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1	Neil A. Goteiner (State Bar No. 083524) Dennis M. Cusack (State Bar No. 124988)	
- 2	Carly O. Alameda (State Bar No. 244424) Farella Braun & Martel LLP	
3	235 Montgomery Street, 17th Floor San Francisco, CA 94104	
4	Telephone: (415) 954-4400 Facsimile: (415) 954-4480	
5	E-mail: ngoteiner@fbm.com, dcusack@fbm calameda@fbm.com	.com,
. 6 7	Attorneys for Plaintiff COUPONS, INC.	
8		ES DISTRICT COURT
9	NORTHERN DIS	TRICT OF CALIFORNIA
10	SAN JO	OSE DIVISION
11.		
12	COUPONS, INC.,	Case No. 5:07-CV-03457 HRL
13	Plaintiff,	DECLARATION OF JEFFREY
14	vs.	WEITZMAN
15	JOHN STOTTLEMIRE, and DOES 1-10,	Date: December 4, 2007 Time: 10:00 a.m.
16	Defendants.	Courtroom: 2 Judge: Honorable Howard R. Lloyd
17		
18	I, Jeffrey Weitzman, declare as follow	/s:
19	1. I am the Chief Marketing Offi	cer at Coupons, Inc., located in Mountain View,
20	California. I have personal knowledge of the	facts set forth herein and, if called as a witness,
21	could and would testify competently thereto.	
22	2. At this time there has been no	discovery conducted in this matter, and the parties
23	have not yet exchanged initial disclosures. C	oupons, Inc. has not yet had the opportunity to serve
24	any written discovery or subpoenas, or to dep	ose Defendant John Stottlemire ("Stottlemire") or
25	other witnesses. Such discovery will allow C	coupons, Inc. to collect evidence to support its claims
26	and to make its prima facie case against Defe	ndants. Discovery will also allow Coupons, Inc. to
27	address more thoroughly the issues raised by	Stottlemire's Motion for Summary Judgment.
28		
artel LLP et, 17th Floor \ 94104 100	DECLARATION OF JEFFREY WEITZMAN / USDC/NDC/SJ 5:07-CV-03457 HRL	22675\1382357.1

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- 3. Coupons, Inc. expects that discovery will include, but not be limited to, the following documents and information relevant to the issues raised in Stottlemire's motion:
 - a. Documents in Stottlemire's possession or in the possession of third parties confirming that Stottlemire created and offered a method and a software program primarily designed for the purpose of circumventing Coupons, Inc.'s security features;
 - Documents in Stottlemire's possession or in the possession of third parties confirming that Stottlemire marketed to others a method and a software program primarily designed for the purpose of circumventing Coupons,
 Inc.'s security features;
 - c. Documents in Stottlemire's possession or in the possession of third parties and/or admissions from Stottlemire confirming that the Coupon Queen forum member identified by the handle "virtually_john" is John Stottlemire;
 - d. Documents in Stottlemire's possession or in the possession of third parties and/or admissions from Stottlemire confirming the degree to which Stottlemire assisted third parties with the installation of his software program and the removal of Coupons, Inc.'s security features; and
 - e. Documents in Stottlemire's possession or in the possession of third parties and/or admissions from Stottlemire confirming the degree to which third parties were unable to disable Coupons, Inc.'s security features to print more than the authorized number of coupons without Stottlemire's assistance.
- 4. Coupons, Inc. also cannot address multiple inaccuracies in the motion for summary judgment at this time because there is no protective order in place. For example, Coupons, Inc. cannot provide detailed information concerning its security features, and how they effectively control access to copyrighted works. The details of Coupons, Inc.'s security features

mery Street, 17th Flo neisco, CA 94104 are proprietary, and therefore cannot be disclosed in a public forum or to any party without an appropriate protective order in place.

- 5. Defendant Stottlemire's motion for summary judgment makes additional incorrect assertions about Coupons, Inc.'s technology, including but not limited to the manner in which Coupons, Inc.'s coupons are delivered to consumers and the nature of the unique identifiers sent to each computer.
- 6. On June 20, 2007, I visited the website www.couponqueen.net and observed an online conversation in the Coupon Queen forum between the user "virtually_john," whom I believe to be Stottlemire, and a user "siageah," discussing the installation and effect of Stottlemire's software. Attached hereto as Exhibit 1 is a true and correct copy of a screenshot that I captured on June 20, 2007, at the Coupon Queen Forum, showing this exchange.
- 7. Coupons, Inc. has received registrations from the U.S. Copyright Office for its coupons. Attached hereto as Exhibit 2 are true and correct copies of registration certificates reflecting two such registrations.
- 8. After a Coupons, Inc. user has printed any single coupon the authorized number of times, further attempts to print the coupon elicit a display in a browser window of a message including the product image from the applicable coupon which states the coupon has been printed the allowed number of times. Attached hereto as Exhibit 3 is a true and correct copy of a screenshot captured on October 18, 2007, showing the print limit message. The same or a similar message has been displayed, to the best of my knowledge, since at least 2001.
- 9. The technological expertise required to identify and locate the unique identifiers used as a part of Coupons's security features is such that very few consumers either attempt or are capable of deleting these features.
- 10. Based on the print limitation notice that appears on web screens, on direct consumer feedback, and on my experience monitoring various online coupon websites, it is my belief and understanding that consumers in the online coupon market do not expect to be allowed to print and use an unlimited number of coupons.

tgomery Street, 17th Floo Francisco, CA 94104 (415) 954-4400

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed this 12 day of November, 2007 in Mountain View, California.

FFFREY WEITZMAN

EXHIBIT 1

TO

DECLARATION OF JEFFREY WEITZMAN

Home

Cart

Link To Us

Forum

Organizer Decader

Logout

Forum Home

Search

Profile

Members List

Blogs

New Posts

My Forums

My Blog

Private Messages (0)

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»Forums Index »Coupons »Internet Printed Coupons »Printing Coupons.

Author

Topic: Printing Coupons. (3 messages, Page 1 of 1)

virtually_john -Cool Junior Member-Posts: 21 Joined: May 20, 2007

Posted: Jun 16, 2007 05:45 PM 🔯 🖳

Msg. 1 of 3

IF you are logged in...

try this ...

http://www.thecouponqueen.net/couponscom.cfm

You must download and install the file at the top of the page. It is provided as a zip file. Just unzip it and then double click the setup.bat file.

After installing, you can print directly from that page.

Let me know if anyone has any problems with it.

PLEASE NOTE: You must have the coupon printer from coupons.com installed on your computer to use the above referenced page.

siageah -Cool Member-Posts: 28 Joined: May 29, 2007 Posted: Jun 17, 2007 02:34 AM

Msg. 2 of 3

No go, but we all know that I have problems.

virtually_john -Cool Junior Member-Posts: 21

Joined: May 20, 2007

Posted: Jun 17, 2007 08:08 AM 🔯 🗗 Msg. 3 of 3 Things to check on your end to ensure this works:

LaunchinlE.dll is located in your windows\system32 directory (winnt\system32 on Windows 2000) bricks.bat is located in your windows directory (winnt on Windows 2000) bricks.reg is located in your windows directory (winnt on Windows 2000)

The following entry is in your registry: HKEY_Local_Machine\Software\RockinFewl\Launchin\E\Approved url1 = http://www.thecouponqueen.net/couponscom.cfm

-john

new Topk Part Reply

Time: Wed June 20, 2007 0959

EXHIBIT 2

TO

DECLARATION OF JEFFREY WEITZMAN

CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS

United States of America

For a Nondramatic Literary Work UNITED STATES COPYRIGHT OFFICE

TX 5-776-192

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CERTIFICATE OF REGISTRATION



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This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code,

Marybeth Geters
REGISTER OF COPYRIGHTS

United States of America

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For a Nondramatic Literary Work UNITED STATES COPYRIGHT OFFICE

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Amended by C O authority phone call to Joseph Adams on 8/11/03

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EXHIBIT 3

TO

DECLARATION OF JEFFREY WEITZMAN



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