EXHIBIT J

DECLARATION OF RYAN BRICKER IN SUPPORT OF
PLAINTIFF SONY COMPUTER ENTERTAINMENT AMERICA
LLC'S OPPOSITION TO DEFENDANT GEORGE HOTZ'S
MOTION TO DISMISS FOR LACK OF PERSONAL
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Top 5 Reasons Hackers are Hurting the Sony Community, Not Helping

ARTICLES | FEBRUARY 18, 2011 BY STEVE KOHLBECKER | 11 COMMENTS



It seems as if every other day, a story comes out about how the hackers are going to make life miserable for the ordinary gamer on the PlayStation 3 all because Sony is a technology bully. Now, a lot of these stories are potentially exaggerated, sensationalized, or even flat out untrue. Nevertheless, some of the concepts that are coming out may not turn out to be so far fetched after all. The ethos of the hacker usually resides in the premise that everything should be open and free. Who of us has not downloaded pirated music before, so I can't sit here and point fingers at Geohot for what he did to the PS3, but at what point do the actions of a few start to infringe on the rights of the many? When it does, expect public sentiment to dissipate completely. Here is why we think the hackers are not doing us any favors right now.

1. The possibility of exposing innocent users' credit card info.

Now, this is the most debated of all the issues. The rumors surrounding this topic range from the credit card info of people is being sent unencrypted and can be intercepted. Maybe. Also, it is said to only affect those running Custom Firmware. None of this has been proven to be true, but that does not mean it is a closed topic. People don't read the fine print of news stories. Remember the Mass Effect sex fiasco? A half-second of an alien side boob and the world was convinced we were playing video game porn. Just wait until a major news outlet publishes a one-sided story that the PS3 allows your credit card to be hacked and you could have your identity stolen. Video game sex is one thing, fucking with people's finances, and you have a megaton problem on your hands.

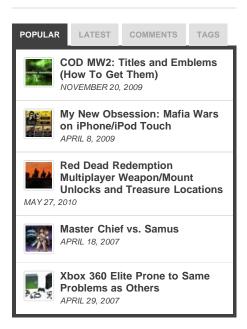
2. Hacker claim saying they can unban themselves and ban any other consoles.

Is this really true? I have no idea. The hackers are claiming they can do it. So far, they have made









Twisted Gamer Radio

a lot of claims of what they can do and have followed through. If it is, how is cracking the PS3 firmware a public good when you can ban other people on a whim? Where is the benefit here?



3. 99% of people that want to hack their PS3 just want pirated games and cheating methods.

There are a handful of people who hack things because they want this open source world and information should be free. They are the exception. Most people want the PS3 cracked so they can play stolen games and cheat. How do we know this is true? Almost every time someone is caught with a modded console, they have illegal shit on it and are either cheating or playing copied games. Again, some hackers do it for the sport. The rest don't.

If this hits mainstream media, sales could take a major hit, potentially costing people their jobs.

If half the stuff that is going around is true, this will go public. What if Sony loses a ton of sales because the casual gamer and the huge market demographic says, "Why should I buy a PS3 when I am at a huge security risk?" The hardcore gamer scoffs at this because they believe that the opinion of the casual gamer does not matter. While I agree to some extent, their dollars matter. A lot. Near 10 million Kinects sold based on the sole idea of the technology that really does not work all that well yet. What if all this costs someone their job? Is it really worth fucking with people's livelihoods all because you want video game freedom?

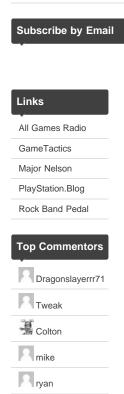
5. This does not help the gaming industry.

If 0.01% of gamers have the ability to create hacks and all this custom firmware and maybe on a extreme high estimate, 5-10% use it, how does this help everyone else? I could give a fat toad's ass if you want to jailbreak your PS3, play stolen games, cheat with your friends, turn it into a panini maker. I really don't care. When you bring it online, fuck with everyone else's experience, then you have crossed the line. You claim Sony is a bully and they hold all the power. Now, you take that power and hold it yourself. What has changed? Now you hold all the cards. Absolute power corrupts absolutely. Leave well enough alone and let me play my fucking video games in peace without having to worry about all this bullshit.



▼ TAGS: CUSTOM FIRMWARE, FEATURED, GEOHOT, HACKERS, HACKING, PLAYSTATION 3, PS3, SONY, TOP 5







About Steve Kohlbecker

Senior Managing Editor of Loot Ninja, ACS Certified Biochemist and Research Scientist for a major Pharmaceutical Company. I also benchpressed 415 lbs when I was in college.

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11 Responses to "Top 5 Reasons Hackers are Hurting the Sony Community, Not Helping"



Matt Banks

February 18, 2011 at 11:26 am #

Yeah, I really don't see this working out well for gamers. The pissing match is going to keep going on and neither side is going to budge. The typical gamer (both casual and hardcore) is who's losing out.





Jon_Jones

February 18, 2011 at 12:45 pm #

Perfect

Finally someone with sense, It piss me off when i see cheaters complaining about sony being an ass hole.

But you know what, sony's doing the right thing, they need to take care of their partners interests and honest players too.

Everybody losses with piracy. I mean, everybody except sony, because you need the console, in order to play, But all others softhouses loses. What's the point to invest thousands of Dollars producing a game if it will be spread to the internet ¬¬

Piracy slowly kills the video game industry

And you say that only 4% of the players want to play piracy game....

I Think that more then 80% just want to play pirated games XD



Chris Bosak

February 18, 2011 at 12:47 pm #

These hackers think they can suspend anyone's account without SONY authorizing it. SONY will find out and fast, in fact I agree that SONY has every right to sue Geohot, why because of the hackers they're hurting business for the gaming industry. I mean come on everyone has to make a living. These hackers should be sent to prison for this, why because it's making life for others unfair. Why should I have to deal with some Asshole trying to make things even more complicated than before.





Todd P Hamilton

March 5, 2011 at 3:29 pm #

You can lick my bosack





uffy

February 18, 2011 at 2:36 pm #

I didn't realize hacking seriously hurts people with their jobs,investment,game developers and finally, legit psn users.

If game developers goes bankrupt...then no more games in the long run. Period. All other hackers out there should be fined \$100,000 as penalty or even jailtime.

@Geohot's rap: http://www.youtube.com/watch?v=9iUvuaChDEg

This is how criminals act in society. They only benefit themselves and the people who sympathize this person is supporting crime. Shame on you.





xino

February 18, 2011 at 5:09 pm #

99% want to pirate games my ass!

many want to pirate games, but the majority like myself want our hacked ps3 to play MKV, emulators, XBMC and other homebrews.

Nice try, trying to make it seem as if all hackers are virus.

REPLY

aaron

February 18, 2011 at 8:07 pm #

I have a modded PS3 and use it for homebrew and pirated games HOWEVER I dont even have it set up to go online and never will. I own the PS3 and will do what I like with it but i do not own the PSN online service and therefore would never abuse it. I appreciate the free service from Sony. As far as pirated games goes, they act as more of a "demo" for me. I grow tired of spending \$80 on a game that has been falsely hyped and finding out after an hour

that the actual game is not what it advertised. With that being said, this has actually led me to purchase more games for my unmodded PS3 as i found myself enjoying games I never thought I would. I will not use this as an excuse but the game devs are "ripping off" us as gamers by cutting parts of a game out prior to release and then charging us exuberant amounts of money to get the rest of a game we purchased. This is dirty business and it honestly removes any guilt I may have felt about "pirating". Yet after all these facts, I have actually purchased 2 PS3's and more games (and dlc) than I ever would have without it. If Sony knew what was good for them they would follow in Microsoft's footsteps and encourage this like Microsoft has done with the Kinect and Windows 7 phones. It allows the hackers to pursue their hobby and creates new ideas for the company which they can turn around and purchase the idea and profit considerably from it. This is just my opinion so please don't flame. I presented my thoughts intelligently so please return the favor.



aaron

February 18, 2011 at 8:14 pm #

And to all the misinformed and miseducated, piracy does NOT hurt game devs as most of the world's population either lack the technical knowledge to do so, or just simply don't do it for whatever personal beleif. Hacking and Piracy is done by a very small population of gamers who wouldn't buy the games they're pirating even if they couldn't pirate. Piracy has been going on for decades and has only hurt the devs who try to pass off garbage for money. Ask the top musicians, ask the top developers, games that are actually good (mass effect,dragon age, Call of Black Ops with a Halo in a Killzone) have all set and continue to set record breaking sales numbers. Yeah, suufering. Do some research before you make an uneducated point.

REPLY

2

The Great Acadian

February 19, 2011 at 12:09 pm #

1. The possibility of exposing innocent users' credit card info.

I agree that this is a serious problem, but the way you present it is a way that says that it's better that a hole be left alone where actual criminals can lurk and use man in the middle attacks. The publication of such holes forces sony to patch painfully bad holes in their security system, rather then just let it be. Such actions are in the public interest, unless we want to be of the opinion that whistle blowers are a bad thing.

- 2. Hacker claim saying they can unban themselves and ban any other consoles. What's your point though? If I take one of the kitchen knives and use it, it gives me the ability to cut both myself, and anyone or thing that I please, but it also allows me to make food that is quite tasty, simply because of process has the ability to harm someone isn't in and of itself a reason to outlaw it, for the convenience of the many.
- 3. 99% of people that want to hack their PS3 just want pirated games and cheating methods. Please, I would like to see where you got these numbers from. If you simply pulled them out of your nether regions then I would please ask that you stuff a ball-gag in your mouth until you're able to pull up a scientific study that proves such a thing.
- 4. If this hits mainstream media, sales could take a major hit, potentially costing people their jobs. This is a good thing, why should people who can't properly make a system be rewarded? Would you continue to pay someone who is unable to do their job? Or return to a restaurant who make your meal wrong or even just poorly? Sony has done a poor job, and people deserve to loose their jobs for it.
- 5. This does not help the gaming industry.

This has the problem that you're ignoring the idea of griefing, they're already here, and a very real thing, unless you want to simply ban people that annoy you. This is a plain and simple freedom of speech issue. And no matter how much you may detest those who use their freedom, you really need to simply accept it since the law is very clear, and they are well within their rights.

In closing you're simply wrong, in both a moral and legal way. To complain about these hackers is the same as Christian complaining about a Hindu not going to their church.

Do note that I've been assuming you're in the States while writing this, if you're not I can rewrite this with your country's laws in mind instead.





joshawa

. :

REPLY

February 20, 2011 at 6:27 am #

Ragna the bloodedge

February 20, 2011 at 2:49 pm #

Well I am also a college student, I don't believe in Piracy but i feel that SONY should teach this F*cker a lesson, no disrespect Geohot but the whole hacking things has left other legit PS3 owners like me wondering that since PSN is comprimised due to these bastards hacking consoles then they can unban themselves, and ban other legit gamers like me for doing nothing.

Come on Geohot get it in your head that there's a reason why SONY will win, not only are they trying to protect their investments, but their employees have to make a living as well. they have rent, food, and expenses that the rest of us have to deal with, they too deserve to get paid. If you don't like it then grow the Fuck up Asswipe. I feel for game dev's who work hard on games like Gran Turismo 5 for 5 yrs. only to have asswipe hackers distribute illegal copies of torrents accross the internet for free. They put their God Damn blood sweat and tears into these big time AAA PS3 exclusive titles and people like you, don't give them the respect they deserve, That's why i buy games because I'm a game collector and I believe that all Game dev's deserve to get paid. Like I said before everyone has to make a living in order to survive. You hackers make it harder for the rest of us. GEOHOT I'm against you, for these dev's deserve their pay after all their hard work.



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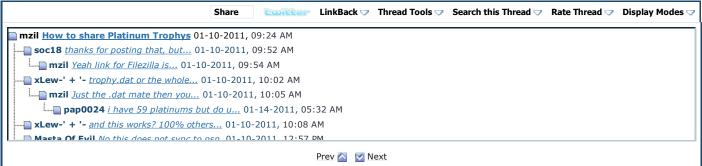
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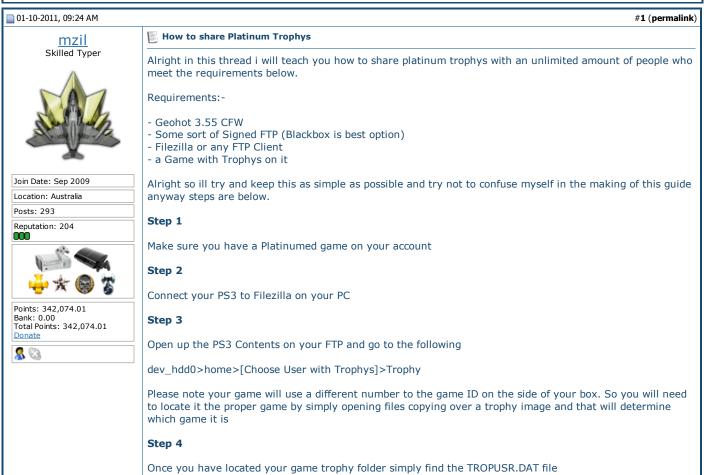
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1 of 2 1/18/2011 9:21 PM



Give your friend the TROPUSR.DAT and get him to put it in his FTP over his existing TROPUSR.DAT file open the game PS Quit then Sync to server and wala you are done.

Or if you dont have any friends to share with post it in the TROPUSR.DAT Platinum thread to share with the Community!

All Working TROPUSR.DAT Platinums for JB 3.55

Note: If i had made a mistake somewhere in this post please dont hesitate to inform me to prevent the younger audience of this forum flaming this post







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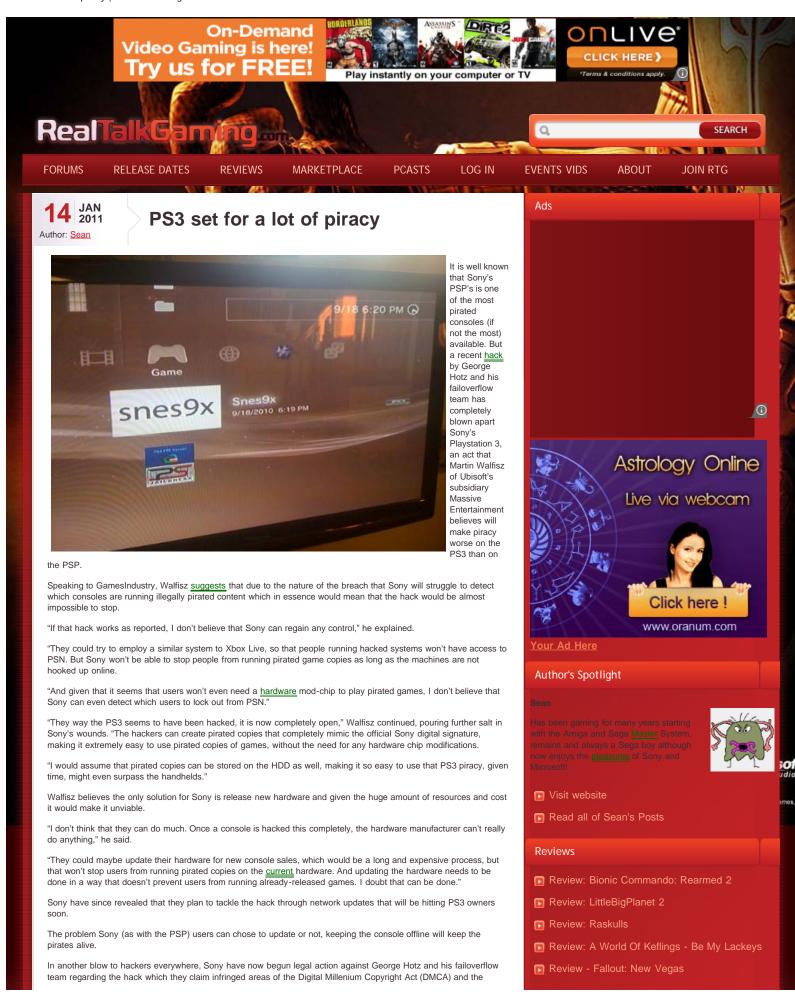
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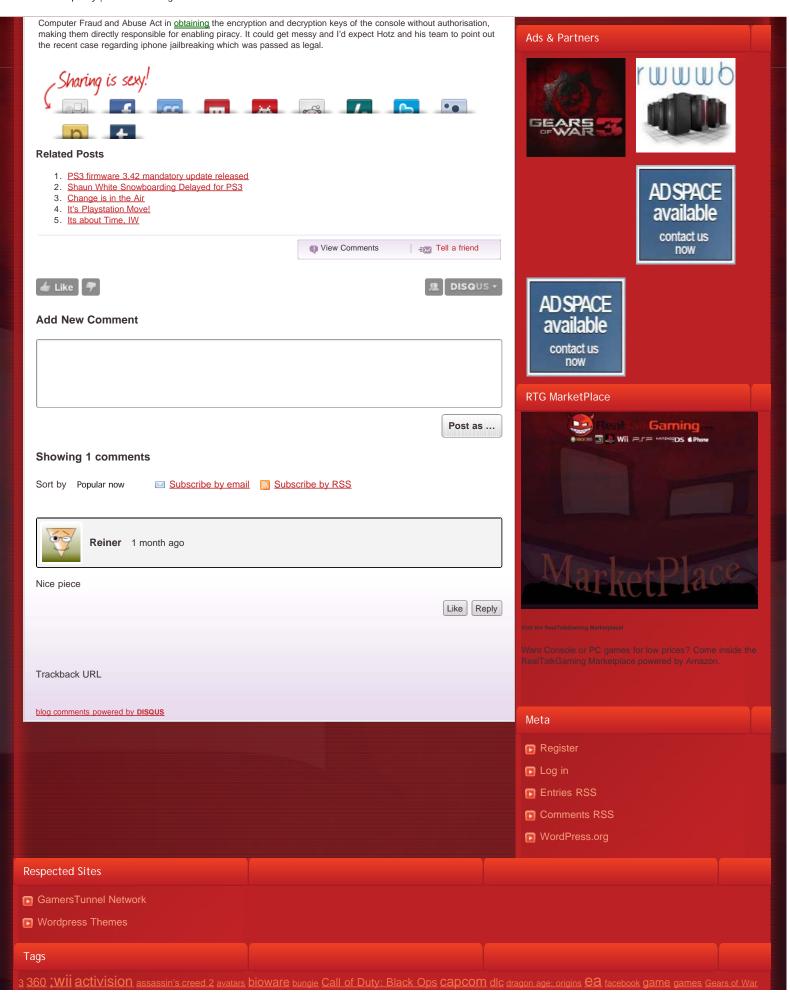
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PS3 Piracy Could Eclipse PSP

Publishers see problems for Sony after firmware crack. **UK**, January 14, 2011



by Martin Robinson IGN UK The recent cracking of the PlayStation 3's previously watertight security measures could prove seriously problematic for Sony according to industry figures, with the console opening itself up for piracy on a similar scale to that seen on the PSP.

Sony's PlayStation 3 has been the subject of several hacks that bypass the console's security measures and that hackers claim can only be addressed with a hardware update. Sony has since responded by filing for restraining orders against the group failOverflow and the prolific George Hotz among others.

"If that hack works as reported, I don't believe that Sony can regain any control," Ubisoft Massive's Martin Walfisz told **gamesindustry.biz**. "They could try to employ a similar system to Xbox Live, so that people running hacked systems won't have access to PSN. But Sony won't be able to stop people from running pirated game copies as long as the machines are not hooked up online."

Walfisz went on to claim that Sony's home console could be facing a problem more serious than that which has beset its handheld counterpart. "I would assume that pirated copies can be stored on the HDD as well," said Walfisz, "making it so easy to use that PS3 piracy, given time, might even surpass the handhelds."

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Check yourself before you wrickkety wreck yourself. The gaming industry will NOT fail.

Posted by: rpgb46 on January 18, 2011 19:01 PDT

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The reason this is so huge is due to the fact that the 360 had this happen early in it's life cycle, when huge budget games weren't happening and competition wasn't near as stiff. It took 360 a year and a half before piracy was under wraps. Sony is going to have an even harder time to solve this... [+] Full Comment

Posted by: xXxTehPandaxXx on January 18, 2011 07:21 PDT

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Its sad that we have to steal to be happy. I love to play online with others and its nice when I have a bad day and play like a nOOb, and its even better when I have a score of 25f to 5d. I believe games are great now with trophies and medals. If you steal them it should be no different then taking... [+] Full Comment

Posted by: KnlvEs421 on January 18, 2011 07:16 PDT

Report Abuse



hasn't every other console been hacked?it can't be that drastic.

Posted by: k-mysta on January 18, 2011 06:18 PDT

Report Abuse

Screw these hackers. why are they trying to mass out copies without anyone paying. i don't wanna see the gaming industry fail... and i definitely don't wanna see sony fail. they're trying so hard right now to push out first party titles

Posted by: SxYSpAz on January 18, 2011 05:58 PDT

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Fri, Jan 14, 2011 | 16:04 GMT

PS3 "Trophy Unlocker" threatens to break Trophy system



This is ridiculous.

Rumours have been ripe on some hacking forums that a new homebrew app known as "PS3 Unlocker" allows users running custom firmware to achieve 100 percent completion in any game and unlock all the trophies in the process.

What's worse, is that they can then sync the data to Sony's servers and it'll will show up in their Trophy lists.

One random PS3 hacking forum user wrote the following message:

"Just tried it with BUZZ Quiz TV (EU) original disc – Played a round of the game then quit, trophy's now show as 100% I have 70% previously."

All this is the result of George "Geohot" Hotz completely hacking the PS3 by exposing its security keys, which he claimed was irreversible, earlier in the month.

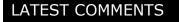
His actions resulted in Sony suing him and a group of hackers calling themselves fail0verflow earlier in the week.

We'll contact Sony and see if any of this holds any truth.

Thanks, MCV.

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Posted in: Hot, PS3, Sony Tags: hack, PS3 Trophy Unlocker, released, Rumour



56 COMMENTS

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#51 DBZ0wnz 14/01/11, 11:13 pm I have 52 platinum trophies legit and these motherfuckers think they can ruin one of the best ps3 communities around, holy fuck cheese.

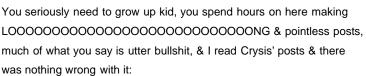
What a bunch of lowlife Cunts.

#52 Michael O'Connor 15/01/11, 12:03 am It's already been pointed out that these can't be synced with Sony's servers, so I'm not sure what the fuss is about.

#53 OlderGamer 15/01/11, 12:06 am PT said, "Come on guys, going after each others families is a step too far no? Stay classy."

+100

#54 Chris2pher_Jack 15/01/11, 1:06 am @50, What the fuck is an ozone lawyer?



"...and thats why David Jaffe left SONY and why Ted Price would probably never sign a deal to become one of their 1st party studios. If I put all the work and effort into making something that will sell millions you want to be the sole owner of that. Its common sense....its the fucking American way dude!"

"Insomniac does not own Resistance or Ratchet, owning the IP has very little to do with why Insomniac is (to some extent) an independent developer.

The main advantage for a developer to own their own IP is that they can auction it off if they go bust, well they do get some creative control over it, but the publisher ALWAYS has the last word.

Just that both West & Zampella got too big for their own boots, that's what cause this whole incident, they signed contracts to work on something they didn't like, well unfortunately that's life."

"I know that. To Ted it was just a hired job and I highly doubt if SONY wanted to acquire Insomniac Ted would decline because he probably prides himself on being independent when there are less and less like his company in the industry.

I never said he owned them. I said he would never make a deal to

albo88: "i fucking hate fanboys myself i pay more on pc i dont have..."

OrbitMonkey: "Yeah looks nice,if you got the high end pc. I'm on a tight b..."

DSB: "@22 Bravo! Plus, games don't need the most powerful engin..."

Erthazus: "@22, "Gameplay > Graphics" Gameplay and graphics are i..."

DICE: "Our competitors are getting lazy"

> albo88: "i got great hope for BF3 yeas baby hey just for the news..." sickgamer: "you go get them DICE !!!!!! fuck all haters :D"

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> pukem0n: "it will flop... had it in my hands, for 5 minutes and it fr..."

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become a 1st party dev for SONY. Stop reading what you want to read and read it right assuie boy."

His statement fits in perfectly if you read the article you were commenting on, you're just paranoid, I mean do you believe the crap that flies out of your mouth? Like 'M\$' released the PS3 hack, you are seriously an idiot in need of some psychiatric help if you believe in your own hype you egomaniac, you think you're so important to this site, realistically you're just a fly on our screens that needs to be crushed, it's your childish fault why people like me don't normally comment, because YOU TWIST WORDS & come up with the most ignorant crap, if i were a moderator on here i would have banned you ages ago for

simply being a childish little twat.

#55 JPdot

15/01/11, 1:09 am

So, basically, as long as you don't synchronize the trophies you can be a completionist without effort? Sign me in XD.

#56 Stoopid_Snot 15/01/11, 9:45 am god almighty.....

whats got more sadisfaction?

playing a game for hours to try to get in in 100% or play for few min and chack the 100%

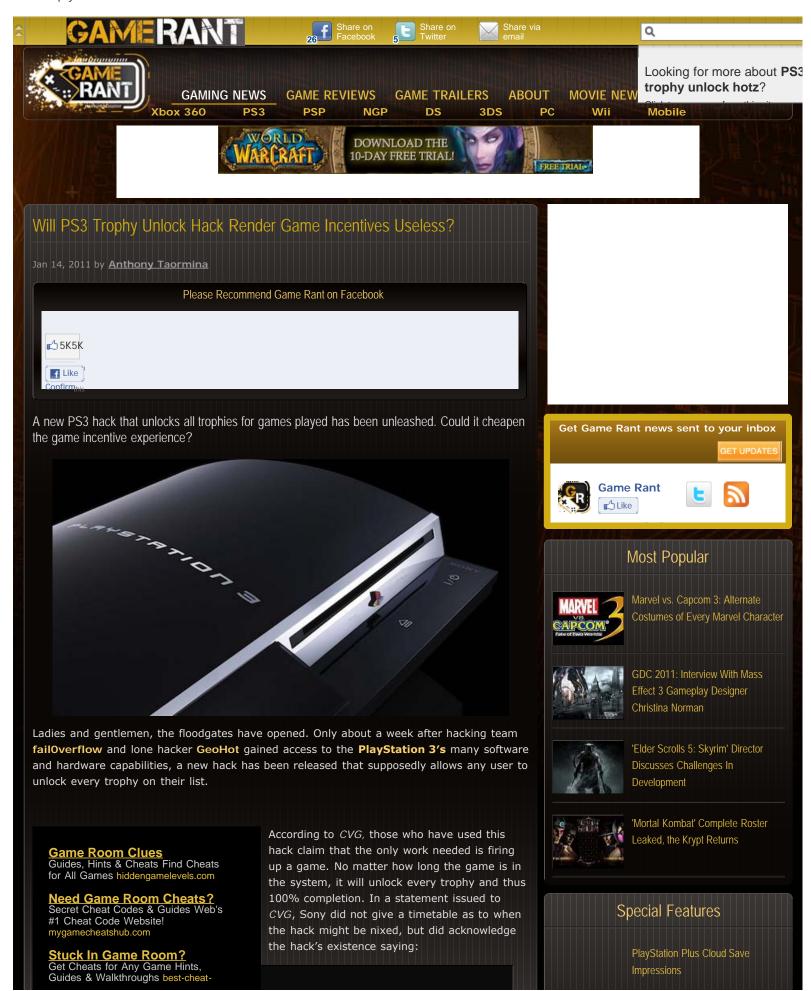
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"We are aware of this, and are currently looking into it. We will fix the issues through network updates, but because this is a security issue, we are not able to provide you with any more details."

Obviously, the battle for the PS3 is far from over, as GeoHot, real name George Hotz, is now facing legal action after he put the PS3's root key on the internet. The fail0verflow team has yet to come under as significant an amount of fire, but it is likely only a matter of time before Sony turns its attention towards them as well.

One interesting point this hack brings up is the trivial nature of the trophy and the achievement. Essentially, these signifiers do nothing more than boost one player's ego and diminish the ego of another. By now being able to instantly unlock any trophy on the PS3, it cheapens the sense of accomplishment and takes away a lot of the inherent competition.

While widely considered a bad thing, perhaps something good can come from this hack: freedom from the tyranny of the achievement/trophy. As someone who, at various points in time, was extremely obsessed with trophies/achievements, it is very disheartening to hear that they are now unlockable by way of a modded PS3 and a hack. But really, it's almost a bit liberating to think that perhaps, after the hack has been exploited, trophies/achievements will no longer be a deciding factor in gaming.

These days, trophies/achievements sometimes discourage gamers from trying out really fantastic games because of their lack of incentives. There have probably been more than a hundred games that went ignored because they were on a system that didn't offer an incentive - namely the DS and the Wii. Sure, there are games on these systems that do get played, but there are also some really terrible games that end up getting played on the Xbox 360 or PS3 simply because they have easy achievements.

While it's only a thought that maybe achievements/trophies will become less influential in gamer circles, it should make more than a few gamers question how they approach games. Sony is hard at work making the hack null and void, so it's best to just earn your trophies the old fashioned way - by playing some games.

Do you think that this PlayStation 3 trophy hack might change the way gamers view the trophy? Will there ever come a time when trophies and other game incentives no longer influence gamer habits?

Source: CVG





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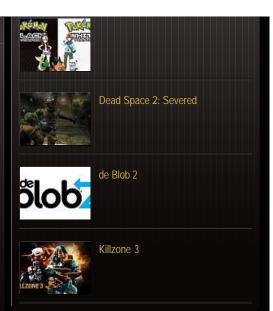
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10 Comments

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J.C. Reeves 1 month ago

This could change the way gamers look at each other's trophies, but for me it has never been about impressing friends. I like to use gaming incentives as a way of challenging myself to get the most out of each title.

Reply



Scott Young 1 month ago

I completely agree with you. It's more about the added challenge to each game and there's a strange sense of satisfaction when the trophy unlock chime plays midgame.

Reply





funboxer84 4 weeks ago

I have 2 PS3 System (120gb Slim) and (320gb Move bundle) 1 in the living room and other in my bedroom. So I play different games on each but now I am playing more COD Black Ops and BF Bad Company 2 in my living room, but then I can't continue playing it in my bedroom and keep my earned trophies.

But now I can continued playing it without having to delete and copy all my date from one PS3 to the other and keep it intact. Take care watch out for MAY 21, 2011

Reply



the lone wanderer 1 month ago

what is the point in hacking the ps3 for trophies its stupid it takes away the fun of going though the gaming experience

Reply



skaarofman 1 month ago

this is all so stupid.. if you but the thing you own it and you have the right to do anything you want to with it.. if sony wants to persue legal action they need to start renting out consoles instead of selling them.

i cant see this happening anywhere else.

the problem with new tech like sonys psp and ps3 and apples i-tech is they dont even give you full functionality of the device you purchase but charge amazing prices for it.. then they want to get mad because someone makes thier product do what they want it to. if this is because of piracy.. we would have never been able to record anything on a v.c.r. this is all just a way to control how you enjoy the media you pay for. get rid of licensing online distrabution and put some americans back to work making ..."products" that you buy in a store and use.

Reply



Amy 1 month ago

These hackers are retarded. They claim they want to do all of this for homebrew but they are just ruining the system. They are all just interested in piracy. Stupid scum bags ruining everything for everyone.

Reply



1GameRanter 1 month ago

Didn't the same happen to XBox already? I clearly remember hackers designing something that would instantly unlock achievements/gamerscore.

But it has been proven over time that no body cares, I'm sure it won't affect PS3 trophies that much. Like what J.C. Reeves said, most people look at achievements/trophies as a personal challenge and how one is dedicated to a game, rather than a competition.

Reply

They_Call_me_Jack 1 month ago



who actually cares about other peoples trophies? people seriously have to stop and take a look at themselves if they are really upset by somebody elses trophies count. its sad enough you care about your own trophies for crying out loud. just let it go. you cant stop it, and odds are you wont ever know who is and who isnt using them. if it wasnt tropies then it was leaderboards, and if it wasnt leaderboards then it was "well i can do this" followed by an "nuh uh" you are missing the point of the trophies. they are there for you own sense of accomplishment. if you honestly think they are there so you can brag about them you are just being a narcissist. nobody cares about your trophies.

Reply



Ori 1 month ago

This is old news and has already been done a while ago. There's been tutorials on youtube and everywhere else on how to do it. Unfortunately, once the trophies are unlocked, a date stamp isn't imprinted on your trophy list. So you can tell it was hacked then.

Reply



Marloo Redd 2 weeks ago

Nope. There will be plenty of complaining, but it won't really change much. People will still play the games they like. If anything I see people getting annoying / absurd / glitched trophies this way and moving on with their lives. Meanwhile the people who like waxing philosophical about how people "should" get trophies will get together and pat each other on the back for being philosophical.

Reply

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