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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IO GROUP, INC., a California)
Corporation,)
Plaintiff,)
vs.)Case No. C-06-3926(HRL)
VEOH NETWORKS, Inc., a)
California Corporation,)
Defendant.)
_____)

HIGHLY CONFIDENTIAL
DEPOSITION OF DMITRY SHAPIRO
SAN DIEGO, CALIFORNIA
MAY 21, 2007

REPORTED BY: NICOLE R. HARNISH, CSR No. 13101

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IO GROUP, INC., a California)
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Plaintiff,)
vs.)Case No. C-06-3926(HRL)
VEOH NETWORKS, Inc., a)
California Corporation,)
Defendant.)
_____)

DEPOSITION OF DMITRY SHAPIRO,
taken by the Plaintiff, commencing at the hour of
2:00 p.m., on Monday, May 21, 2007, at
530 B Street, Suite 350, San Diego, California,
before Nicole R. Harnish, Certified Shorthand
Reporter in and for the State of California.

1 APPEARANCES:

2

3 For the Plaintiff:

4 GILL SPERLEIN
5 GENERAL COUNSEL
6 TITAN MEDIA.COM
7 BY: GILL SPERLEIN, ESQ.
8 584 Castro Street, Suite 849
9 San Francisco, California 94114

10 For the Defendant:

11 WINSTON & STRAWN
12 BY: JENNIFER A. GOLINVEAUX, ESQ.
13 101 California Street
14 San Francisco, California 94111

15 Also Present: Keith Ruoff

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1 of the content group?

2 A. I am actually not sure if there were any
3 other deals.

4 Q. After the content group was formed, have
5 they made deals to put content on the Veoh system?

6 A. Yes, they have.

7 Q. Can you give me a few examples of some of
8 the deals that you might consider to be one of the
9 more important ones?

10 A. Sure.

11 CBS, Us Magazine, Road and Track Magazine,
12 Car and Driver Magazine, United Talent Agency.

13 Q. Are all of those deals similar to the
14 Turner deal in that there's no payment by one side or
15 the other for the transaction?

16 A. Yes, I believe so.

17 Q. What content did CBS have a deal to --

18 A. So it is not launched yet. It is a new
19 deal for us, but it is shows from CBS.

20 Q. Do you want this portion to be marked?

21 MS. GOLINVEAUX: I was going to ask should
22 this -- would you like this portion to be designated
23 confidential? Is this public knowledge?

24 THE WITNESS: No. It is public knowledge.
25 It has been announced.

1 MR. SPERLEIN: Thank you.

2 BY MR. SPERLEIN:

3 Q. Have the shows been selected or will that
4 be determined later?

5 A. I believe that will be determined later.

6 MS. GOLINVEAUX: Mr. Sperlein, if I could
7 just clarify for the record that Mr. Shapiro is
8 testifying in response to four of the topics noticed
9 in the 30B6 notice. Those are 7, 11, 18, and 19,
10 just so that is clear on the record.

11 MR. SPERLEIN: Okay.

12 MS. GOLINVEAUX: Thanks.

13 BY MR. SPERLEIN:

14 Q. In those instances when Veoh was actually
15 uploading the video content on the Veoh system for
16 content that they've obtained from what I will refer
17 to as third-party content providers, does Veoh also
18 have to then enter metadata information such as title
19 and description and those things?

20 MS. GOLINVEAUX: Object to the form of the
21 question. I believe it assumes facts not yet in
22 evidence for this deposition.

23 THE WITNESS: When you upload a video, you
24 have to enter -- yes, metadata, title, description,
25 et cetera.

1 BY MR. SPERLEIN:

2 Q. Okay. So if the content is being uploaded
3 by Veoh, then Veoh would have to also enter the
4 Metadata; is that correct?

5 A. Yes. I believe it has to be done at the
6 time of upload.

7 Q. Thank you.

8 Are -- the deals that we've been discussing
9 generally require a written agreement?

10 MS. GOLINVEAUX: Object to the form of the
11 question.

12 BY MR. SPERLEIN:

13 Q. Do any of these -- do any of the deals that
14 you have specifically mentioned this afternoon, are
15 any of them represented by a written document for
16 that deal?

17 A. Yes.

18 Q. And for what purpose does Veoh seek to
19 obtain additional content from third-party providers?

20 MS. GOLINVEAUX: Object to the form of the
21 question.

22 BY MR. SPERLEIN:

23 Q. You can go ahead and answer.

24 A. It is primarily for -- to be associated
25 with just brands. So PR purposes, brand association.

1 I, NICOLE R. HARNISH, Certified Shorthand Reporter
2 for the State of California, do hereby certify:

3
4 That the witness in the foregoing deposition was by
5 me first duly sworn to testify to the truth, the
6 whole truth and nothing but the truth in the
7 foregoing cause; that the deposition was taken by me
8 in machine shorthand and later transcribed into
9 typewriting, under my direction, and that the
10 foregoing contains a true record of the testimony of
11 the witness.

12
13 Dated: This 8th day of June 2007
14 at San Diego, California.

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NRH.
NICOLE R. HARNISH
C.S.R. NO. 13101