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11 Attorneys for Plaintiff
 12 BE IN, INC., a New York corporation

13 IN THE UNITED STATES DISTRICT COURT
 THE NORTHERN DISTRICT OF CALIFORNIA

14 SAN JOSE DIVISION

15 BE IN, INC.,) Case No. CV12-03373-LHK
 16)
 Plaintiff,)
 17)
 v.) **[PUBLIC REDACTED VERSION**
 18) **PURSUANT TO JUDGE LUCY H. KOH'S**
) **DEC. 1, 2011 STANDING ORDER]**
 19) **DECLARATION OF HA-THANH**
 GOOGLE, INC., a California corporation,) **NGUYEN IN SUPPORT OF**
 20) **OPPOSITION TO MOTION TO**
 RICHARD ROBINSON, and DOES 1 through) **DISMISS**
 21)
 3, inclusive,)
 22)
 Defendants.)
)
) Hearing Date: January 3, 2013
) Hearing Time: 1:30 p.m.
) Courtroom: 8, 4th Floor
 23) Judge: Hon. Lucy H. Koh

24 **DECLARATION OF HA-THANH NGUYEN**

25
 26 I, Ha-Thanh Nguyen, declare as follows:

27 1. I am an associate with the law firm Clifford Chance US LLP. I have personal
 28 knowledge of the facts stated in this declaration and, if called upon to do so, I would and could

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1 competently testify thereto. I make this Declaration in support of Be In Inc.'s Opposition to
 2 Google's Motion to Dismiss.

3 2. Attached as Exhibit A is a true and correct copy of Plaintiff Be In, Inc.'s June 22,
 4 2012 deposit submitted to the United States Copyright Office as part of Be In, Inc.'s application to
 5 the United States Copyright Office for a registered copyright. Exhibit A is the subject of Be In's
 6 concurrently filed Stipulated Administrative Motion to File Document Under Seal (the
 7 "Administrative Motion"). An unredacted version of Exhibit A is attached to the version of my
 8 Declaration that is proposed to be filed under seal and is the subject of the Administrative Motion.
 9 A redacted version of Exhibit A is attached to the public version of my Declaration that
 10 concurrently will be e-filed in conjunction with Be In's Opposition to Google's Motion to
 11 Dismiss.

12 3. On September 11, 2012, I visited the U.S. Copyright Records Research &
 13 Certification office at the Library of Congress, located at 101 Independence Ave., SE,
 14 Washington, D.C. 20559 and obtained a copy of Be In's deposit, attached as Exhibit A.

15 4. Attached as Exhibit B is a true and correct copy of the Certificate of Registration
 16 for U.S. Copyright Registration Number TX 7-567-462 for Be In Inc.'s www.camup.com site
 17 (effective date of registration: June 22, 2012).

18 5. Attached as Exhibit C for the Court's convenience and reference is a true and
 19 correct copy of the opinion, *Salt Optics, Inc. v. Jand, Inc. et. al.*, No. SACV 10-828 DOC (RNBx)
 20 (C.D. Cal. Mar. 4, 2011).

21 I declare under penalty of perjury under the laws of the United States of America that the
 22 foregoing is true and correct.

23 Executed this 25th day of September 2012 at Washington, D.C.

24 _____
 25 /s/ Ha-Thanh Nguyen
 Ha-Thanh Nguyen

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