

# EXHIBIT 6

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 11-20427-WILLIAMS/TURNOFF

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

Plaintiff,

v.

HOTFILE CORP., ANTON  
TITOV, and DOES 1-10,

Defendants.

HOTFILE CORP.,

Counterclaimant,

v.

WARNER BROS ENTERTAINMENT  
INC.,

Counterdefendant.

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VOLUME II  
H I G H L Y C O N F I D E N T I A L  
(Pursuant to protective order, the following  
transcript has been designated highly confidential)

30(b)(6) DEPOSITION OF ANTON TITOV  
Radisson Blu Hotel  
Sofia, Bulgaria  
Tuesday, December 6, 2011  
AT: 9:10 a.m.  
Job No: 44175

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A P P E A R A N C E S

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3 Fiona Farson  
4 TSG Reporting

5 Videographer:

6 Simon Rutson  
7 TSG Reporting

8 Interpreter:

9 Assist. Prof. Boris Naimushin, Ph.D.

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11 Technical expert:

12 Kelly Truelove

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I N D E X

EXAMINATION

BY MR. FABRIZZIO (continued)

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1 MR. THOMPSON: Objection, asked and answered.

2 A. I don't know for a fact.

3 BY MR. FABRIZIO:

4 Q. Have you ever discussed with your other shareholders  
5 terminating Warner's access to the special rights  
6 holders' account?

7 A. I'm not -- I'm not -- can't remember any discussion like  
8 that, absent the presence of my counsel.

9 Q. Has Hotfile changed the way it processes notices sent by  
10 Warner through the SRA account since the filing of its  
11 counterclaim against Warner?

12 MR. THOMPSON: Objection, vague.

13 A. I'm not aware of any change.

14 BY MR. FABRIZIO:

15 Q. For instance, does Hotfile now manually review files  
16 noticed by Warner through the special rights holder's  
17 account to see if the files are -- appear to be  
18 accurate?

19 A. I'm not aware of any reviews, and to my best knowledge,  
20 the Warner's account still works instantly.

21 (Reporter clarification)

22 BY MR. FABRIZIO:

23 Q. Why is Hotfile not engaging in a higher-level review of  
24 notices sent through the Warner SRA account?

25 MR. THOMPSON: Objection. Vague, and asked and answered.



1 all files from a list page, Hotfile understood that in  
2 doing so, it might be deleting files that were not  
3 infringing as well; isn't that correct?

4 MR. THOMPSON: Objection, asked and answered.

5 A. I don't know I can say for a fact what was Hotfile  
6 understanding back then.

7 BY MR. FABRIZIO:

8 Q. What about right now? Do you understand that when  
9 Hotfile deletes all the files on a list page, that  
10 Hotfile may be deleting files that are not infringing as  
11 well?

12 A. Yes, I understand that.

13 Q. And is Hotfile going to continue its practice of  
14 deleting all files on a list page?

15 MR. THOMPSON: Objection, vague.

16 A. I can't speak about future decisions of Hotfile by  
17 myself.

18 BY MR. FABRIZIO:

19 Q. Are you planning on talking to your other shareholders  
20 about changing this practice?

21 A. Just right now, as I sit here, I have other things to  
22 think of. I can't say.

23 Q. Do you understand the concept or the term "false  
24 positive"?

25 MR. THOMPSON: Objection, vague.

1 A. I don't know for a fact, but it's my belief that  
2 a compatible statement was there since the beginning.

3 Q. A comparable statement? What do you consider  
4 a comparable statement?

5 A. A statement that will carry all -- carry on the same  
6 substance, I guess.

7 Q. Right. Currently, today, in its IP policy page, Hotfile  
8 informs users that it has a policy to terminate repeat  
9 infringing users, correct?

10 A. I believe so.

11 Q. Okay. And when did that IP policy page first appear on  
12 Hotfile?

13 A. I think approximately May or June 2010.

14 Q. Okay. And before May or June of 2010, where did --  
15 where on its website did Hotfile inform users of  
16 a policy to terminate repeat infringers?

17 A. In terms of service, I think.

18 MR. FABRIZIO: Okay. I'm asking the court reporter to mark  
19 as Titov exhibit 31 a printout from Hotfile terms of  
20 service. This is printed from archive.org.

21 Q. And you will undoubtedly recognize from convention,  
22 Mr. Titov, that this reflects an archive.org capture as  
23 of February 2010.

24 (Titov exhibit 31 marked for identification.)

25 BY MR. FABRIZIO:



█ [REDACTED]

█ [REDACTED]

3 BY MR. FABRIZIO:

4 Q. Do you want to take a quick break now, or do you want to  
5 go on for a little bit?

6 A. A quick break would be nice.

7 MR. FABRIZIO: Let's take a quick break.

8 VIDEOGRAPHER: Off the record at 3:53.

9 (A break was taken.)

10 VIDEOGRAPHER: Back on the record, 4:04.

11 BY MR. FABRIZIO:

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9 Q. Currently -- just wait one second; I kind of feel like  
10 it's dial-an-expert. It's kind of like he's here.

11 MR. THOMPSON: We can't hear what he's saying, though.

12 MR. FABRIZIO: You can't hear what he's saying; I can.  
13 I feel like a newscaster.

14 MR. THOMPSON: That's right. Maybe a puppet, huh?

15 BY MR. FABRIZIO:

16 Q. Okay. Sorry, my editor was talking.

17 Currently, Hotfile receives DMCA notices by regular  
18 mail, correct?

19 A. Correct.

20 Q. By facsimile, correct?

21 A. Correct.

22 Q. By email, correct?

23 A. Correct.

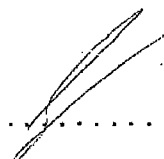
24 Q. And by special rights holder account, correct?

25 A. Correct.

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HIGHLY CONFIDENTIAL  
CERTIFICATE OF DEPONENT

I, ANTON TITOV, hereby certify that I have read the foregoing pages of my deposition of testimony taken in these proceedings on Tuesday, December 6, 2011, and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed:  .....

Name: ANTON TITOV

Date: 1/20/2012 .....

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HIGHLY CONFIDENTIAL

E R R A T A

Deposition of ANTON TITOV

Page/Line No.	Description	Reason for change
225:25	Remind me. --> There might be.	Correct transcription
234:20	Presentation --> representation	Correct transcription
234:20	cost of the --> concept of	Correct transcription
261:2	As --> That's	Correct transcription
273:20	[REDACTED]	Correct transcription
279:3	is --> would	Correct transcription
293:11	following --> logging	Correct transcription
306:5	calls --> holds	Correct transcription
306:6	service at hotfile.com --> to abuse@hotfile.com	Correct trans.
321:6	would decide it --> with this ID	Correct transcription
333:20	brought --> blocked	Correct transcription
337:7	file --> file ID	Correct transcription

Signed: .....

Name: ANTON TITOV

Date: .....

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HIGHLY CONFIDENTIAL

E R R A T A

Deposition of ANTON TITOV

Page/Line No.	Description	Reason for change
361:25	state --> table	Correct transcription
368:7	users stay on our uploads --> users_cowner_upload	Correct trans

Signed: .....

Name: ANTON TITOV

Date: 1/20/2012 .....

HIGHLY CONFIDENTIAL  
CERTIFICATE OF COURT REPORTER

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I, Fiona Farson, with TSG Reporting, hereby certify that the testimony of the witness Anton Titov in the foregoing transcript, taken on Tuesday, December 6, 2011 was reported by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: .....

Fiona Farson

Dated: 12/17/2011

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 11-20427-WILLIAMS/TURNOFF

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

v.

HOTFILE CORP., ANTON  
TITOV, and DOES 1-10,

Defendants.

HOTFILE CORP.,  
                    Counterclaimant,

v.

WARNER BROS ENTERTAINMENT  
INC.,  
                    Counterdefendant.

-----  
                                    VOLUME III  
                    H I G H L Y C O N F I D E N T I A L  
                    (Pursuant to protective order, the following  
transcript has been designated highly confidential)

30(b)(6) DEPOSITION OF ANTON TITOV  
Radisson Blu Hotel  
Sofia, Bulgaria  
Wednesday, December 7, 2011  
AT: 9:09 a.m.

Job # 44429



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1 Also present:

2 Court reporter:

3 Fiona Farson  
4 TSG Reporting

5 Videographer:

6 Simon Rutson  
7 TSG Reporting

8 Interpreter:

9 Assist. Prof. Boris Naimushin, Ph.D.

10 Elena Alexieva

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6 I'll just look around.

7 MR. FABRIZIO: Okay. Why don't we take that break.

8 VIDEOGRAPHER: Off the record, 3:57.

9 (A break was taken.)

10 VIDEOGRAPHER: Back on the record, 4:13.

11 BY MR. FABRIZIO:

12 Q. Has Hotfile implemented some form of copyright filtering  
13 since the institution of this lawsuit?

14 A. Ask you asking about overall?

15 Q. Well, I was asking any form of copyright filtering.

16 A. Do you consider this?

17 Q. Yeah, I do consider it -- well, let me put it this way;  
18 since the institution of this lawsuit, has Hotfile  
19 implemented any form of content identification  
20 technology?

21 A. Yes, we started using Vobile.

22 Q. Anything else?

23 A. No, I don't think so.

24 Q. Okay. And for the record, what is Vobile?

25 MR. THOMPSON: Objection, vague.

1 A. Vobile is a company that will provide technology for  
2 fingerprinting, taking fingerprints from videos --  
3 videos, and they -- then they have service for  
4 presenting these fingerprints to them, and they will  
5 respond if this video matches any video in their  
6 database.

7 BY MR. FABRIZIO:

8 Q. And when they respond, because a finger -- they have  
9 a fingerprint match, do they provide information about  
10 the copyright owner and instructions from a copyright  
11 owner with regard to a particular file?

12 MR. THOMPSON: Objection, compound and vague.

13 A. I know for sure that they provide the copyright owner,  
14 but I'm not sure about the instructions.

15 BY MR. FABRIZIO:

16 Q. Okay. Well, let me put it this way, if there's a -- if  
17 upon submission of a fingerprint to Vobile there's  
18 a fingerprint match, Vobile sends information back to  
19 you?

20 A. It's more like we are supposed to connect and to check  
21 if the submission is processed, but basically that's the  
22 idea.

23 Q. Okay. And when Hotfile connects in to check, what  
24 information does Vobile make available to Hotfile about  
25 the file that it was checking?

1 A. It would be an XML file that will either say that there  
2 is no match, or a response that will indicate  
3 a copyrighted work name, maybe the producer of the  
4 copyrighted work, and I believe the offset in the video  
5 where the fingerprint starts the partial match.

6 Q. Does -- anything else?

7 A. That is what I can think of.

8 Q. Does the Vobile data indicate whether the file should be  
9 allowed for distribution or blocked?

10 A. Since you are mentioning a certain time, I assume that  
11 it does, but I don't have clear memory of it doing so.

12 Q. Okay.

13 MR. THOMPSON: Again, Mr. Titov, I know Mr. Fabrizio knows  
14 a lot about this, but you should just testify to what  
15 you know.

16 MR. FABRIZIO: Don't give me too much credit.

17 BY MR. FABRIZIO:

18 Q. Did Hotfile consider using -- well, strike that.

19 If I refer to Vobile's technology as "video  
20 fingerprinting technology," will you understand what I'm  
21 referring to?

22 A. Yes, I will.

23 Q. Is that how you refer to it as well?

24 A. Let's say yes.

25 Q. Okay. Did Hotfile consider using video fingerprinting

1 technology prior to the institution of this lawsuit?

2 MR. THOMPSON: Objection, vague.

3 A. No, I don't think so.

4 BY MR. FABRIZIO:

5 Q. Did you have any discussions with your co-shareholders  
6 about using any form of video fingerprinting?

7 A. I don't recall any such discussion.

8 Q. And, again, I'm talking about video fingerprinting  
9 technology, whether it's offered by Vobile or some other  
10 supplier, or even developed on your own, I'm speaking of  
11 the technology itself; do you understand that?

12 A. Yes, I understand that.

13 Q. So, with that clarification, did Hotfile consider  
14 deploying video fingerprinting technology in its system  
15 prior to the institution of this litigation?

16 A. I don't remember any such discussion.

17 Q. Did Hotfile consider using any form of content  
18 recognition technology in order to prevent copyrighted  
19 content from being uploaded to Hotfile prior to this  
20 litigation?

21 MR. THOMPSON: Objection, vague, to some extent asked and  
22 answered.

23 A. No, I don't remember anything like that.

24 BY MR. FABRIZIO:

25 Q. Why, after the commencement of this litigation, did

1 Hotfile implement the Vobile video fingerprinting  
2 technology?

3 A. We understood this to be important to the plaintiffs.

4 Q. Is it the case that Hotfile first approached Vobile only  
5 after the plaintiff group suggested doing so?

6 MR. THOMPSON: Objection, assumes facts.

7 BY MR. FABRIZIO:

8 Q. Let me strike that and ask it this way; after the  
9 institution of this litigation, Hotfile representatives  
10 met with representatives of the plaintiff group,  
11 correct?

12 A. Correct.

13 Q. And the plaintiff group's -- well, strike that.

14 I'm trying to be respectful of our discussions.

15 MR. THOMPSON: Yeah. I don't see how you can go there.

16 BY MR. FABRIZIO:

17 Q. And it's a fact, is it not, that in the complaint the  
18 plaintiffs filed in this action, the plaintiffs  
19 indicated that Hotfile could and should be using video  
20 fingerprint technology to prevent copyright  
21 infringement, correct?

22 MR. THOMPSON: Objection. The document speaks for itself.

23 A. I have some memories of some language saying that.

24 BY MR. FABRIZIO:

25 Q. When did Hotfile first approach Vobile?

1 A. I think it was end of April or May.

2 Q. 2011?

3 A. Correct.

4 Q. Did Hotfile research or consider the content  
5 identification technologies of any other company other  
6 than Vobile?

7 VIDEOGRAPHER: It's calibrating -- whatever that is.

8 MR. FABRIZIO: Sorry. For the record, the printer in the  
9 room started.

10 MR. THOMPSON: Calibrating.

11 MR. GURVITZ: Calibrating.

12 MR. FABRIZIO: Let me repeat the question.

13 BY MR. FABRIZIO:

14 Q. Did Hotfile research or consider the content  
15 identification technologies of any other company besides  
16 Vobile?

17 A. I don't think Hotfile by itself ever researched any  
18 other company.

19 Q. Did anyone on behalf of Hotfile research other content  
20 identification technologies?

21 A. I'm not sure, but might be our counsel.

22 Q. Anyone other than your counsel?

23 A. No, I don't think so.

24 Q. Did Hotfile take a license from Vobile for its servers?

25 A. There is a contract. I'm not sure if it's licensed.



1 Q. Fair enough. Is there a name for the product or service  
2 of Vobile that Hotfile is using?

3 A. Yes.

4 Q. What is that name?

5 A. Mediawise.

6 (Reporter clarification.)

7 MR. FABRIZIO: Yes.

8 BY MR. FABRIZIO:

9 Q. Has Hotfile considered any other products or services  
10 offered by Vobile?

11 A. Yes, we've been informed that Cloud 9 had technology  
12 that appeared -- that was announced after we started  
13 using Mediawise would be more appropriate for a service  
14 like Hotfile.

15 Q. Okay, and is that product V, Cloud 9?

16 A. Yes, it is.

17 Q. The number "9." Has Hotfile implemented V, Cloud 9?

18 A. Currently no.

19 Q. Why not?

20 A. Mostly developer and especially my time constraint is  
21 connected in connection with this litigation, there  
22 is -- and has been for some time. I did implement.

23 Q. Did you personally implement the Mediawise technology?

24 MR. THOMPSON: Objection, vague.

25 A. With some help from Vasil Kolev.

1 BY MR. FABRIZIO:

2 Q. Does Hotfile intend to deploy the V, Cloud 9 technology?

3 A. Yes, it does intend.

4 Q. And I'm trying to make sure I understand this correctly;  
5 the reason why Hotfile has not yet deployed V, Cloud 9  
6 relates to your personally being busy with activities  
7 related to this litigation?

8 A. Yes, that's -- that is part of it.

9 Q. Is there any other part of it?

10 A. I can't think of any other part.

11 Q. Has Hotfile done any testing of the performance of the  
12 Mediawise service from Vobile?

13 A. Can you be more specific?

14 Q. Sure. Has Hotfile done any analysis of how well Vobile  
15 technology performs?

16 A. Not for Hotfile's own pleasure.

17 Q. Has Hotfile conducted such an analysis for the pleasure  
18 of anyone else?

19 A. For the counsel.

20 MR. THOMPSON: Mr. Titov, please don't testify about  
21 anything your counsel asked you to do.

22 A. Okay.

23 BY MR. FABRIZIO:

24 Q. But, just to clarify, did Hotfile, or has Hotfile  
25 conducted analyses of the performance of Vobile

1 technology that it considers to be work product in this  
2 case?

3 MR. THOMPSON: Objection. I instruct him not to answer.

4 Steve, you can't ask if there is a particular piece  
5 of work product. That obviously goes to disclosing it.

6 MR. FABRIZIO: Well. I'm not asking what he found out.

7 I just want to know if there is one.

8 A. May I end the discussion?

9 MR. FABRIZIO: Yes.

10 A. Everything that we've got from Vobile as responses and  
11 everything was produced in the case, so I think that  
12 Kelly can do some research, whatever -- does that make  
13 sense?

14 BY MR. FABRIZIO:

15 Q. Yes, it makes sense, and there's nothing -- there's no  
16 analyses that you're withholding from production, is  
17 that what you're saying?

18 MR. THOMPSON: If --

19 A. We produced the data, not the analysis, but --

20 BY MR. FABRIZIO:

21 Q. Okay --

22 A. -- any search analysis that we performed can be  
23 performed on this data for any period or any...

24 MR. FABRIZIO: I understand, okay, so...

25 MR. THOMPSON: We should make -- just make it clear for the

1 record, Mr. Fabrizio, I will not allow the witness to  
2 answer the question as to what analysis he has performed  
3 at the request of his counsel --

4 MR. FABRIZIO: No, I wasn't asking him --

5 MR. THOMPSON: -- whether on Vobile or any other subject.

6 MR. FABRIZIO: I wasn't asking him what analyses he  
7 performed. I was simply trying to ascertain whether as  
8 a matter of fact there is something that defendants  
9 consider work product. You would have to disclose that  
10 much in a privilege log.

11 MR. THOMPSON: Well, Mr. Fabrizio, this -- this is our work  
12 product, and we're not going to disclose it, period, I'm  
13 not going to tell you what it is.

14 MR. FABRIZIO: I'm not asking what it is. I'm just asking  
15 if it is.

16 MR. THOMPSON: Well, you're free to ask him any factual  
17 information you want which does not disclose work  
18 product communications or work product analysis.

19 MR. FABRIZIO: Okay.

20 A. I don't think Hotfile ever created documents as part of  
21 this analysis.

22 MR. THOMPSON: Okay. That does help.

23 BY MR. FABRIZIO:

24 Q. When did Hotfile begin using the Vobile Mediawise  
25 technology on the live Hotfile site?

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10 Q. Have you formed a personal opinion as to the  
11 effectiveness of the Vobile technology in identifying  
12 copyrighted video content?

13 MR. THOMPSON: Objection, calls for opinion. You can  
14 answer.

15 A. No, I don't think I did.

16 BY MR. FABRIZIO:

17 Q. Either way -- well, strike that.  
18 Have you formed an opinion -- well, strike that.

19 Have you personally given any consideration to  
20 whether the Vobile technology is effective in  
21 identifying copyrighted video content?

22 A. No, I don't think so.

23 Q. Has Hotfile been receiving fewer DMCA notices from video  
24 content owners since it began using the Vobile  
25 technology?

1 HIGHLY CONFIDENTIAL  
2 CERTIFICATE OF COURT REPORTER

3 I, Fiona Farson, with TSG Reporting, hereby certify that the  
4 testimony of the witness Anton Titov in the foregoing  
5 transcript, taken on Wednesday, December 7, 2011 was  
6 reported by me in machine shorthand and was thereafter  
7 transcribed by me; and that the foregoing transcript is a  
8 true and accurate verbatim record of the said testimony.

9 I further certify that I am not a relative, employee,  
10 counsel or financially involved with any of the parties to  
11 the within cause, nor am I an employee or relative of any  
12 counsel for the parties, nor am I in any way interested in  
13 the outcome of the within cause.

14 Signed: \_\_\_\_\_

15 Fiona Farson

16 Dated: 12-19-2011

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HIGHLY CONFIDENTIAL  
CERTIFICATE OF DEPONENT

I, ANTON TITOV, hereby certify that I have read the foregoing pages of my deposition of testimony taken in these proceedings on Wednesday, December 7, 2011, and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed:  \_\_\_\_\_

Name: ANTON TITOV

Date: 1/20/2012

1 HIGHLY CONFIDENTIAL

2 NAME OF CASE: Disney Enterprises Inc. v. Hotfile Corp.

3 DATE OF DEPOSITION: 12-7-2011

4 NAME OF WITNESS: ANTON TITOV

5 Reason Codes:

6 1. To clarify the record.

7 2. To conform to the facts.

8 3. To correct transcription errors.

9 Page 396 Line 16 Reason 3

10 From no to to

11 Page 402 Line 13 Reason 3

12 From Googles to cookies

13 Page 402 Line 15 Reason 3

14 From Googles to cookies

15 Page 418 Line 5 Reason 3

16 From user field field to user input field

17 Page 439 Line 24 Reason 3

18 From Lucyan to Luchian

19 Page 458 Line 5 Reason 5

20 From only the to only if the

21 Page 483 Line 19 Reason 3

22 From to upload down the file from to will pull down the file from

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ANTON TITOV

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HIGHLY CONFIDENTIAL

NAME OF CASE: Disney Enterprises Inc. v. Hotfile Corp.

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Reason Codes:

- 1. To clarify the record.
- 2. To conform to the facts.
- 3. To correct transcription errors.

Page 436 Line 18 Reason 3  
From Lucyan to Luchian

Page 436 Line 23 Reason 3  
From Lucyan to Luchian

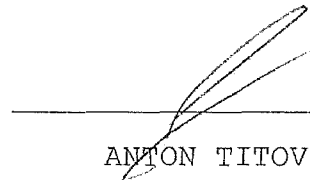
Page 439 Line 24 Reason 3  
From Lucyan to Luchian

Page 439 Line 2 Reason 3  
From Lucyan's to Luchian's

Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
From \_\_\_\_\_ to \_\_\_\_\_

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ANTON TITOV