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Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA

11 PERFECT 10, INC., a California corporation,

12 Plaintiff,

13 v.

14 GOOGLE, INC., a corporation;

15 Defendant.

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

**DECLARATION OF DAVID
 O’CONNOR IN SUPPORT OF
 PERFECT 10’S MOTION FOR
 SUMMARY JUDGMENT AGAINST
 GOOGLE**

BEFORE JUDGE A. HOWARD MATZ

17 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, David O'Connor, declare as follows:

2 1. I am co-founder, President and CTO of Visual Analytics. I am
3 primarily responsible for the creation of VisuaLinks®, which has become one of
4 the standard data mining applications at a number of intelligence agencies, law
5 enforcement organizations, and financial crime investigative units. I have
6 worked closely with the Financial Crimes Enforcement Network (FinCEN),
7 Internal Revenue Service (IRS, Criminal Investigations), Defense Intelligence
8 Agency, and the Defense Information Systems Agency (DISA).

9 2. I received my B.S. in Computer Science from the University of
10 Maryland and have more than 15 years of experience developing large scale
11 distributed systems, data mining, visualization, and artificial intelligence
12 technologies. I served in the Marine Corps and worked on fighter aircraft
13 electrical flight control systems.

14 3. I submit this declaration in connection with Perfect 10's lawsuit
15 against Google. I have examined Exhibit 1 which is attached to this declaration. In
16 my opinion, I have sufficient expertise in computer science and the Internet to
17 determine whether the various portions of notices attached as Exhibit 1 would
18 provide a search engine such as Google with enough information to locate the
19 infringing image(s) or link(s).

20 4. I assume that page 1 of Exhibit 1 consists of thumbnail images from
21 Google Image Search, along with the three links that Google provides for each
22 such image. Assuming that is the case, page 1 of Exhibit 1 provides more than
23 enough information for Google to locate and block all the URLs listed on page 1.
24 Adobe Acrobat has a feature for the extraction of URLs. Google could copy any
25 of the URLs contained in page 1 of Exhibit 1 into a text file, spreadsheet, or
26 database. The first and third URLs listed on page 1 of Exhibit 1, namely,
27 http://img133.imagevenue.com/loc173/th_64278_21.jpg, and
28 http://tbn0.google.com/images?q=tbn:Vs0bIZd_jqxVPM: <http://img133>.

1 imagevenue.com/loc173/th_64278_21.jpg, both provides Google with sufficient
2 information to locate the image, with or without the image itself. The middle Web
3 Page URL (<http://forum.phun.org/showthread.php?p=729907>) with the model
4 name is sufficient to locate the image as well, but having a copy of the image as
5 shown also helps. In general, having copies of the images as provided in Exhibit 1
6 would help, rather than hinder, the search engine or ISP in locating the infringing
7 material. Google should be able to readily find all copies of that image in any of
8 its search results, and remove them from its index.

9 5. I have examined pages 2 through 8 of Exhibit 1. If Google received
10 any of those pages in a notice, it would have enough information to locate the
11 images on that page, and remove the images and the webpage from both its Image
12 Search and Web Search results. To locate and remove the infringing material,
13 Google should need only the Web Page URL, which is contained on each of those
14 pages. Once Google has the URL of the Web Page containing an infringement, it
15 can find that Web Page, and it can prevent any Google Search Results, whether
16 Web Search or Image Search results, from directly linking to that web page. On
17 pages 3-6, the Web Page URL is highlighted. On page 5, Google has suppressed
18 the starting <http://> from appearing on the user's screen but it can still locate the
19 infringing webpage with that portion of the URL simply by searching its index.
20 On page 7, the Web Page URL appears in the browser bar. On page 8, I am
21 assuming that the highlighted URL identifies the web page directly above it.
22 Google could certainly block the highlighted URL and could use the highlighted
23 URL to determine if the corresponding web page is as shown on page 8. For page
24 2, Google has the search term, "Ingrid Ostvat", the base URL of the website where
25 each image is located, darkshadow.3xforum.ro, and the "Thumbnail Source URL."
26 This URL is displayed in the address bar of a web browser when a user clicks on
27 the thumbnail. Page 9 of Exhibit 1 has an example of a Thumbnail Source URL.
28 The Thumbnail Source URL contains both the "See full-size image" URL as well

1 as the Web Page URL embedded in it, along with information regarding the search,
2 such as whether the user had their safe search on and what browser they were
3 using. This URL may be easily extracted using Adobe's URL extraction feature,
4 as demonstrated on page 10 of Exhibit 1. On page 10, the first highlighted term is
5 the "See full-size image" URL. The second highlighted term is the Web Page
6 URL.

7 6. The URLs on the left side of page 11 of Exhibit 1 appear to be Web
8 Page URLs with the starting http:// and/or www. removed. If that is the case,
9 Google can use those URLs (by either putting them into Google's search box, or
10 by searching its index for URLs that contain those URLs), to locate the associated
11 web pages. It can then prevent either its Image Search or its Web Search results
12 from directly linking to those web pages. Google can do this without any of the
13 other information shown in the middle and right hand columns of page 11. I know
14 this not only because of my knowledge regarding how search engines operate, but
15 also because I am able to do that myself by removing the starting http:// and or
16 www. from a URL I obtained from Google's Web Search results, and then putting
17 it into Google's Web Search box.

18 I declare that the foregoing is true and correct to the best of my knowledge
19 and based on all information as of the date provided below.

20 Executed on June 16, 2009,

21 
22 _____
23 David O'Connor

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](#)
[Preferences](#)

[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 ...
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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](#)

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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

Ads by Google

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

- [babeslog](#)
- [babe-a-licious](#)
- [unique peek](#)
- [blonde blog](#)
- [your dirty mind](#)
- [attu sees all](#)
- [dumpa link](#)
- [we are making porn](#)
- [babes kick ass we are](#)
- [making porn](#)
- [dadump](#)

PICTURE SITES

- [Hot Celebrity Photos](#)
- [jen's list](#)
- [babes creamlog](#)
- [creamlog](#)
- [knakworst](#)
- [soft galleries](#)
- [babelog](#)
- [hawt babes](#)
- [glamour legs \(Japan!\)](#)
- [surabayajane blog](#)
- [sensual arousal blog](#)
- [sexcity forums](#)
- [bad girls blog](#)
- [best of nudes](#)
- [indienudes](#)
- [god's art](#)
- [excellent photos](#)
- [voluptus](#)
- [babelog](#)
- [adult top blogs](#)
- [nude.hu](#)
- [the omega project](#)
- [beauty girls](#)
- [sexy pix](#)
- [sexy pix mega](#)

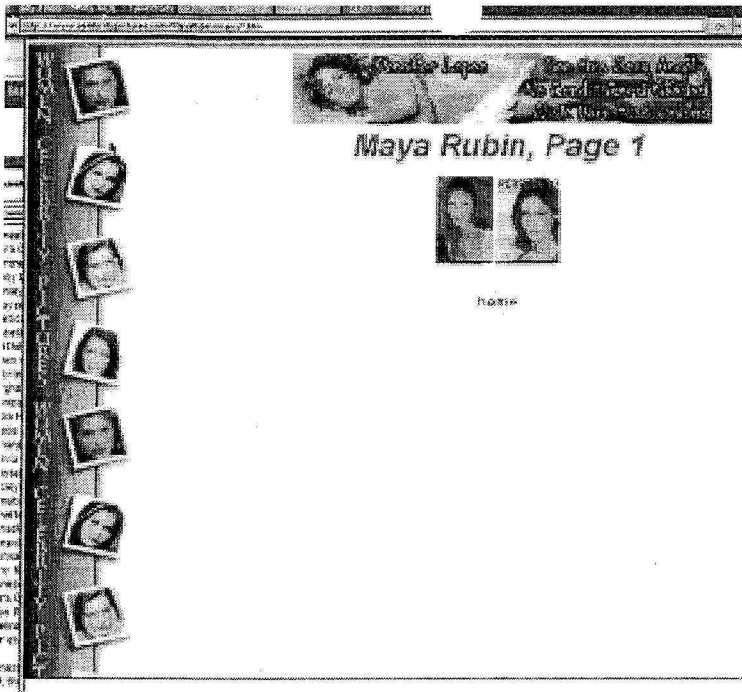
NAUGHTY BLOGS

- [Sexoteric](#)
- [A New York Escorts](#)
- [Confessions](#)
- [Bacchus](#)
- [Daze Reader](#)
- [newlywed satisfaction](#)
- [Prurient Obscenities](#)
- [SLA](#)
- [TwiddlyBits](#)
- [Word Oyster](#)
- [panty perv](#)

SYNDICATED AT

- [web nymph](#)

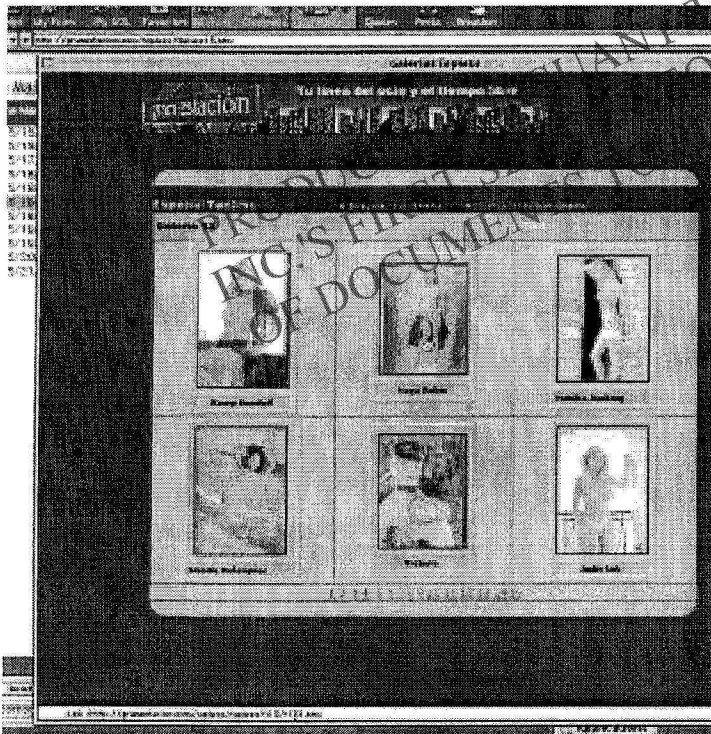




<http://www.celebritypictures.com/MayaRubin/maya1.htm>



<http://www.celebritypictures.com/Pictures/MayaRubin/maya2.jpg>



<http://granestacion.com/topless/topless13.htm>



<http://granestacion.com/topless/topless/t13/t131.htm>

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"Ingrid Ostvat"

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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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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 ...
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=998&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
Sun Mon Tue Wed Thu Fri Sat
1 2
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17 18 19 20 21 22 23
24 25 26 27 28 29 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 /&usq=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

INFRINGING URL	GOOGLE SEARCH	PERFECT 10 MAGAZINE ISSUE OR WEBSITE
minovia.com/modules/uskolaxgallery/index.php?carpeta=natalia_sirocka	natalia sirocka	vol 3, no 3, p 14-21
otoperuna.altervista.org/pagine/Wallpapers/SirockaNatalia/Sirocka_sfondi.htm	natalia sirocka	vol 3, no 3, p 15
panienki.com/Panienki/Natalia_Sirocka/natalia_sirocka.html	natalia sirocka	vol 3, no 3, p 14-21
pix.alronix.net/Photo_Scans/Tits/Natalia_Sirocka	natalia sirocka	vol 3, no 3, p 15
playboy.fason.ru/Natalia_Sirocka.php	natalia sirocka	vol 3, no 3, p 17
antoninoc.net/Top_model/top_model14.htm	natalia sirocka	vol 3, no 3, p 14 - 21
freebabes.nl/thumbnails.asp?categorie=141&categorie1=Natalia_Sirocka	natalia sirocka	
freeones.com/html/n_links/Natalia_Sirocka.shtml	"natalia sirocka"	vol 3, no 3, p 14 - 21
paparazziiporn.com/natalias/natalia.htm	"natalia sirocka"	vol 1, no 6 p 50 - 55
russiancelebrities.org/rciSet.asp?GID=4&PID=494&SID=1	"natalia sirocka"	vol 3, no 3, p 14 - 21
minovia.com/modules/uskolaxgallery/famosas.php?carpeta=natalia_sirocka	"natalia sirocka"	vol 1, no 6 p 50 - 55
1024x768wallpapers.com/categories.php?cat_id=665	"natalia sirocka"	vol 3, no 3, p 14 - 21
ragazesexy.tv/images.cgi?direct=Varie_Straniere_2/Natalia_Sirocka	"natalia sirocka"	vol 1, no 6 p 50 - 55
angelfire.com/celeb2/superaeon/Pictures/ZzZZ-NataliaSirocka.htm	"natalia sirocka"	
abc-celebs.com/mod_celeb_N.htm	"natalia sirocka"	vol 3, no 3, p 14 - 21
celebs.jerkengine.com/FD/Browse/Main?letter=N&type=image	"natalia sirocka"	
miss.mgn.ru/gallery/cat.asp?iCat=25	"natalia sirocka"	vol 3, no 3, p 14 - 21
playboy.fason.ru/model.php	"natalia sirocka"	vol 3, no 3, p 14 - 21
sultan14416.supereva.it/nataliasirocka/nataliasirocka.htm	"natalia sirocka"	
pix.alronix.net/Photo_Scans/Tits/Natalia_Sirocka/pic00097.htm	"natalia Sirocka"	vol 3, no 3, p 14 - 21
greh.ru/foto/bysi/	"natalia Sirocka"	vol 3, no 3, p 14 - 21
minovia.com/modules/uskolaxgallery/famosas.php?muestrame=n	"natalia Sirocka"	vol 3, no 3, p 14 - 21
russiancelebrities.org/rciSet.asp?GID=4&PID=493&SID=1	"natalia Sirocka"	vol 3, no 3, p 14 - 21
pix.alronix.net/Photo_Scans/Fashion/Nataskia_Maren	nataskia maren	vol1, no 4, p 14
minovia.com/modules/uskolaxgallery/famosas.php?carpeta=nataskia_maren	nataskia maren	vol 1, no 4, p 15
celebsxposed.net/preview/preview2.html	nataskia maren	vol 1, no 4, p 12 - 19
all-nude-celebrities-free.com/celebrities/n.html	nataskia maren	vol 2, no 6, p 6
models.ksenia.com/	nataskia maren	vol 1, no 5 p 34
celebs.jerkengine.com/FD/Browse/Main?letter=N&type=image	"nataskia maren"	vol 1, no 4, p 12 - 19
minovia.com/modules/uskolaxgallery/index.php?carpeta=nataskia_maren	"nataskia maren"	vol 1, no 4, p 12 - 19
playboy.fason.ru/Nataskia_Maren.php	"nataskia maren"	vol 2, no 6, p 6

PRODUCED PURSUANT TO DISCOVERY REQUESTS IN THE FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF PERFECT 10

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