

ORIGINAL

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BY *[Signature]*
 Proposed on behalf of Defendant

CLERK, U.S. DISTRICT COURT
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FILED

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

13 PERFECT 10, INC., a California
 14 corporation,
 15 Plaintiff,

16 vs.

17 GOOGLE INC., a corporation; and
 18 DOES 1 through 100, inclusive,
 19 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 CORRECTED
 CONSOLIDATED STATEMENT
 OF UNCONTROVERTED FACTS
 IN SUPPORT OF GOOGLE'S
 MOTION FOR SUMMARY
 JUDGMENT RE: SAFE HARBOR
 UNDER 17 U.S.C. § 512(c) FOR ITS
 BLOGGER SERVICE**

AND COUNTERCLAIM

20 PERFECT 10, INC., a California
 21 corporation,
 22 Plaintiff,

23 vs.

24 AMAZON.COM, INC., a corporation;
 25 A9.COM, INC., a corporation; and
 26 DOES 1 through 100, inclusive,
 27 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

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
5 DEFENDANT GOOGLE'S CORRECTED CONSOLIDATED STATEMENT OF
6 UNCONTROVERTED FACTS IN SUPPORT OF GOOGLE'S MOTION FOR
7 SUMMARY JUDGMENT RE: SAFE HARBOR UNDER 17 U.S.C. § 512(c) FOR
8 ITS BLOGGER SERVICE (the "Corrected Blogger Consolidated Statement").

9 The Corrected Blogger Consolidated Statement includes materials that Perfect
10 10, Inc. and/or Google has designated "Confidential" and/or "Highly Confidential"
11 pursuant to the Protective Order, and/or materials that Perfect 10, Inc. has
12 previously filed under seal. Accordingly, Google requests that the Corrected
13 Blogger Consolidated Statement be filed under seal.

14
15 DATED: September 10, 2009

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

16
17 By *Rachel Herrick Kassabian*
18 Michael T. Zeller
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