

EXHIBIT 18

HIGHLY CONFIDENTIAL ATTORNEYS EYES ONLY

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

DISNEY ENTERPRISES, INC.,
TWENTIETH CENTURY FOX FILM
CORPORATION, UNIVERSAL CITY
STUDIOS PRODUCTIONS LLLP,
COLUMBIA PICTURES INDUSTRIES,
INC., and WARNER BROS.
ENTERTAINMENT INC.,

Plaintiffs,

vs. No. 11-20427-WILLIAMS-TURNOFF
HOTFILE CORP., ANTON TITOV, and
DOES 1-10,

Defendants.

PORTIONS OF THIS TRANSCRIPT ARE CONFIDENTIAL
DEPOSITION OF YANGBIN WANG
Palo Alto, California
Thursday, December 22, 2011

REPORTED BY:
LYNNE LEDANOIS
CSR No. 6811
Job No. CA128631

PAGES 105 - 113 ARE HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY

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DOES 1-10,

Defendants.

Deposition of YANGBIN WANG, taken on behalf of
Defendant, at 2475 Hanover Street, Palo Alto,
California, beginning at 9:43 a.m. and ending at 12:21
p.m. on Thursday, December 22, 2011, before LYNNE
LEDANOIS, CSR 6811.

HIGHLY CONFIDENTIAL ATTORNEYS EYES ONLY

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2

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SARNOFF COURT REPORTERS AND LEGAL TECHNOLOGIES
BY: MARTY MAJDOUB

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1 they allow them to exist. 09:53:07

2 Q So the copyright owner dictates the business 09:53:10

3 rule? 09:53:13

4 A Yes. 09:53:13

5 Q Is it understanding that in this case the 09:53:16

6 plaintiffs are the copyright owners? 09:53:18

7 A Yes. 09:53:20

8 Q Does the results that are returned from 09:53:38

9 MediaWise depend in any way on content provided by 09:53:43

10 rights holders? 09:53:49

11 MR. PLATZER: Objection to the form. 09:53:51

12 BY MR. LEIBNITZ: 09:53:55

13 Q Let me rephrase. 09:53:56

14 A Yes. 09:53:57

15 Q Does Vobile have any relationship with movie 09:53:59

16 studios? 09:54:02

17 MR. PLATZER: Objection, form. 09:54:04

18 THE WITNESS: What do you mean relationship? 09:54:07

19 BY MR. LEIBNITZ: 09:54:08

20 Q Does Vobile get anything from movie studios? 09:54:08

21 A Yes, they provide the fingerprint. 09:54:12

22 Q Can you describe that for me, please? 09:54:13

23 A We provide tools to the studios, and basically 09:54:15

24 business rules and fingerprints are provided by the 09:54:20

25 studios. 09:54:24

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1 Q And what do you mean by fingerprint? 09:54:25

2 A Fingerprint is a technology term to describe, 09:54:30

3 you know, ways to -- the features to identify the 09:54:36

4 content. So very much like the fingerprint of a person. 09:54:42

5 It's a signature, basically, extracted from the content 09:54:46

6 and use that to identify the content. 09:54:48

7 Q Is it fair to say that Vobile provides to the 09:54:53

8 plaintiff studios the protocol for determining a 09:54:58

9 fingerprint? 09:55:05

10 A It's not the protocol. 09:55:07

11 MR. PLATZER: Objection to the form. 09:55:08

12 THE WITNESS: It's not a protocol. 09:55:09

13 BY MR. LEIBNITZ: 09:55:11

14 Q How do the plaintiff studios, if you know, pull 09:55:11

15 together the fingerprint that is supplied to Vobile? 09:55:19

16 MR. PLATZER: Objection to the form. 09:55:22

17 MR. TIFFANY: You can answer. 09:55:26

18 THE WITNESS: Okay. So I was confused a little 09:55:28

19 bit. That's okay. 09:55:30

20 Basically, it's a piece of software. You know, 09:55:32

21 generating the fingerprint, it requires using our 09:55:33

22 technology and software. So we provide that software to 09:55:38

23 the studios and other content owners to allow them to 09:55:41

24 generate fingerprints. 09:55:45

25 BY MR. LEIBNITZ: 09:55:45

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1 A Definitely. Definitely true. Everything, the 10:33:55
2 full file, every file possible. Just like a virus scan, 10:33:58
3 you want to scan every possible files. 10:34:02
4 Q Do you know on behalf of Vobile the range of 10:34:09
5 latency periods in obtaining results? 10:34:13
6 MR. PLATZER: Objection to the form. 10:34:17
7 THE WITNESS: We have our SLA sign up with 10:34:18
8 customer in general. You know, we return -- depends on 10:34:21
9 each different cases -- you know, seconds, minutes, you 10:34:26
10 know, I mean, that's basically within the specific 10:34:30
11 application's acceptable range. 10:34:33
12 BY MR. LEIBNITZ: 10:34:35
13 Q What is an SLA? 10:34:36
14 A Service level agreement. 10:34:38
15 Q So as you sit here today, you don't know, for 10:34:46
16 example, the shortest latency period that Hotfile 10:34:48
17 experienced? 10:34:52
18 A I don't know specific case with Hotfile at all, 10:34:53
19 you know. 10:34:55
20 Q And you wouldn't know the longest latency 10:34:56
21 period that Hotfile experienced? 10:34:58
22 A I don't know. Just we have too many customers. 10:34:59
23 Q What is vCloud9? 10:35:10
24 A VCloud9 is a content identification products we 10:35:13
25 design and provided for storage-based service providers. 10:35:17

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1 Q What is a storage-based service provider? 10:35:26

2 A It's -- you know, if you're looking at the file 10:35:29

3 distribution on Internet today, they are UGC, like 10:35:35

4 YouTube, for example, streaming sites. There's P2P 10:35:41

5 streaming sites like Ustream, Justin.TV. 10:35:45

6 There's a storage based companies, you know, 10:35:53

7 like Hotfile, Drop Box, you know, all those kinds of 10:35:58

8 place -- online storage service provider. 10:36:02

9 Q You said UGC, as in user-generated content; 10:36:08

10 right? 10:36:12

11 A Yes, user-generated content sites, like YouTube 10:36:13

12 as an example. 10:36:15

13 Q How long did vCloud9 take to develop? 10:36:19

14 A Again, the product shared the same foundation, 10:36:25

15 VDDB and VDNA technology. It's a different branch of 10:36:29

16 the product. And, you know, so it's -- when you say how 10:36:36

17 long it takes, you know, if you include everything, it 10:36:40

18 takes very long. If you including the vCloud9 specific, 10:36:46

19 you know, it takes shorter period of time. 10:36:49

20 Q Well, let's start with everything. 10:36:51

21 A Yes. 10:36:53

22 Q Can you tell me in your estimation how many 10:36:53

23 engineering man years or man hours it took to develop 10:36:55

24 vCloud9? 10:37:01

25 MR. PLATZER: Objection to the form. 10:37:03

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1 MR. LEIBNITZ: Let's mark this as Wang 2. 10:38:34
2 (Whereupon, Wang Exhibit 2 was marked 10:38:38
3 for identification by the court 10:38:38
4 reporter.) 10:38:38
5 BY MR. LEIBNITZ: 10:38:48
6 Q Mr. Wang, do you recognize this document? 10:38:49
7 A Yes. 10:38:52
8 Q What is it? 10:38:53
9 A It's a press release. 10:38:54
10 Q Regarding vCloud9? 10:38:56
11 A Yes. 10:38:58
12 Q How do you know this to be a press release 10:38:58
13 regarding the release of vCloud9? 10:39:01
14 A Just by reading it, and I do read every single 10:39:04
15 press release we -- go out. 10:39:08
16 Q It's part of your job responsibility? 10:39:11
17 A Yes. 10:39:13
18 Q Does Vobile keep in the ordinary course of its 10:39:15
19 business all of its press releases? 10:39:18
20 A Yes, it's on our website. 10:39:20
21 Q Do you have any reason to believe that this is 10:39:21
22 not an authentic copy of a Vobile press release? 10:39:23
23 A I certainly have not checked every word by 10:39:26
24 word, but the version on our website is the authentic 10:39:28
25 version. 10:39:31

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1 Q You have no reason to doubt that -- you can 10:39:32
2 take more time if you'd like. But you have no reason to 10:39:34
3 doubt that this is that release? 10:39:37
4 A No, I don't doubt it, unless someone altered 10:39:40
5 it, a word, you know, but I don't think so. 10:39:42
6 Q I will represent to you I did not alter the 10:39:46
7 document. 10:39:48
8 A Yes. If you took it from our website, that's 10:39:49
9 authentic. 10:39:53
10 Q Okay. Thank you, sir. 10:39:54
11 Why did Vobile issue a press release on or 10:40:01
12 about September 26th, 2011? 10:40:04
13 A Well, we issue press release all the time. 10:40:09
14 From time to time when we have new product, we always do 10:40:12
15 that. So that specific timeline, I don't have control. 10:40:15
16 It's -- as you see here, Spiral Group is our marketing, 10:40:20
17 consulting group and, you know, they handle the details. 10:40:23
18 Q Prior to September 26th, 2011 -- well, strike 10:40:29
19 that. 10:40:33
20 Do you know when Vobile first told Hotfile 10:40:34
21 about vCloud9, if it did? 10:40:40
22 A I don't know, because, again, that -- I am not 10:40:43
23 a contact person, you know, dealing with Hotfile. 10:40:47
24 Q So you don't know even if prior to September 10:40:49
25 26th -- well, I guess it's fair to say that you could 10:40:53

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1 not testify under oath the time at which Hotfile became 10:40:59
2 aware of vCloud9, whether before or after September 10:41:09
3 26th? 10:41:13
4 A I cannot know for sure, but my -- you know, I 10:41:16
5 cannot know for sure, but that's really to Mike, but... 10:41:20
6 Q Why did -- so you say that you review every 10:41:26
7 press release issued by Vobile. Is that true? 10:41:31
8 A Yes. 10:41:34
9 Q Do you review them for accuracy, to make sure 10:41:34
10 that the content they deliver is true? 10:41:37
11 A Generally, they -- the process they need to 10:41:40
12 submit to -- because they put quote there, you know, and 10:41:44
13 they need to submit for my approval. 10:41:46
14 And most time, you know, I give them approval, 10:41:49
15 unless there is a timing pressure that this goes out 10:41:53
16 before my review. That happens sometime. 10:41:57
17 Q Did that happen here, to your knowledge? 10:42:00
18 A I think this is a normal process. I probably 10:42:02
19 reviewed, yes. 10:42:05
20 Q Do you see the second paragraph beginning with 10:42:13
21 the words "copyrighted content contained"? 10:42:15
22 A Yes. 10:42:19
23 Q Why did Vobile state, Copyrighted content 10:42:22
24 contained within Cloud-based cyberlockers is very 10:42:27
25 difficult to find? 10:42:31

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1 A I do review every press release, but I don't 10:42:36
2 challenge every word the marketing person put in there. 10:42:41
3 Q You don't think that's inaccurate though -- 10:42:45
4 A I don't think it's inaccurate. I mean, it's 10:42:47
5 difficult in general. It's all difficult. 10:42:50
6 Q Why is that? 10:42:51
7 MR. PLATZER: Objection, lacks foundation. 10:42:57
8 THE WITNESS: It's -- you know, if it's an easy 10:42:59
9 problem, then there is no need for Vobile's service. 10:43:02
10 BY MR. LEIBNITZ: 10:43:08
11 Q And how is it that you know that -- counsel 10:43:13
12 just made an objection. I want to make sure that you 10:43:19
13 have a basis to give me your answer. 10:43:21
14 So how is it that you know that copyrighted 10:43:24
15 content in Cloud-based cyberlockers is difficult to 10:43:29
16 find? 10:43:32
17 A It's because, as I said, our theory is this is 10:43:33
18 difficult, so people need our service, they pay us. If 10:43:37
19 it's such a simple job, the customers won't come to us 10:43:40
20 for help and won't pay us for services. 10:43:44
21 Q Is -- the word "cyberlocker" is used here. 10:43:49
22 Is it fair to say that Hotfile is a 10:43:53
23 cyberlocker? 10:43:55
24 A Yes. 10:43:56
25 Q The next sentence says, On cyberlockers, the 10:43:58

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1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken
4 before me at the time and place herein set forth; that
5 any witnesses in the foregoing proceedings, prior to
6 testifying, were duly sworn; that a record of the
7 proceedings was made by me using machine shorthand which
8 was thereafter transcribed under my direction; that the
9 foregoing transcript is a true record of the testimony
10 given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [] was not requested.

15 I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney or party to this action.

18 IN WITNESS WHEREOF, I have this date subscribed
19 my name.

20
21 Dated: January 12, 2012

22
23 _____
24 LYNNE MARIE LEDANOIS

25 CSR No. 6811

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