


# EXHIBIT “I”

<b>1.00%</b> APY	A HIGH-YIELD SAVINGS ACCOUNT FROM AMERICAN EXPRESS	<a href="#">LEARN MORE NOW</a>	 <b>PERSONAL SAVINGS</b> from American Express <small>Accounts offered by American Express Bank, FSB. MEMBER FDIC</small>
---------------------	--	--------------------------------	--

Dow Jones Reprints: This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers, use the Order Reprints tool at the bottom of any article or visit [www.djreprints.com](http://www.djreprints.com)

[See a sample reprint in PDF format.](#)

[Order a reprint of this article now](#)

**THE WALL STREET JOURNAL.**

WSJ.com

THE A-HED | AUGUST 8, 2007

## YouTube Magic: Now You See It, Now You Don't

*Hired Eyes Make Sure That Copyrighted Videos Are Yanked From the Web*

By [KEVIN J. DELANEY](#)

LOS GATOS, Calif. -- A lot of people watch YouTube videos at work. A few are actually paid to do it.

A former bartender named Joe Bersik sits in front of a flat-screen monitor about eight hours a day, pulling up Internet videos. His job is to find pirated material and get it taken off the Web.

Mr. Bersik works at BayTSP Inc., an eight-year-old start-up with big clients like [Viacom Inc.](#), the parent of MTV Networks. BayTSP employs more than 20 video analysts -- sometimes called "hashers" -- who watch videos looking for copyright violations.

Tethered to his computer by headphones, Mr. Bersik on a recent day played the music video of R&B singer Akon's hit song "Don't Matter" on YouTube. The logo of the MTV Jams TV channel was visible at the bottom of the clip. The 53-year-old Mr. Bersik watched for a minute then fired an alert to a colleague who sent an email requesting that YouTube take it down.

In about two hours, the video was gone.

Mr. Bersik and the eight men around him staring at monitors are playing a cat-and-mouse game with the people who post copyrighted clips on the Web. Working from a leafy office park on the fringes of Silicon Valley, they are key players in the legal battle over Internet copyrights between Viacom and [Google Inc.](#), which now owns YouTube.

Viacom last fall asked BayTSP to keep a running log of clips from the cartoon show "South Park" and other Viacom programs that people had posted on YouTube. In February, Viacom gave the signal to fire off a barrage of "take-down" notices: In a single batch of emails on Friday, Feb. 2, BayTSP requested that YouTube remove more than 100,000 Viacom clips, in a procedure outlined in U.S. copyright law. The clips Mr. Bersik and others identified were cited in Viacom's \$1 billion copyright suit filed against Google the following month. The New York media company says it pays more than \$100,000 a month to BayTSP, to find infringing videos and have them removed from YouTube and other sites.

BayTSP says it has more than five TV and movie-studio clients but for contractual reasons can't disclose names other than Viacom. The closely held company says it bills clients as much as \$500,000 a month to track down illegal copies of software, music and video clips. Every month it sends out more than a million take-down notices.

Other companies have started using automated technology to identify video clips so they don't have to employ a room full of people manually scanning them as Bay TSP does. YouTube, which says it complies with copyright laws by removing clips when their owners request it, is testing technology to keep infringing videos off its site in the first place. BayTSP thinks human beings will always be needed if only to inspect automated results.

"There will always be something that falls into the gray area," says BayTSP CEO Mark Ishikawa, 42, who is also an active race-car driver. The company and Viacom have faced criticism for mistakenly requesting the takedown of noninfringing clips such as parodies and home videos, though BayTSP says its error rate on Web videos is only around 0.1%.



**Joe Bersik**

It's in an open, white-walled room close to Mr. Ishikawa's race-car machine shop at BayTSP's headquarters that Mr. Bersik and the other video analysts sit side-by-side combing through clips looking for clients' content. Movie posters with mustaches drawn on actresses' faces and other defacements hang above the desks.

The analysts use special software to scan the new clips posted to YouTube and other video sites a few times a day, creating lists of potentially infringing ones. They can use a separate program to conduct searches for keywords -- such as "Laguna Beach" or character names -- on the sites and either flag a clip for takedown or clear it to stay up.

On a recent day, their manager, Eric Antze, pulled up a clip from Comedy Central's "Chappelle's Show" that one of his colleagues had identified. "This is clearly copyright infringement," said Mr. Antze, 26, as the video began playing on YouTube. He clicked "Send" in a BayTSP software program running on his other monitor, triggering the email delivery to YouTube of a takedown request. When YouTube receives such emails, employees review them and then remove the clips. Mr. Antze, who was a part-time teacher until he started at BayTSP in November, has a sheet showing the logos of Viacom's various TV channels taped to his monitors.

He says BayTSP has had more than 230,000 clips, which users had viewed more than two billion times, removed from YouTube for Viacom alone. When the Viacom takedowns crossed the 150,000 mark, BayTSP bought better chairs and desks for the analysts.

People who post videos use tricks to make it harder to locate them. Some deliberately misspell the names of shows or films to thwart searching. With music videos, they sometimes include the word "remix" in the title, because the media companies often will let videos altered by users stay. Users often figure out and try to work around the rules BayTSP's clients set for what they want taken down.

The users also remain persistent in finding ways to upload videos again each time they're removed. "By the time I send notices and take them down, they'll be reposted," says Justin Hernandez, 27, who focuses on finding feature films for a BayTSP client.

The part-time DJ says he thought the video-analyst job was "too good to be true" when a friend who works at BayTSP told him he could get paid to watch online videos all day. Analyst salaries start at around \$11 an hour. Perks include subsidized 25-cent sodas.

BayTSP's analysts say they don't tell friends and family exactly what they do, because they sign agreements not to disclose specifics of their work or the media-company clients. Scott Martine, 26, says his vagueness has led friends to suspect he is in the pornography business.

Mr. Bersik tells people he works for an Internet security company. The amateur guitar player, who has worked here since January, spends much of his time taking down music videos recorded off Viacom's MTV and other music channels. He keeps a dogeared copy of the Billboard music charts printed each Tuesday in USA Today on his desk to give him ideas for songs and artists he should search for.

Some analysts complain of tired eyes, and the tedium of watching the same clips over and over. "The novelty of 'Oh great, I get to look at YouTube videos all day' -- that wears off real quick," says Mr. Martine, who has worked at BayTSP since January. "Are you prepared to watch a million videos over and over again?" Mr. Antze asks job applicants.

The men, mostly in their 20s, play basketball in the parking lot during a 3 p.m. break each day. They combat the monotony by passing links to quirky clips around the office. One recent oddball favorite was a video of a flamboyant German disco-era group performing in Genghis Khan-inspired outfits.

The analysts generally say they have little appetite for YouTube outside of work anymore, however. "By the time I'm done working on it for eight hours, this is the last site I want to go to," says Mr. Antze.

**Write to** Kevin J. Delaney at [kevin.delaney@wsj.com](mailto:kevin.delaney@wsj.com)

Printed in The Wall Street Journal, page A1

Copyright 2011 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our [Subscriber Agreement](#) and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit [www.djreprints.com](http://www.djreprints.com)