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13	SONY PICTURES ENTERTAINMENT, INC PICTURES TELEVISION INC., TWENTIET	'H CENTURY
14	FOX FILM CORP., NBC UNIVERSAL, INC DISNEY PICTURES, WARNER BROS.	
15	ENTERTAINMENT, INC., UNIVERSAL CI PRODUCTIONS LLLP, UNIVERSAL CITY	
16	LLLP, AND VIACOM, INC.	
17	UNITED STATE	ES DISTRICT COURT
18	NORTHERN DIST	RICT OF CALIFORNIA
19	REALNETWORKS, INC., et al.,	CASE NO. C 08-4548-MHP
20	Plaintiffs,	Consolidated with Case No. C 08-04719-MHP
21	vs.	DECLARATION OF ROHIT K. SINGLA IN SUPPORT OF STUDIOS' RESPONSE
22	DVD COPY CONTROL ASSOCIATION, INC., et al.	TO REAL'S MOTION TO EXTEND TIME OR EXCLUDE TOPICS FROM THE
23	Defendants.	PRELIMINARY-INJUNCTION HEARING
24	Derendunts.	PUBLIC REDACTED VERSION
25		
26	AND CONSOLIDATED ACTIONS.	
27		
28		
		SINGLA DECLARATION ISO STUDIOS' RESPONSE TO MOTION TO EXTEND TIME OR EXCLUDE TOPICS

Dockets.Justia.com

1       DECLARATION OF ROHIT K. SINGLA         2       I, Rohit K. Singla, hereby do declare and state:         3       1. I am a partner in the law firm of Munger, Tolles & Olson LLP, counsel of record         4       for Columbia Pictures Industries, Inc., Disney Enterprises, Inc., NBC Universal, Inc., Paramour         5       Pictures Corporation, Sony Pictures Entertainment, Inc., Sony Pictures Television, Inc.,         6       Twentieth Century Fox Film Corporation, Universal City Studios LLLP, Universal City Studios         7       Productions LLLP, Viacom, Inc., Walt Disney Pictures, and Warner Bros. Entertainment, Inc.         8       (collectively, "the Studios"). I make this Declaration based upon my own personal knowledge,         9       except where facts are stated upon information and belief. If called upon to do so, I could and         10       would testify competently to the matters stated herein.         11       .         12       .         13       .         14       .         15       .         16       .         17       .         18       .         19       .         19       .         10       .         11       .         12       .         13       .		
3       1. I am a partner in the law firm of Munger, Tolles & Olson LLP, counsel of record         4       for Columbia Pictures Industries, Inc., Disney Enterprises, Inc., NBC Universal, Inc., Paramour         5       Pictures Corporation, Sony Pictures Entertainment, Inc., Sony Pictures Television, Inc.,         6       Twentieth Century Fox Film Corporation, Universal City Studios LLLP, Universal City Studios         7       Productions LLLP, Viacom, Inc., Walt Disney Pictures, and Warner Bros. Entertainment, Inc.         8       (collectively, "the Studios"). I make this Declaration based upon my own personal knowledge,         9       except where facts are stated upon information and belief. If called upon to do so, I could and         10       would testify competently to the matters stated herein.         11       12         13       14         14       15         15       16         16       17         17       18         18       19         19       11         20       REDACTED         21       REDACTED         22       1         23       1         24       1         25       1		
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28 SINGLA DECLARATION ISO STUDIOS	OS'	
- 1 - RESPONSE TO MOTION TO EXTEND TIME OR EXCLUDE TOPICS		

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3	REDACTED
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11	6. Additionally, Real continues to help people copy DVDs. Attached hereto as
12	Exhibits A-C are a true and correct copies of pages from RealNetworks' online RealDVD
13	Customer Support forum, located at http://real.lithium.com/real/board?board.id=RealDVD. In
14	these posts, a RealNetworks employee — "NinjaClick" — advises several RealDVD owners how
15	to copy DVDs and reinstall RealDVD. Of course, this is all months after this court's October 3
16	TRO.
17	7. Likewise, Real has continually marketed and promoted RealDVD — both in the
18	media and at conferences — since the TRO. I am informed, for example, that Real had a
19	prominent display promoting RealDVD at the Consumer Electronics Show in Las Vegas three
20	weeks back. Real's executives also continue to advertise to the press and the public that this
21	Court will lift the TRO at the preliminary injunction hearing.
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26	REDACTED
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28	SINGLA DECLARATION ISO STUDIOS'
	- 2 - RESPONSE TO MOTION TO EXTEND TIME OR EXCLUDE TOPICS

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5	REDACTED
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10	I declare under penalty of perjury under the laws of the State of California and the United
11	States of America that the foregoing is true and correct. Executed this 29th day of January 2009
12	at San Francisco, California. /s/ Rohit K. Singla
13	/ <u>s/ Rohit K. Singla</u> Rohit K. Singla
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20	- 3 - SINGLA DECLARATION ISO STUDIOS' RESPONSE TO MOTION TO EXTEND TIME OR EXCLUDE TOPICS