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1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
 2 Michael T. Zeller (Bar No. 196417)  
 3 michaelzeller@quinnemanuel.com  
 4 865 South Figueroa Street, 10th Floor  
 5 Los Angeles, California 90017-2543  
 6 Telephone: (213) 443-3000  
 7 Facsimile: (213) 443-3100  
 8 Charles K. Verhoeven (Bar No. 170151)  
 9 charlesverhoeven@quinnemanuel.com  
 10 50 California Street, 22nd Floor  
 11 San Francisco, California 94111  
 12 Rachel Herrick Kassabian (Bar No. 191060)  
 13 rachelkassabian@quinnemanuel.com  
 14 555 Twin Dolphin Drive, Suite 560  
 15 Redwood Shores, California 94065

16 Attorneys for Defendant GOOGLE INC.

BY   
 Proposed entry lodged  
 CLERK, U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 LOS ANGELES

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FILED

17 UNITED STATES DISTRICT COURT  
 18 CENTRAL DISTRICT OF CALIFORNIA

19 PERFECT 10, INC., a California corporation,

20 Plaintiff,

21 vs.

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

24 Defendants.

25 AND COUNTERCLAIM

26 PERFECT 10, INC., a California corporation,

27 Plaintiff,

28 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)]

**GOOGLE INC.'S APPLICATION TO FILE UNDER SEAL PORTIONS OF GOOGLE'S REPLIES IN SUPPORT OF ITS 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: None (taken under submission)  
Time: None Set  
Ctrm: 14

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

1 Pursuant to Local Rule 79-5.1, , the Order of the Hon. A. Howard Matz re.  
2 Protective Orders and Treatment of Confidential Information at Section I.D, and the  
3 Protective Order entered by the Court in this action (Docket No. 94), Google Inc.  
4 hereby submits this application to file under seal the redacted portions of the  
5 following documents (the “Confidential Materials”):

- 6
- 7 • DEFENDANT GOOGLE’S REPLY IN SUPPORT OF ITS 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 • CONSOLIDATED SEPARATE STATEMENT OF  
12 UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW IN  
13 SUPPORT OF DEFENDANT GOOGLE INC.’S MOTION FOR  
14 SUMMARY JUDGMENT RE: GOOGLE’S ENTITLEMENT TO  
15 SAFE HARBOR UNDER 17 U.S.C. § 512(d) FOR WEB AND  
16 IMAGE SEARCH;
- 17 • DEFENDANT GOOGLE’S REPLY IN SUPPORT OF ITS MOTION  
18 FOR SUMMARY JUDGMENT RE: GOOGLE’S ENTITLEMENT  
19 TO SAFE HARBOR UNDER 17 U.S.C. § 512(c) FOR ITS  
20 BLOGGER SERVICE;
- 21 • CONSOLIDATED STATEMENT OF UNCONTROVERTED FACTS  
22 AND CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT  
23 GOOGLE INC.’S MOTION FOR SUMMARY JUDGMENT RE:  
24 GOOGLE’S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C.  
25 § 512(c) FOR ITS BLOGGER SERVICE;
- 26 • DEFENDANT GOOGLE’S REPLY IN SUPPORT OF ITS MOTION  
27 FOR SUMMARY JUDGMENT RE: GOOGLE’S ENTITLEMENT  
28

1 TO SAFE HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING  
2 FEATURE;

- 3 • CONSOLIDATED STATEMENT OF UNCONTROVERTED FACTS  
4 AND CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT  
5 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:  
6 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512(b)  
7 FOR ITS CACHING FEATURE;
- 8 • REBUTTAL DECLARATION OF SHANTAL RANDS POOVALA  
9 IN SUPPORT OF DEFENDANT GOOGLE'S MOTIONS FOR  
10 SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO  
11 SAFE HARBOR UNDER 17 U.S.C. § 512, AND EXHIBITS B AND  
12 D THERETO;
- 13 • REBUTTAL DECLARATION OF BILL BROUGHER IN SUPPORT  
14 OF DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY  
15 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR  
16 UNDER 17 U.S.C. § 512;
- 17 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE  
18 DECLARATION OF DR. NORMAN ZADA IN OPPOSITION TO  
19 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE  
20 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,  
21 BLOGGER SERVICE, AND CACHING FEATURE.

22  
23 The Confidential Materials include materials that Perfect 10, Inc. and/or  
24 Google has designated "Confidential" and/or "Highly Confidential" pursuant to the  
25 Protective Order, and/or materials that Perfect 10, Inc. has previously filed under  
26 seal. Accordingly, Google requests that the Confidential Materials be filed under  
27 seal.  
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1 DATED: September 8, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

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By *Rachel Herrick Kassabian*  
Michael T. Zeller  
Rachel Herrick Kassabian  
Attorneys for Defendant GOOGLE INC.