

In the Supreme Court of the United States

NSO GROUP TECHNOLOGIES LIMITED, ET AL.,
PETITIONERS

v.

WHATSAPP INC., ET AL.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT*

BRIEF FOR THE UNITED STATES AS AMICUS CURIAE

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QUESTION PRESENTED

Whether a nongovernmental corporation that does not come within the definition of a “foreign state” under the Foreign Sovereign Immunities Act of 1976, 28 U.S.C. 1603(a) and (b), may nevertheless be entitled to immunity from suit as a matter of federal common law based on conduct it claims to have engaged in as an agent of a foreign state.

(I)

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