

MORRISON | FOERSTER

425 MARKET STREET
SAN FRANCISCO
CALIFORNIA 94105-2482

TELEPHONE: 415.268.7000
FACSIMILE: 415.268.7522

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SACRAMENTO, SAN DIEGO,
DENVER, NORTHERN VIRGINIA,
WASHINGTON, D.C.

TOKYO, LONDON, BRUSSELS,
BEIJING, SHANGHAI, HONG KONG

December 2, 2011

Writer's Direct Contact
415.268.7455
MJacobs@mofocom

The Honorable William H. Alsup
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Oracle America, Inc. v. Google Inc.*, No. 3:10-CV-03561-WHA (N.D. Cal.)

Dear Judge Alsup:

We write in response to the Court's request to show cause (ECF No. 636) regarding the Court's proposed procedure regarding patent marking. Oracle does not object to the Court's proposed procedure. For clarity and efficiency, Oracle requests that the Court require Google's response to not only "identify any further products by Oracle or Sun that practiced any of the 26 asserted claims, specifying with particularity which ones and why," but also explain with the same particularity any contention Google has that a product identified in Oracle's submission does not practice the claims. This will assist the Court and the parties in determining the extent of the disagreement between the parties, if any.

Respectfully submitted,

/s/ Michael A. Jacobs

Michael A. Jacobs