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17 Attorneys for Studio Plaintiffs and Declaratory
 Judgment Defendants

18
 19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA

22 REALNETWORKS, INC., a Washington
 Corporation; and REALNETWORKS
 23 HOME ENTERTAINMENT, INC., a
 Delaware corporation,
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 Plaintiffs,
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 vs.
 26
 27 DVD COPY CONTROL ASSOCIATION,
 INC., DISNEY ENTERPRISES, INC.,
 28 PARAMOUNT PICTURES CORP.,
 SONY PICTURES ENTERTAINMENT,

CASE NO. C 08-4548-MHP

**DECLARATION OF RAVI SEKHAR
 CHERUKURI IN SUPPORT OF MOTION
 PICTURE STUDIO PLAINTIFFS'
 OPPOSITION TO REAL'S MOTION TO
 AMEND DECLARATORY JUDGMENT
 COMPLAINT**

 DATE: December 22, 2008
 TIME: 9:00 a.m.
 CTRM: 15 (Hon. Marilyn Hall Patel)

1 INC., TWENTIETH CENTURY FOX
2 FILM CORP, NBC UNIVERSAL, INC.,
3 WARNER BROS. ENTERTAINMENT,
4 INC., and VIACOM, INC.,
5 Defendants.

6
7 UNIVERSAL CITY STUDIOS
8 PRODUCTIONS LLLP, UNIVERSAL
9 CITY STUDIOS LLLP, PARAMOUNT
10 PICTURES CORPORATION,
11 TWENTIETH CENTURY FOX FILM
12 CORPORATION, SONY PICTURES
13 TELEVISION INC., COLUMBIA
14 PICTURES INDUSTRIES, INC., SONY
15 PICTURES ENTERTAINMENT INC.,
16 DISNEY ENTERPRISES, INC., WALT
17 DISNEY PICTURES and WARNER
18 BROS. ENTERTAINMENT INC.,

19 Plaintiffs,

20 vs.

21 REAL NETWORKS, INC. and REAL
22 NETWORKS HOME
23 ENTERTAINMENT, INC.,

24 Defendants.

CASE NO. C 08-04719 MHP

1 I, Ravi Sekhar Cherukuri, declare as follows:

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- 3 1. I am a technical consultant for the movie studio defendants in this case. The following
- 4 facts are within my personal knowledge. I would be competent to testify to the facts
- 5 stated herein if called to do so.
- 6 2. I hold a Bachelor of Engineering degree with Honors in Electrical Engineering and a
- 7 Master of Science degree with Honors in Mathematics from the Birla Institute of
- 8 Technology and Science, Pilani, India. I also have a Master of Science degree in
- 9 Electrical Engineering from Iowa State University, Ames, Iowa. As a result of my
- 10 education and professional experience, I am knowledgeable about computer software. I
- 11 have designed, developed, and analyzed source code on various development platforms,
- including Windows, Linux, Unix, AS/400, and Sun Solaris, among others, and in a variety
- of programming languages, including C, C++, C#, Java, assembly, and others.

12 ***The RealDVD Source Code We Were Originally Provided***

- 13 3. I have been provided access to a computer with source code at the law offices of Wilson
- 14 Sonsini Goodrich & Rosati in San Francisco, since 13 November, 2008. A second
- 15 computer with the same code was provided on 21 November, 2008.
- 16 4. The computers were pre-loaded with two folders containing source code, the first named
- 17 'Win32'. I was informed that source code in 'Win32' folder corresponds to RealDVD
- 18 product and source code in the other folder corresponds to the "new platform" product of
- 19 RealNetworks.
- 20 5. The size of 'Win32' folder is 1.63 Gigabytes, and it consists of 47,434 files. The 'Win32'
- 21 folder includes a variety of file types, including source code files (developed in C, C++,
- 22 ActionScript, etc.), text files (.txt, .pdf, .doc, etc.), and files associated with a version
- 23 control tool (CVS), among others. Source code files developed in C, C++, ActionScript
- 24 and associated header files (files with extensions .c, .cpp, .as, .h and .hpp) comprise about
- half the total number of files in 'Win32' folder: 23,833. Total number of lines in source
- code files is over nine million (9,032,674).
- 25 6. Nine million lines of code is an enormous amount of code. I have not seen any documents
- 26 with a roadmap or other guidance as to which portions of the 9 million lines of source
- 27 code related to which functions of RealDVD. We spent much of the time between
- 28 November 13 and November 26 trying to identify the relevant source code.

1 7. It would streamline our efforts if I could speak with one or more of RealDVD developers
2 to identify the source code files associated with RealDVD product and to identify the
3 software modules that perform RealDVD functionalities. But no communications have
4 been scheduled yet.

The RealDVD Source Code Provided on November 26

- 5 8. On 26 November, 2008, an additional folder was added to one of the computers. The
6 name of this folder is 'RealDVDsrc'. The size of this folder is 33.2 Megabytes and it
7 consists of just 3,741 files. Source code files developed in C, C++ and associated header
8 files (files with extensions .c, .cpp, .h and .hpp) comprise the bulk of the folder. Total
9 number of lines in source code files is about one million (1,110,727).
- 10 9. It has been represented to me that this represents some or all of the code for the RealDVD
11 product. It is obviously just a fraction of the code we were originally provided. We have
12 now directed our analysis exclusive to this code base.
- 13 10. The developers of this code would be in a position to precisely identify code for this
14 product. The source code files for a software product like RealDVD have to be precisely
15 identified for the compiler. The source code files are identified in a group of special files,
16 including files called "makefile" or "umakefil." Using these files, all the source code files
17 that are used to build the software product can be precisely identified.

The New Platform Source Code

- 18 11. The size of the other folder that I understand contains the New Platform source code is
19 619 Megabytes and it consists of 33,325 files. The folder also includes various file types,
20 including source code files (developed in C, C++, etc.), text files (.txt, .doc, etc.), among
21 others. Source code files developed in C, C++ and associated header files (files with
22 extensions .c, .cpp, .h and .hpp) comprise about one third of the total number of files in the
23 folder: 10,521. Total number of lines in source code files is about five million (4,972,772).
- 24 12. This folder may also contain extraneous code for other programs. As with RealDVD, I
25 have not seen any documents or other guidance to help us understand which portions of
26 the 5 million lines of code relate to which functions of the new product.
- 27 13. Our work so far has focused on the RealDVD code, and we have not begun analyzing the
28 code in this folder.
14. The new product and RealDVD appear to have separate code bases. For example,
'realdvd' folder and this folder do not have any C++ files (files with extension .cpp) in

1 common. This means that analyzing the code for the new product will take many
2 additional weeks, under the best of circumstances.


3 ***Limitations on Access***

4 15. Access to the source code has only been provided at two computers in San Francisco at
5 Wilson Sonsini's offices. This has slowed down our work and has required me and my
6 colleagues to spend long periods of time away from our families. We have also had to
7 spend significant amount of time traveling. Not having access in our offices has also
8 limited our ability to discuss our analysis with my colleagues.

9 16. We have not been permitted to freely print source code, which has limited our ability to
10 efficiently analyze the code. In particular, print outs would permit more than two
11 consultants to be analyzing the source code at one time. Given the limited time available,
12 we could proceed much more quickly if we had the ability to provide source code in
13 printed form to a third analyst.

14 17. These constraints have adversely affected our efficiency.

15 I declare under the penalty of perjury under the laws of the United States that the foregoing is true
16 and correct. Executed this 1st day of December 2008, at San Francisco, California.

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19 Ravi Sekhar Cherukuri
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