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 FACEBOOK, INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 FACEBOOK, INC., a Delaware
 corporation,
 18
 Plaintiff,
 19
 v.
 20

08-CV-05780 JF

**PLAINTIFF FACEBOOK, INC.'S MORE
 DEFINITIVE STATEMENT REGARDING
 COUNT EIGHT OF ITS COMPLAINT**

21 POWER VENTURES, INC., a Cayman
 Island Corporation; STEVEN VACHANI,
 an individual; DOE 1, d/b/a
 22 POWER.COM, an individual and/or
 business entity of unknown nature; DOES
 23 2 through 25, inclusive, individuals and/or
 business entities of unknown nature,
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 Defendants.
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1 In a written order dated May 11, 2009, this Court requested that Plaintiff Facebook, Inc.
2 (“Facebook”) file a supplemental written statement clarifying the grounds underlying Count Eight
3 of its First Amended Complaint (“FAC”) for violation of California Business and Professions
4 Code § 17200, *et seq.* (the “UCL”).

5 Facebook hereby clarifies that Count Eight of the FAC asserts that the conduct of
6 Defendants, as alleged in paragraphs 1, 5-7, 10-14, 18, 20-86, 92-98, 105-111, 113-120, 123-132,
7 135-143, 146-153, 155-156, and 159 of the FAC, constitutes unfair business acts or practices in
8 violation of the UCL.

9 Facebook further clarifies that Count Eight of the FAC additionally asserts that all of the
10 conduct of Defendants, as alleged in the above-referenced paragraphs of the FAC, constitutes
11 unlawful business acts or practices in violation of the UCL, in that it such conduct violates:

12 [1] The Controlling the Assault of Non-Solicited Pornography and Marketing Act, 15
13 U.S.C. § 7701, *et seq.*, as further detailed in the First Claim for Relief in the FAC;

14 [2] The Computer Fraud and Abuse Act 18 U.S.C. § 1030 *et seq.*, as further detailed in
15 the Second Claim for Relief in the FAC;

16 [3] The California Comprehensive Computer Data Access and Fraud Act, California
17 Penal Code § 502, as further detailed in the Third Claim for Relief in the FAC;

18 [4] Copyright Infringement of Facebook's copyrights under 17 U.S.C. § 101 *et seq.*, as
19 further detailed in the Fourth Claim for Relief in the FAC;

20 [5] Violations of the Digital Millennium Copyright Act, 17 U.S.C. § 1201, *et seq.*, as
21 further detailed in the Fifth Claim for Relief in the FAC

22 [6] Violations of Facebook's registered trademarks in violation of 15 U.S.C. §§ 1114 and
23 1125(a) and the common law of California, as further detailed in the Sixth and Seventh Claim for
24 Relief in the FAC.

1 DATED: June 10, 2009

PERKINS COIE LLP

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3 By: /s/

Joseph Cutler WSBA # 37234

jcutler@perkinscoie.com

Attorneys for Plaintiff

FACEBOOK, INC.

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