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8
 9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA

11
 12 PERFECT 10, INC., a California
 corporation,

13 Plaintiff,

14 v.

15 GOOGLE, INC., a corporation;

16 Defendant.

Case No. CV 04-9484 AHM (SHx)
 Consolidated with Case No. CV05-4753
 AHM (SHx)

**DECLARATION OF SEAN
 CHUMURA IN SUPPORT OF
 PERFECT 10'S MOTION FOR
 SUMMARY JUDGMENT AGAINST
 GOOGLE**

BEFORE JUDGE A. HOWARD MATZ

17
 18 AND CONSOLIDATED CASE.

Date: August 17, 2009

Time: 10:00 a.m.

Place: Courtroom 14, Courtroom of the
 Honorable A. Howard Matz

Discovery Cut-Off Date: None Set

Pretrial Conference Date: None Set

Trial Date: None Set

1 I, Sean Chumura, declare as follows:

2 1. I am a professional programmer with over 15 years of experience in
3 Computer Security and Computer Forensics. I was a student and protégé of
4 Michael R. Anderson, a pioneer in the Science of Computer Forensics. I have
5 testified as an expert in court proceedings in the field of Computer Forensics. I
6 have an issued patent in which I am a co-inventor, in the field of computer
7 security. I have worked with the federal, state, and local governments, as well as
8 foreign governments and private industry, in the field of computer security and
9 computer forensics. I have been certified by NTI, one of the most knowledgeable
10 and respected firms for forensic computer science, for governmental and private
11 sector computer forensics. I was admitted into the prestigious Washington, D.C.
12 Law Enforcement Association HTCC (High Tech Crime Consortium group) by
13 confirmation from the FBI, and I am a member of numerous task forces and
14 associations. The following are some of the entities I have done work for over
15 the past four years: Baseline Control, Biche, City of Beverly Hills, Computer
16 Sciences Corporation, D.I.S.A. (Defense Information Systems Agency), D.H.S.
17 (Department of Homeland Security), F.B.I. (Federal Bureau of Investigation),
18 JFCOMM (Joint Forces Command), LGB Associates Inc., Lockheed Martin,
19 NOW Solutions, Oasis Network LLC, Northrup Grummen, Perfect 10, Inc., Sun
20 Microsystems, Transaction Solutions, VCSY (Vertical Computer Systems),
21 Westinghouse, as well as other government agencies. For some of the projects
22 that I have worked on, I have had a Top Secret security clearance.

23 2. I have consulted for the FBI in the areas of cyberterrorism, forensic
24 computer investigation, and white collar crime. I have extensive experience
25 writing computer programs, including programs to protect computers from
26 viruses, denial of service attacks, and other malicious acts. I have also written
27 programs to investigate piracy, to detect financial fraud, and to allow computer
28

1 networks to identify computers that are no longer functioning properly due to
2 software issues and correct those problems in an automated fashion. I also
3 cofounded the first private cyber warfare/terrorism defense center and helped
4 develop the technology to identify attacks against infrastructure in near real-time.

5 3. I submit this declaration in support of Perfect 10's Motion for
6 Summary Judgment Against Google. I have examined Exhibit 1 which is attached
7 to this declaration, which I obtained from Jeff Mausner. Page 1 of Exhibit 1 is the
8 output of a program that I created under the direction of Dr. Norman Zada. The
9 program allows Perfect 10 to select images from Google Image Search by
10 checking a box that the program makes available next to each Google thumbnail.
11 The program places the date the Google search was done in the upper right corner,
12 and puts the three links offered by Google for each image in the block
13 corresponding to that image. The first URL after the term "Image" is the URL
14 associated with Google's "See full-size image" link; the second URL after the term
15 "Site" is the link Google provides to the underlying third party website (often
16 called a Web Page URL); and the bottom URL after the term "Thumbnail" is the
17 link to the location at which the "thumbnail" resides on Google's server.

18 4. If Google received page 1 of Exhibit 1 in a notice, it would have more
19 than enough information to readily locate and block all the URLs listed on page 1.
20 Adobe Acrobat has a feature which allows for the extraction of URLs. So Google
21 could cut and paste whatever URLs it wanted from page 1 of Exhibit 1 into a text
22 file or excel spreadsheet.

23 5. I have examined pages 2 through 7 of Exhibit 1. If Google received
24 any of those pages in a notice, it would have enough information to locate the
25 images on that page, and remove the images and the webpage from both its Image
26 Search and Web Search results. All Google needs to act is the Web Page URL,
27 which is contained on each of those pages. Once Google has the URL of the Web
28

1 Page containing an infringement, it can block it. The Web Page URL may be
2 thought of as the specification of a particular page in a particular book. It tells
3 Google where to go on the Internet to find the infringing material, equivalently,
4 which book to open and which page to turn to. On pages 3-6, the Web Page URL
5 is highlighted. On page 7, it appears in the browser bar. For page 2, Google has
6 the search term, "Ingrid Ostvat", the base URL of the website where each image is
7 located, darkshadow.3xforum.ro, and what is sometimes called the "Thumbnail
8 Source URL." This is the URL that is displayed in the address bar of a web
9 browser when a user clicks on the thumbnail. Page 8 of Exhibit 1 (which is the
10 same web page as Exhibit 2), shows an example of one such "Thumbnail Source
11 URL." The Thumbnail Source URL contains both the "See full-size image" URL
12 as well as the Web Page URL embedded in it, along with information such as
13 whether the user had their safe search on and what browser they were using. It
14 may be readily extracted using Adobe's URL extraction feature, as shown on page
15 9 of Exhibit 1. On page 9, the first highlighted term is the "See full-size image"
16 URL. The second highlighted term is the web page URL.

17 I declare under penalty of perjury under the laws of the United States of
18 America that the foregoing is true and correct to the best of my knowledge.

19 Executed on May 28, 2009, at Pittsburgh, Pennsylvania.

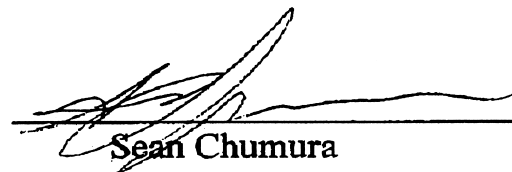
20
21 
22 Sean Chumura
23
24
25
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27
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Exhibit 1

GOOGLE Images

51 results for "Xenia Szabo"

7/ 8/ 2008

1



Search string: "**Xenia Szabo**" Image http://img133.imagevenue.com/loc173/th_64278_21.jpg Site <http://forum.phun.org/showthread.php?p=729907> Image Info: 106x160 Size: 7Kb

Thumbnail http://tbn0.google.com/images?q=tbn:Vs0blZd_jqxVPM: http://img133.imagevenue.com/loc173/th_64278_21.jpg

2



Search string: "**Xenia Szabo**" Image http://www.imagerise.com/images.php/t4766_XeniaSzabo22.jpg Site <http://titsandhentai.wordpress.com/2008/04/16/xenia-szabo/> Image Info: 99x150 Size: 6Kb

Thumbnail http://tbn0.google.com/images?q=tbn:MYCIndOeHiRYpM: http://www.imagerise.com/images.php/t4766_XeniaSzabo22.jpg

3



Search string: "**Xenia Szabo**" Image http://www.imagerise.com/images.php/t4755_XeniaSzabo01.jpg Site <http://titsandhentai.wordpress.com/2008/04/16/xenia-szabo/> Image Info: 99x150 Size: 6Kb

Thumbnail http://tbn0.google.com/images?q=tbn:YSICEWI5K6tg6M: http://www.imagerise.com/images.php/t4755_XeniaSzabo01.jpg

4



Search string: "**Xenia Szabo**" Image http://img11.imagevenue.com/loc229/th_16866_01.jpg Site <http://www.szstar.com/showthread.php?p=1367574> Image Info: 106x160 Size: 7Kb

Thumbnail http://tbn0.google.com/images?q=tbn:kSvskXqpK00tXM: http://img11.imagevenue.com/loc229/th_16866_01.jpg

5



Search string: "**Xenia Szabo**" Image <http://blog7.fc2.com/a/aitaine/file/20060525.jpg> Site <http://aitaine.blog7.fc2.com/blog-date-200605.htm> Image Info: 300x451 Size: 49Kb

Thumbnail <http://tbn0.google.com/images?q=tbn:zfMv2sApk-Kw4M: http://blog7.fc2.com/a/aitaine/file/20060525.jpg>



"Ingrid Ostvat"

Search Images

Search the Web

[Advanced Image Search](#)
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[SafeSearch is off](#)

Images Showing: ▼ Results **19 - 36** of about **130** (0.04 seconds)



PERFECT10 com - The World s Most ...
99 x 150 - 7k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
99 x 150 - 6k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
99 x 150 - 5k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
99 x 150 - 4k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
99 x 150 - 5k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
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PERFECT10 com - The World s Most ...
99 x 150 - 4k - jpg
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PERFECT10 com - The World s Most ...
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PERFECT10 com - The World s Most ...
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99 x 150 - 4k - jpg
[darkshadow.3xforum.ro](#)



PERFECT10 com - The World s Most ...
99 x 150 - 6k - jpg
[darkshadow.3xforum.ro](#)



This is Google's cache of <http://www.monitor.hr/belle/0112/011206.htm>. It is a snapshot of the page as it appeared on 16 Sep 2008 18:14:02 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

[Text-only version](#)

These search terms are highlighted: **zoya konyieva**

Zoya Konyieva

[Monitor home](#) | [Belle indeks](#) | [Prosinac 2001](#) | [Prije](#) | [Poslije](#)

Zoya Konyieva

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See full-size image.
wallpapers.wallpapercar.com/russian-girl/russ...
140 x 111 - 6k
Image may be scaled down and subject to copyright.

Remove Frame
Image Results

Below is the image in its original context on the page: wallpapers.wallpapercar.com/russian-girl/

Beautiful Russian Girls
Find a soul mate, love and marriage from our Ukraine and Russian women

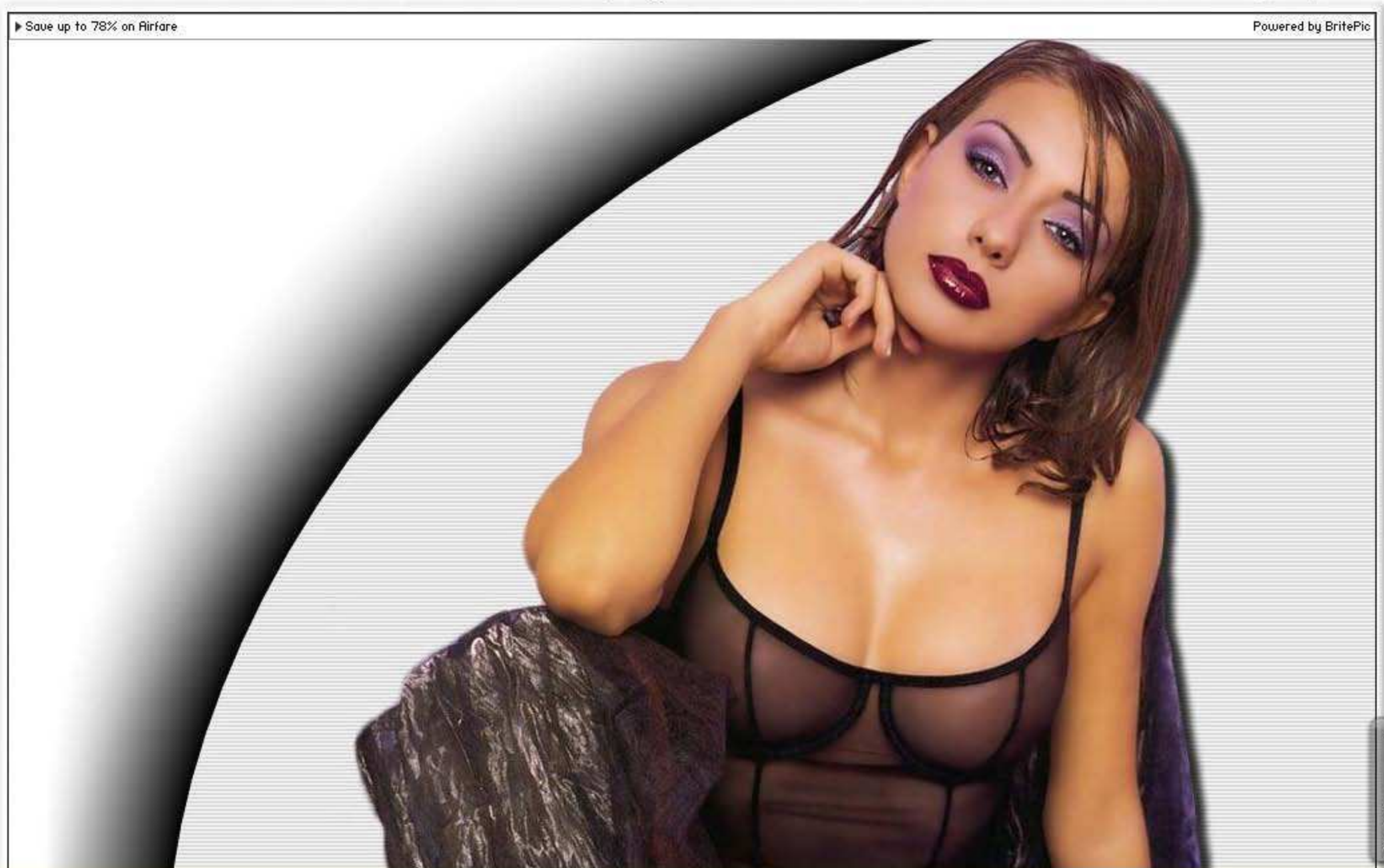
Armenian Match - Barev
Smart, Sexy Armenians Meet Here. Find your Armenian Match Here!

Meet Beautiful Singles
Browse photos of Millions of Users Find True Love today

Totally Free Wallpapers
Get Bikini Com Girls Wallpaper Download Now! Quick & Easy

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Ads by Google



marisa_miller_24.jpg (image)



Interesting to have panties which match your top...I have to say I love her shoes. Lovely long legs are set off so well with the right shoes...

corset girl

Hot Lingerie Links Tiny Panties! Cleavage! Boosting Bras Naughty Links

[Lace Lingerie](#)

Find great deals and save! Compare products, prices & stores

[Panty of the Month](#)

As Seen on CNN and in Playboy! New Sexy Lingerie Set Every Month

Ads by Google

POSTED BY JENNIFER AT 12:46 AM 0 COMMENTS

FRIDAY, DECEMBER 03, 2004

Black Lace Scarf



A black thong and a, well, scarf?? Once again the idea of lingerie is concealment as well as provocation and this long shot is a little of both...Why is Natalia Sirocka walking down a country road wearing very little? Another mystery for the ages...

Hot Lingerie Links Tiny Panties! Cleavage! Boosting Bras Naughty Links

POSTED BY JENNIFER AT 1:53 AM 1 COMMENTS

Raised slip

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- [web nymph](#)





"Ingrid Ostvat"

Search Images

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Advanced Image Search Preferences

SafeSearch is off

Images Showing: All image sizes Any content All colors Results 19 - 36 of about 130 (0.04 seconds)



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PERFECT10 com - The World s Most ... 99 x 150 - 5k - jpg darkshadow.3xforum.ro



PERFECT10 com - The World s Most ... 99 x 150 - 4k - jpg



PERFECT10 com - The World s Most ... 99 x 150 - 6k - jpg



PERFECT10 com - The World s Most ... 99 x 150 - 5k - jpg

http://images.google.com/imgres?imgurl=http://www.imagerise.com/images.php/t133_AlexandraBerejnova42copy.jpg&imgrefurl=http://darkshadow.3xforum.ro/post/1532/1/PERFECT10_com_-_The_World_s_Most_Beautiful_Natural_women/&usq=__RtMcrOXj2G7_XIP-9Fv6Flbwxxw=8h=150&w=99&sz=7&hl=en&start=19&um=1&tbid=d7MunlvjsDS9eM:&tbid=96&tbid=63&prev=/images%3Fq%3D%2522Ingrid%2BOstvat%2522%26ndsp%3D18%26hl%3Den%26safe%3Doff%26client%3Dfirefox-a%26channel%3Ds%26rls%3Dorg.mozilla:en-US:official%26sa%3DN%26start%3D18%26um%3D1

May 2009 calendar grid showing dates from 1 to 30.

http://images.google.com/imgres?imgurl=http://www.imagerise.com/images.php/t133_AlexandraBerejnova42copy.jpg&imgrefurl=http://darkshadow.3xforum.ro/post/1532/1/PERFECT10.com - The World s Most Beautiful Natural women /&usg=__RtMcrOXj2G7_XliP-9Fv6Flbwxw=&h=150&w=99&sz=7&hl=en&start=11&um=1&tbnid=d7MunlVjsDS9eM:&tbnh=96&tbnw=63&prev=/images%3Fq%3Dsite:www.imagerise.com%2B%2522Ingrid%2BOstvat%2522%2Bdarkshadow.3xforum.ro%26hl%3Den%26safe%3Doff%26client%3Dfirefox-a%26channel%3Ds%26rls%3Dorg.mozilla:en-US:official%26um%3D1