INTRODUCTION

As Marc Andreesen famously quipped, "software is eating the world."[1] As computer code further permeates every part of daily life, the legal battles surrounding every aspect of its creation, use, and proliferation will become more frequent and more critical. One crucial battle is being fought in the judicial system at this very moment: the fight between Oracle and Google over the copyrightability and use of a selection of Java APIs in Google's Android mobile operating system. This Special Issue of the HARVARD JOURNAL OF LAW AND TECHNOLOGY focuses on this ongoing landmark legal dispute as a way to discuss the state of the law regarding copyright and software. Professor Peter Menell's anchoring article describes the history and scope of the case in incredible detail, putting the entire dispute into perspective and framing the conversation that follows.[2] Included is commentary from the lawyers who have represented Oracle and Google in the already-litigated cases, Ms. Annette Hurst[3] and Mr. Fred von Lohmann[4] respectively, as well as contributions from leading scholars in the field. The topics of the contributions include direct commentary on the litigation and its impact from Professor Oman,[5] a discussion of the importance of interoperability by Mr. Gratz and Professor Lemley,[6] in-depth examinations of aspects of the fair use defense from Professor Nimmer[7] as well as from Professors Samuelson and Asay,[8] and a look at the international software copyright landscape from Professor Band.[9]

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1. Marc Andreessen, *Why Software Is Eating the World*, WALL ST. J. (August 20, 2011) https://www.wsj.com/articles/SB10001424053111903480904576512250915629460 (last visited Jan. 26, 2018).

2. Peter S. Menell, *Rise of the API Copyright Dead?: An Updated Epitaph for Copyright Protection of Network and Functional Features of Computer Software*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 305 (2018).

3. Annette Hurst, *The Report of API Copyright's Death is Greatly Exaggerated*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 491 (2018).

4. Fred von Lohmann, The *New Wave: Copyright and Software Interfaces in the Wake of* Oracle v. Google, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 517 (2018).

5. Ralph Oman, *Computer Software as Copyrightable Subject Matter:* Oracle v. Google*, Legislative Intent, and the Scope of Rights in Digital Works*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 639 (2018).

6. Joseph Gratz & Mark A. Lemley, *Platforms and Interoperability in* Oracle v. Google, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 603 (2018).

7. David Nimmer, *Juries and the Development of Fair Use Standards*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 563 (2018).

8. Pamela Samuelson & Clark D. Asay, *Saving Software's Fair Use Future*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 535 (2018).

9. Jonathan Band, *The Global API Copyright Conflict*, 31 HARV. J.L. & TECH. (SPECIAL ISSUE) 615 (2018).

Together, these contributions display the range of different view-points in the currently raging broader debate. Professor Menell compellingly describes the *Oracle v. Google* litigation as a resurrection of a fight many thought to be finished decades ago. But the litigation may be more than that. Not only is the debate over APIs and copyright raging anew, but it also promises to be a long, hard-fought battle with novel, sweeping implications for the software industry and, as a result, so many aspects of the world around us.

Thank you for taking the time to read the HARVARD JOURNAL OF LAW AND TECHNOLOGY'S Special Issue: Software Interface Copyright. Enjoy the incredible scholarship in the rest of this volume.

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Editors-in-Chief