

Abstract**Copyrightability on API in the case Oracle America Inc. v. Google, Inc. and the influences on the decision of substantial similarity Among SWs**

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Computer program works are protected as literal works on Copyright law. On you Copyright law, we define the computer program work as “a set of statements or instructions to be used directly or indirectly in a computer in order to bring about a certain result”. So the protectable area of computer program work are limited into the literal expression as a fundamental rule because computer program is just ‘a set of statements or instructions’. Although, SSO(Structure, Sequence and Organization) and Interfaces are on the focus of debates whether those should be protected on Copyright system.

Oracle case explained that idea-expression dichotomy means copyright system doesn't protect the idea itself but the expression of idea can be protectable as copyrightable works if the expression does not merge into idea or not scenes a faire. So, Judge held that declaring source code should be protected and also the selection and arrangement of API elements should be protected as copyrightable works.

So, Oracle case will have a big impact or influences on the abstraction-filtration-comparison test because APIs and Open source softwares are usually filtered in the actual affairs.

Together, Oracle case showed fair use doctrine and dual license's relation could be the important on the judgement of piracy on the copyright.

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Keywords

Computer program work, substantial similarity, abstraction-filtration-comparison test, Altai case, SSO(Structure, Sequence and Organization), Interface, API(Application Program Interface), Oracle v. Google case

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