

# EXHIBIT A



## Scott A. Zebrak

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Scott Zebrak is a founding partner at Oppenheim + Zebrak, LLP. For the past 15 years, he has represented clients in litigation, transactions, and counseling matters involving copyright and Internet issues, as well as trademarks, trade secrets, and advertising. Scott has extensive experience with the management, protection, and commercial exploitation of IP portfolios for business ranging from start-ups to multinationals. He also has extensive experience with all aspects of content, licensing, anti-piracy, and DMCA matters. Scott regularly advises clients that do business in an online or digital environment.

Scott previously served for four years as Vice-President, Litigation & Legal Affairs, at the Recording Industry Association of America, a trade group that represents the U.S. recording industry. In that capacity, Scott provided legal advice on cutting-edge copyright and DMCA issues involving new technologies and the Internet. In particular, he worked closely on several precedent-setting copyright infringement suits brought by record companies to combat online piracy and held a leading role in a landmark ratemaking proceeding before the Copyright Royalty Board.

Before the RIAA, Scott served as Deputy General Counsel & Director of IP at CoStar Group, Inc., a publicly-traded provider of online commercial real estate information services. For over six years, he built CoStar's anti-piracy program and was responsible for a variety of legal matters relating to the company's robust IP portfolio, which included original news articles, databases, software, newsletters, photographs, and other proprietary material. Scott provided strategic advice and legal support to senior management and the different departments within CoStar, including on all facets of IP law and associated licensing, marketing, product development, and Internet matters.

Prior to CoStar, Scott practiced for several years as an IP litigation associate at the Venable law firm in Washington, D.C., where he worked on a variety of trademark, copyright, and false advertising litigation. He joined Venable after starting his legal career as a judicial clerk for a U.S. Magistrate Judge in the Eastern District of Virginia, Alexandria Division.

Scott speaks on national panels involving issues of IP and new technology. He has also authored several articles in this area. His most recent writings are "[\*Viacom v. YouTube: a Missed Opportunity\*](#)," published in *The National Law Journal*, and "[\*A DMCA Thrown Off Balance: UMG v. Veoh and Beyond\*](#)," published in *The Computer & Internet Lawyer*.

Scott serves on a pro bono basis as outside general counsel and a member of the Board of Advisors of A Wider Circle, Inc. ([www.awidercircle.org](http://www.awidercircle.org)), an organization that helps individuals, families, and communities in need lift themselves out of poverty.

Scott earned his B.A. from Tufts University in Economics and his J.D., *summa cum laude*, from The American University, Washington College of Law. He is a member of the Virginia and District of Columbia bars and lives in the Washington, D.C. area with his wife and two children.

## **Notable Matters:**

### **A&M Records v. John LaMonte**

Injunctive relief, attorneys' fees, and destruction order in proceeding to halt the unauthorized auction of clients' copyrights.

### **Amdahl Corporation v. CHE**

Successful litigation of copyright and trade secret claims over use of computer manufacturer's proprietary diagnostic software.

### **Arista Records v. LimeWire**

Injunctive relief and finding of willful copyright infringement against proprietors of illegal peer to peer file-sharing service, along with \$105 million settlement reached during damages trial.

### **Arista Records v. MediaServices**

Copyright infringement suit against illegal download site based in Russia.

### **Arista Records v. Usenet.com**

Spoliation sanctions and summary judgment for copyright infringement against commercial USENET service operator.

### **Atlantic Recording Corp. v. Project Playlist**

Copyright infringement suit against service billing itself as music search engine.

### **Blount v. CoStar**

Successful defense of defamation, tortious interference, and unfair competition case.

### **CoStar Group v. LoopNet**

Copyright suit stemming from posting of photographs to real estate listing website.

### **Decision Support Systems v. Hughes Communications**

Trademark litigation involving allegations of reverse confusion.

### **Mechanicals Proceeding**

Proceeding before Copyright Royalty Board (Library of Congress) to determine rates and terms for compulsory license under Section 115 of the Copyright Act.

### **Theft of Services Cases**

Injunctive relief, damages, and settlements arising from misuse of subscription-based online services.

## EXPERIENCE AND EDUCATIONAL BACKGROUND

### *Chronology of Work Experience*

#### **Partner**

Oppenheim + Zebrak, LLP  
June 2011 – Present

#### **Vice President, Litigation & Legal Affairs**

RIAA  
2007 – 2011

#### **Deputy General Counsel & Director of Intellectual Property**

CoStar Group  
2000 – 2006

#### **Associate**

Venable LLP  
1996 – 2000

#### **Judicial Clerk for U.S. Magistrate Judge**

U.S. District Court for Eastern District of Virginia  
1995 – 1996

### *Education*

American University, Washington College of Law

JD, Law  
1992 – 1995

Tufts University

BA, Economics  
1988 – 1992

## LIST OF PUBLICATIONS IN THE LAST TEN YEARS

Zebrak, Scott A. (July 26, 2010). "Viacom v. YouTube: A Missed Opportunity," *The National Law Journal*.

Zebrak, Scott A. (May 2010). "A DMCA Thrown Off Balance: *UMG v. Veoh* and Beyond," *The Computer & Internet Lawyer*.