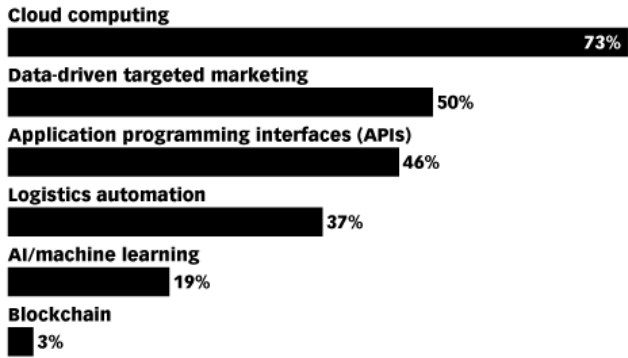
**Yet, at the same time, Oracle and other critics claim such a decision was only made possible thanks to Google's marketplace dominance and political influence.** In an **interview** with Protocol, an Oracle spokesperson claimed Google **stole** Java and "spent a decade litigating as only a monopolist can." They're not wrong. Google **outspent** every other company in lobbying in 2017. Despite its positive impact on developers, the recent court ruling could invigorate Google critics who claim it holds too much influence.

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**Technologies US Midsize Companies Plan to Use in 2020**

*% of respondents*

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Source: J.P. Morgan, "2020 Business Leader Outlook," Jan 6, 2020

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