

10:10:18	1	A.	It's actually -- let's think about that for
10:10:21	2		a second.
10:10:22	3		MR. HORNICK: Objection to the
10:10:22	4		extent that it calls for a legal conclusion,
10:10:24	5		but you can try to answer.
10:10:25	6	A.	Yeah, well, Wayne Chang put the majority of
10:10:34	7		time and effort into it, and we actually
10:10:36	8		haven't discussed the ownership of that. He
10:10:39	9		has all the code, I believe. We have not
10:10:42	10		really discussed ownership of the project,
10:10:44	11		so I can't say right now.
10:10:47	12	Q.	Is there a dispute between --
10:10:49	13	A.	No, it's just --
10:10:50	14	Q.	-- ConnectU -- I'm sorry, let me finish the
10:10:53	15		question. Let's try --
10:10:53	16	A.	Sorry.
10:10:54	17	Q.	-- not to speak --
10:10:54	18	A.	Yeah.
10:10:55	19	Q.	-- over each other. Mr. Hornick and I
10:10:58	20		haven't done a very good job in not speaking
10:11:00	21		over each other, and I'm going to try and do
10:11:01	22		better on that, but also, if you and I don't
10:11:02	23		speak over each other --
10:11:02	24	A.	Sure.
10:11:03	25	Q.	-- it'll make for a clearer record.

01:16:07	1	Q.	And would it be like match.com?
01:16:10	2	A.	I don't think we looked at match. We looked
01:16:14	3		at Yahoo Personals, that's one salient one
01:16:18	4		that I can remember outside of Friendster.
01:16:19	5	Q.	And what about American Singles?
01:16:22	6	A.	I think that -- I logged onto American
01:16:26	7		Singles probably in post-February 2004, I
01:16:28	8		believe. I'm not sure if I looked at it
01:16:30	9		prior to -- during the time I met with Mr.
01:16:32	10		Zuckerberg. I don't recall.
01:16:34	11	Q.	So it isn't ConnectU's position that looking
01:16:46	12		at other websites and as guidance on how to
01:16:49	13		develop your website, the information on
01:16:52	14		those other websites isn't anything that you
01:16:55	15		would claim as a trade secret?
01:16:57	16		MR. HORNICK: Objection, calls for
01:16:59	17		contention testimony, but you can answer.
01:17:01	18	A.	Again, those other websites are in the
01:17:03	19		public domain, and they're -- you know, they
01:17:06	20		are what they are. They're there. And I
01:17:10	21		would not call a public website such as, you
01:17:12	22		know, friendster.com a proprietary thing. I
01:17:16	23		am -- yeah.
01:17:18	24	Q.	And, in fact, in developing ConnectU, you
01:17:20	25		assessed Thefacebook to develop your website

01:17:25 1 with these features?

1:17:25 2 A. We looked at Thefacebook, yes.

01:17:28 3 Q. And you extracted course information from

01:17:32 4 ConnectU -- I mean, from Thefacebook?

01:17:34 5 MR. HORNICK: Object to the form of

01:17:35 6 the question and assumes facts not in

01:17:36 7 evidence.

01:17:36 8 A. Yeah, when collecting course information

01:17:40 9 there's basically two -- you know, it's

01:17:43 10 public course information that's posted by a

01:17:45 11 registrar from the school, and you can

01:17:47 12 either go to the registrar or you can go,

01:17:49 13 you know -- and Thefacebook had the courses.

1:17:51 14 So, yes, we did look at the courses which,

01:17:55 15 again, is public proprietary information,

01:17:59 16 and we collected that, yes.

01:18:01 17 Q. How did you collect it?

01:18:02 18 A. We just would like look at the file in a

01:18:07 19 text editor and just take the course file.

01:18:10 20 Q. Did you ever extract e-mails from

01:18:12 21 Thefacebook?

01:18:13 22 A. We -- yes, we have extracted e-mails from

01:18:17 23 Thefacebook.

01:18:18 24 Q. Isn't it true that you've extracted 2.9 to 3

01:18:21 25 million e-mails from Thefacebook because of

01:18:24 1 a security hole you found?

01:18:25 2 MR. HORNICK: Objection. It's a

01:18:27 3 misleading question, but you can answer it

01:18:29 4 if you can.

01:18:30 5 A. We have extracted e-mails basically just,

01:18:38 6 you know, following -- an e-mail has a -- at

01:18:45 7 that point they had a URL, and you could

01:18:46 8 follow that URL and it's completely

01:18:49 9 authorized -- it's not unauthorized access,

01:18:52 10 and you can follow that URL to find an

01:18:55 11 e-mail address, yes, you could. And we did.

01:18:57 12 Q. So did you find a way to extract those

01:19:01 13 e-mails without logging onto Thefacebook?

01:19:06 14 MR. HORNICK: Objection. I think

01:19:07 15 this is outside the scope. It's not

01:19:09 16 30(b)(6) testimony.

01:19:12 17 A. See, again, I don't remember -- I'm not a

01:19:15 18 programmer, but it's my understanding that

01:19:19 19 with unauthorized -- excuse me, with

01:19:21 20 authorized -- without using unauthorized

01:19:24 21 access those e-mails were accessible.

01:19:25 22 Q. And ConnectU took them?

01:19:28 23 MR. HORNICK: Object to the form of

01:19:29 24 the question.

01:19:29 25 A. What do you mean by take?