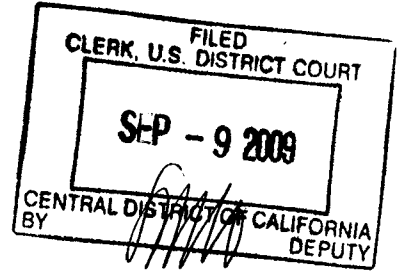


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CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY



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.

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 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

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.

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

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**[PROPOSED] ORDER**

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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 the redacted portions of the following documents and  
6 the indicated Exhibits thereto (the "Confidential Materials") is hereby GRANTED:  
7

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

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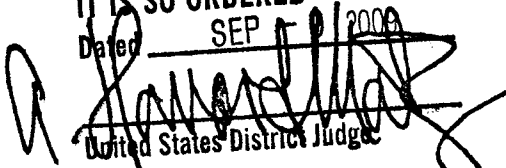
TO SAFE HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING FEATURE;

- CONSOLIDATED STATEMENT OF UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE: ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING FEATURE;
- REBUTTAL DECLARATION OF SHANTAL RANDS POOVALA IN SUPPORT OF DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512, AND EXHIBITS B AND D THERETO;
- REBUTTAL DECLARATION OF BILL BROUGHER IN SUPPORT OF DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512;
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF DR. NORMAN ZADA IN OPPOSITION TO GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH, BLOGGER SERVICE, AND CACHING FEATURE.

The Confidential Materials include materials that Google Inc. and/or Perfect 10, Inc. has designated "Confidential" and/or "Highly Confidential" pursuant to the Protective Order, and/or that Perfect 10 has previously filed under seal.

Accordingly, the Court orders that the Confidential Materials be filed under seal.

SO ORDERED.

IT IS SO ORDERED  
 Dated SEP 1 2009  
  
 United States District Judge

1 DATED: September \_\_, 2009

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By \_\_\_\_\_

Hon. A. Howard Matz  
United States District Judge.

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