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CLERK, U.S. DISTRICT COURT
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LOS ANGELES

BY 

FILED
CLERK, U.S. DISTRICT COURT
JUL - 7 2009
CENTRAL DISTRICT OF CALIFORNIA
BY  DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PERFECT 10, INC., a California corporation,
Plaintiff,

vs.

GOOGLE INC., a corporation; and
DOES 1 through 100, inclusive,
Defendants.

AND COUNTERCLAIM

PERFECT 10, INC., a California corporation,
Plaintiff,

vs.

AMAZON.COM, INC., a corporation;
A9.COM, INC., a corporation; and
DOES 1 through 100, inclusive,
Defendants.

CASE NO. CV 04-9484 AHM (SHx) ✓
[Consolidated with Case No. CV 05-4753 AHM (SHx)]

~~PROPOSED~~ ORDER GRANTING
GOOGLE INC.'S APPLICATION
TO FILE UNDER SEAL PORTIONS
OF GOOGLE'S MOTIONS FOR
SUMMARY JUDGMENT RE:
GOOGLE'S ENTITLEMENT TO
SAFE HARBORS UNDER 17 U.S.C.
§ 512, AND SUPPORTING
DOCUMENTS

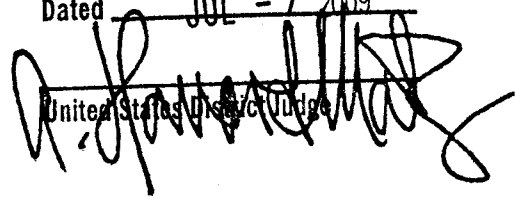
Hon. A. Howard Matz

Date: August 17, 2009
Time: 10:00 a.m.
Ctm: 14

Discovery Cut-off: None Set
Pretrial Conference Date: None Set
Trial Date: None Set

IT IS SO ORDERED

Dated JUL - 7 2009


United States District Judge

1 ~~WAM~~ **[PROPOSED] ORDER**

2 Pursuant to Local Rule 79-5.1, the Order of the Hon. A. Howard Matz re.
3 Protective Orders and Treatment of Confidential Information at Section I.D, and the
4 Protective Order entered by the Court in this action (Docket No. 94), Google Inc.'s
5 application to file ~~under seal~~ ^{FILE OR LODGE} the redacted portions of the following documents and *WAM*
6 the indicated Exhibits thereto (the "Confidential Materials") is hereby GRANTED:

- 7 • DEFENDANT GOOGLE'S NOTICE OF MOTION AND MOTION
8 FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT
9 TO SAFE HARBOR UNDER 17 U.S.C. § 512(d) FOR WEB AND
10 IMAGE SEARCH;
- 11 • STATEMENT OF UNCONTROVERTED FACTS AND
12 CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT
13 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:
14 GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C.
15 § 512(d) FOR WEB AND IMAGE SEARCH;
- 16 • DEFENDANT GOOGLE'S NOTICE OF MOTION AND MOTION
17 FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT
18 TO SAFE HARBOR UNDER 17 U.S.C. § 512(c) FOR ITS
19 BLOGGER SERVICE;
- 20 • STATEMENT OF UNCONTROVERTED FACTS AND
21 CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT
22 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:
23 GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C.
24 § 512(c) FOR ITS BLOGGER SERVICE;
- 25 • DEFENDANT GOOGLE'S NOTICE OF MOTION AND MOTION
26 FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT
27 TO SAFE HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING
28 FEATURE;

- 1 • STATEMENT OF UNCONTROVERTED FACTS AND
2 CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT
3 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:
4 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512(b)
5 FOR ITS CACHING FEATURE;
- 6 • DECLARATION OF SHANTAL RANDS POOVALA IN SUPPORT
7 OF DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
8 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
9 UNDER 17 U.S.C. § 512, AND EXHIBITS J, K, FF-II, KK, AND LL
10 THERETO;
- 11 • DECLARATION OF PAUL HAAHR IN SUPPORT OF
12 DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
13 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
14 UNDER 17 U.S.C. § 512, AND EXHIBITS 1 AND 2 THERETO;
- 15 • EXHIBIT J TO THE DECLARATION OF RACHEL HERRICK
16 KASSABIAN IN SUPPORT OF DEFENDANT GOOGLE'S
17 MOTIONS FOR SUMMARY JUDGMENT RE: GOOGLE'S
18 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512;
- 19 • DECLARATION OF BILL BROUGHER IN SUPPORT OF
20 DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
21 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
22 UNDER 17 U.S.C. § 512.

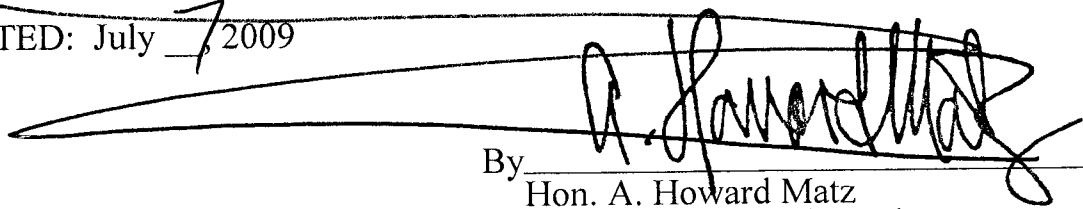
23
24 The Confidential Materials include materials that Google Inc., Contributor
25 Corporation and/or Perfect 10, Inc. has designated "Confidential" and/or "Highly
26 Confidential" pursuant to the Protective Order. Accordingly, the Court orders that
27 the Confidential Materials be filed under seal.

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1 SO ORDERED.

2 DATED: July 7 2009

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By _____
Hon. A. Howard Matz
United States District Judge.