
Kluwer Copyright Blog

Copyright case: Oracle America, Inc. v. Hewlett Packard Enterprise Co., USA

George Basharis (Wolters Kluwer Legal & Regulatory US) · Tuesday, October 6th, 2020

Lower court ruling dismissing claims accusing HP of selling unauthorized software updates was reversed on appeal.

Claims of direct and indirect infringement by Hewlett Packard and a third party in connection with software updates for Oracle's Solaris operating system were time-barred to the extent Oracle failed to investigate suspicions of misconduct, the Ninth Circuit has held, affirming in part a federal district's grant of summary judgment. However, the lower court incorrectly dismissed claims of infringement based on pre-installation conduct by HP's third-party support partner and rejected circumstantial evidence that Oracle's protected software was improperly installed by HP on customer servers (Oracle America, Inc. v. Hewlett Packard Enterprise Co., August 20, 2020, Smith, M.).

Case date: 20 August 2020

Case number: No. 19-15506

Court: United States Court of Appeals, Ninth Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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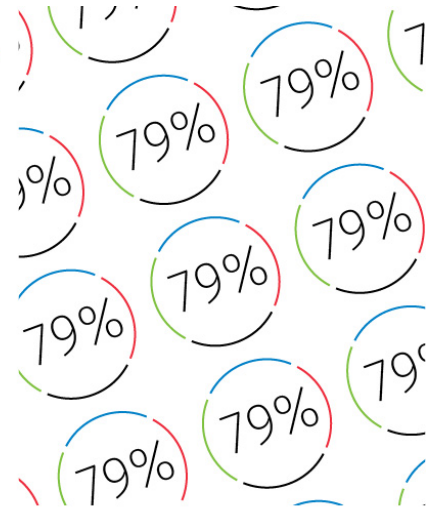
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