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2010 MAR 15 PM 4:11
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY [Signature]

FILED

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

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

Plaintiff,

15 vs.

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

18 *Defendants.*

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

**GOOGLE INC.'S NOTICE OF
LODGING OF EXHIBIT A (A
DISK) TO THE DECLARATION OF
RACHEL HERRICK KASSABIAN
IN SUPPORT OF GOOGLE'S
OPPOSITION TO PERFECT 10,
INC.'S SECOND MOTION FOR A
PRELIMINARY INJUNCTION**

19 AND COUNTERCLAIM

Hon. A. Howard Matz

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

Plaintiff,

22 vs.

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

26 *Defendants.*

Date: April 5, 2010
Time: 10:00 a.m.
Ctm: 14

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

ORIGINAL

1 NOTICE IS HEREBY GIVEN that pursuant to this Court's Local Rule 11-5.1
2 and in support of the Declaration of Rachel Herrick Kassabian in Support of
3 Defendant Google Inc.'s Opposition to Plaintiff Perfect 10, Inc.'s Second Motion
4 for Preliminary Injunction ("Kassabian Declaration"), Defendant Google Inc. hereby
5 lodges and files the following exhibit with the Court:

6 1. A disk, lodged and filed herewith as Exhibit A to the Kassabian
7 Declaration, containing true and correct electronic copies of the following
8 documents previously filed with the Court in this action:

9 **Google's DMCA Opening Briefs And Supporting Materials**

- 10 • DEFENDANT GOOGLE'S NOTICE OF MOTION AND MOTION
11 FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT
12 TO SAFE HARBOR UNDER 17 U.S.C. § 512(d) FOR WEB AND
13 IMAGE SEARCH (Dkt No. 456, filed under seal);
- 14 • STATEMENT OF UNCONTROVERTED FACTS AND
15 CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT
16 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:
17 GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C.
18 § 512(d) FOR WEB AND IMAGE SEARCH (filed under seal, see Dkt.
19 No. 423);
- 20 • DEFENDANT GOOGLE'S NOTICE OF MOTION AND MOTION
21 FOR SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT
22 TO SAFE HARBOR UNDER 17 U.S.C. § 512(c) FOR ITS
23 BLOGGER SERVICE (Dkt. No. 457, filed under seal);
- 24 • STATEMENT OF UNCONTROVERTED FACTS AND
25 CONCLUSIONS OF LAW IN SUPPORT OF DEFENDANT
26 GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT RE:
27 GOOGLE'S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C.
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§ 512(c) FOR ITS BLOGGER SERVICE (filed under seal, see Dkt. No. 423);

- DEFENDANT GOOGLE’S NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT RE: GOOGLE’S ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING FEATURE (Dkt. No. 458, filed under seal);
- 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 (filed under seal, see Dkt. No. 423);
- 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 ALL DOCUMENTARY EXHIBITS THERETO (EXCLUDING DISKS AND HARD DRIVE MEDIA) (Dkt. Nos. 467-469, filed under seal);
- DECLARATION OF PAUL HAAHR 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 THERETO (Dkt. No. 460, filed under seal);
- DECLARATION OF RACHEL HERRICK KASSABIAN 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 THERETO (Dkt. No. 466, filed under seal);

- 1 • DECLARATION OF BILL BROUGHER IN SUPPORT OF
2 DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
3 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
4 UNDER 17 U.S.C. § 512 (Dkt. No. 459, filed under seal);
5 • DECLARATION OF SIBRINA KHAN IN SUPPORT OF
6 DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
7 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
8 UNDER 17 U.S.C. § 512 (Dkt. No. 429);
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10 **Google's DMCA Reply Briefs And Supporting Materials**

- 11 • DEFENDANT GOOGLE'S REPLY IN SUPPORT OF MOTION FOR
12 SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO
13 SAFE HARBOR UNDER 17 U.S.C. § 512(d) FOR WEB AND
14 IMAGE SEARCH (Dkt. No. 529, filed under seal);
15 • DEFENDANT GOOGLE'S CONSOLIDATED SEPARATE
16 STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF
17 GOOGLE'S MOTION FOR SUMMARY JUDGMENT RE: SAFE
18 HARBOR UNDER 17 U.S.C. § 512(d) FOR WEB AND IMAGE
19 SEARCH (filed under seal, see Dkt. No. 502);
20 • DEFENDANT GOOGLE'S REPLY IN SUPPORT OF MOTION FOR
21 SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO
22 SAFE HARBOR UNDER 17 U.S.C. § 512(c) FOR ITS BLOGGER
23 SERVICE (Dkt. No. 530, filed under seal);
24 • DEFENDANT GOOGLE'S CORRECTED CONSOLIDATED
25 SEPARATE STATEMENT OF UNDISPUTED FACTS IN SUPPORT
26 OF GOOGLE'S MOTION FOR SUMMARY JUDGMENT RE: SAFE
27 HARBOR UNDER 17 U.S.C. § 512(c) FOR ITS BLOGGER
28 SERVICE (filed under seal, see Dkt. No. 522);

- 1 • DEFENDANT GOOGLE INC.'S REPLY IN SUPPORT OF ITS
2 MOTION FOR SUMMARY JUDGMENT RE: GOOGLE'S
3 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512(b)
4 FOR ITS CACHING FEATURE (Dkt. No. 531, filed under seal);
- 5 • DEFENDANT GOOGLE'S CONSOLIDATED SEPARATE
6 STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF
7 GOOGLE'S MOTION FOR SUMMARY JUDGMENT RE: SAFE
8 HARBOR UNDER 17 U.S.C. § 512(b) FOR ITS CACHING
9 FEATURE (filed under seal, see Dkt. No. 502);
- 10 • REBUTTAL DECLARATION OF SHANTAL RANDS POOVALA
11 IN SUPPORT OF DEFENDANT GOOGLE'S MOTIONS FOR
12 SUMMARY JUDGMENT RE: GOOGLE'S ENTITLEMENT TO
13 SAFE HARBOR UNDER 17 U.S.C. § 512, AND EXHIBITS
14 THERETO (Dkt. No. 534, filed under seal);
- 15 • REBUTTAL DECLARATION OF BILL BROUGHER IN SUPPORT
16 OF DEFENDANT GOOGLE'S MOTIONS FOR SUMMARY
17 JUDGMENT RE: GOOGLE'S ENTITLEMENT TO SAFE HARBOR
18 UNDER 17 U.S.C. § 512 (Dkt. No. 533, filed under seal);
- 19 • REBUTTAL DECLARATION OF RACHEL HERRICK
20 KASSABIAN IN SUPPORT OF DEFENDANT GOOGLE'S
21 MOTIONS FOR SUMMARY JUDGMENT RE: GOOGLE'S
22 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. § 512, AND
23 EXHIBITS THERETO (Dkt. No. 506).
- 24 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE
25 DECLARATION OF SHEENA CHOU IN OPPOSITION TO
26 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE
27 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
28 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 507);

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- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF SEAN CHUMURA 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 (Dkt. No. 508);
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF MARGARET JANE EDEN 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 (Dkt. No. 509);
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF DEAN HOFFMAN 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 (Dkt. No. 510);
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF JEFFREY MAUSNER 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 (Dkt. No. 511);
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF BENNETT MCPHATTER 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 (Dkt. No. 512);
- GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF C.J. NEWTON IN OPPOSITION TO GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE

- 1 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
2 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 513);
- 3 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE
4 DECLARATION OF DAVID O'CONNOR IN OPPOSITION TO
5 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE
6 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
7 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 514);
 - 8 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE
9 DECLARATION OF LES SCHWARTZ IN OPPOSITION TO
10 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE
11 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
12 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 515);
 - 13 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE
14 DECLARATION OF MELANIE POBLETE IN OPPOSITION TO
15 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE
16 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
17 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 516);
18 and
 - 19 • GOOGLE INC.'S EVIDENTIARY OBJECTIONS TO THE
20 DECLARATION OF DR. NORMAN ZADA IN OPPOSITION TO
21 GOOGLE'S THREE MOTIONS FOR SUMMARY JUDGMENT RE
22 DMCA SAFE HARBOR FOR ITS WEB AND IMAGE SEARCH,
23 BLOGGER SERVICE, AND CACHING FEATURE (Dkt. No. 532,
24 filed under seal).

25 Exhibit A contains material that Google and/or Perfect 10, Inc. has designated
26 Confidential and/or Highly Confidential pursuant to the Protective Order entered by
27 the Court in this action (Docket No. 94) and that previously has been filed under
28 seal in this action. Accordingly, pursuant to Local Rule 79-5.1, the Procedures and

1 Schedules of the Honorable A. Howard Matz, and the Protective Order, Google has
2 requested that Exhibit A be filed under seal.

3 DATED: March 15, 2010

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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By *Rachel Herrick Kassabian*
Rachel Herrick Kassabian
Attorneys for Defendant GOOGLE INC.