United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.
_____/

No. C 10-03561 WHA

ORDER DENYING ORACLE'S MOTION TO DISMISS AND STRIKE AND VACATING HEARING

Oracle America, Inc. has "decline[d] to continue to press [its] motion" to dismiss Google Inc.'s invalidity counterclaims and strike certain affirmative defenses and impertinent matter, because required disclosures and discovery responses "will achieve the practical objective of giving [Oracle] fair notice of what Google has in mind in defending this case" (Reply 3). Accordingly, Oracle's motion is **DENIED**. The hearing scheduled for December 2, 2010 is **VACATED**.

IT IS SO ORDERED.

Dated: November 17, 2010.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE