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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 BLAKE A. FIELD,
14 Plaintiff,

15 vs.

16 GOOGLE INC.,
17 Defendant.

No. CV-S-04-0413-RCJ-GWF

**GOOGLE INC.'S MOTION FOR
SUMMARY JUDGMENT**

18 AND RELATED COUNTERCLAIMS
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TABLE OF CONTENTS

	<u>Page</u>
1	
2	
3	NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT vi
4	MEMORANDUM OF POINTS AND AUTHORITIES 1
5	I. INTRODUCTION 1
6	II. STATEMENT OF UNDISPUTED FACTS 4
7	A. Google And “Cached” Links. 4
8	B. The Purposes Served By Google’s Cache Functionality. 6
9	C. There Are A Host Of Methods That Site Owners Can Use To Tell Search Engines Whether To Provide “Cached” Links For Their Web Pages. 10
10	1. Meta-Tags. 10
11	2. Robots.txt File..... 12
12	3. Access Controls. 12
13	4. Automated Removal Procedure. 13
14	5. Contacting Google Directly. 13
15	D. Plaintiff Blake Field And His Copyright Scheme. 13
16	E. Field’s Copyright Infringement Lawsuit. 16
17	III. ARGUMENT 17
18	A. Summary Judgment Standard. 17
19	B. Field Has Failed To Identify Any Direct Copyright Infringement By Google..... 18
20	C. Field Granted An Implied License Allowing Users To Obtain And Google To Provide Access To Pages Containing His Copyrighted Works Via Google’s “Cached” Links. 20
21	1. Under Long-Standard Internet Protocols, Google Had An Implied License To Allow Access To Field’s Pages Through “Cached” Links. 21
22	2. Field Granted Google An Implied License To Allow Access To “Cached” Links Through His Conduct. 23
23	D. Field Is Estopped From Asserting His Copyright Claim Against Google..... 25
24	1. Field Knew That Google Displayed “Cached” Links To Pages In Its Search Results, And That Google Would Allow Users To Access Those Pages By Clicking On The Links..... 25
25	
26	
27	
28	

1	2.	Field Expected And Intended Google To Rely On His Conduct.....	26
2	3.	Google Did Not Know That Field Objected To Google’s Use Of “Cached” Links In The Search Results For His Web Site.....	27
3	4.	Google Detrimentally Relied On Field’s Conduct.	27
4	E.	Google’s Operation Of Its System Cache Is A Fair Use.	28
5	1.	Factor One: Google’s Transformative Use Supports A Finding Of Fair Use.....	31
6	a.	The Google System Cache Serves A Different Purpose From That Of Plaintiff’s Original Works.....	31
7	b.	Google’s Status As A Commercial Enterprise Does Not Negate Fair Use.	33
8	2.	Factor Two: The Nature Of Field’s Minimally Creative Works — Which Field Made Available For Free To The World And Submitted To Google’s Search Engine — Supports A Finding Of Fair Use.....	35
9	3.	Factor Three: Google Used No More Of The Text Of Field’s Web Pages Than Was Necessary For Google’s Transformative Use.	36
10	4.	Factor Four: Google’s “Cached” Links Had No Negative Effect On The Market For, Or Value Of, Field’s Works.	37
11	a.	Google’s “Cached” Links Had No Impact On Field’s Works At All.	37
12	b.	Google’s “Cached Links” Have No Impact On Works Generally.....	38
13	5.	Additional Factor: Google’s Good Faith In Operating Its System Cache Weighs In Favor Of Fair Use.....	40
14	6.	Fair Use Summary.	41
15	IV.	CONCLUSION.....	42
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			

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TABLE OF AUTHORITIES

	<u>Page(s)</u>
CASES	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	Agee v. Paramount Communications, Inc. , 59 F.3d 317 (2d Cir. 1995) 20
	Anderson v. Liberty Lobby, Inc. , 477 U.S. 242 (1986)..... 17
	Bill Graham Archives LLC v. Dorling Kindersley Ltd. , 75 U.S.P.Q.2d 1192 (S.D.N.Y. May 11, 2005)..... 41
	Campbell v. Acuff-Rose Music, Inc. , 510 U.S. 569 (1994)..... <i>passim</i>
	Carson v. Dynegy, Inc. , 344 F.3d 446 (5th Cir. 2003) 18, 25, 26
	Celotex Corp. v. Catrett , 477 U.S. 317 (1986) 17
	CoStar Group, Inc. v. LoopNet, Inc. , 373 F.3d 544 (4th Cir. 2004)..... 19
	De Forest Radio Telephone Co. v. United States , 273 U.S. 236 (1927) 20
	Diamond v. Am-Law Publ'g Corp. , 745 F.2d 142 (2d Cir. 1974) 35
	Effects Assoc., Inc. v. Cohen , 908 F.2d 555 (9th Cir. 1990)..... <i>passim</i>
	Fisher v. Dees , 794 F.2d 432 (9th Cir. 1986) 18, 28, 40
	Hadady Corp. v. Dean Witter Reynolds, Inc. , 739 F. Supp. 1392 (C.D. Cal. 1990) ... 18, 25, 27, 28
	Harper & Row, Publishers v. Nation Enters. , 471 U.S. 539 (1985) 28
	Hayden v. Chalfant Press, Inc. , 281 F.2d 543 (9th Cir. 1960) 20, 24
	Herbert v. United States , 36 Fed. Cl. 299 (1996) 23, 24
	In re Napster, Inc. Copyright Litig. , Case No. C 04-2121 MHP, 2005 U.S. Dist. LEXIS 11500 (N.D. Cal. June 1, 2005)..... 19
	Keane Dealer Servs., Inc. v. Harts , 968 F. Supp. 944 (S.D.N.Y. 1997) <i>passim</i>
	Kelly v. Arriba Soft Corp. , 336 F.3d 811 (9th Cir. 2003) <i>passim</i>
	Leibovitz v. Paramount Pictures Corp. , 137 F.3d 109 (2d Cir. 1998) 28, 31
	Martin v. Cuny , 887 F. Supp. 1390 (D. Col. 1995) 26
	Marvel Enters., Inc. v. NCSOFT Corp. , CV 04-9253-RGK (PLAx), (March 9, 2005 C.D. Cal.)..... 25
	Matsushita Elec. Indus. Co., Ltd. v. Zenith Radio Corp. , 475 U.S. 574 (1986) 17
	Mattel, Inc. v. Walking Mountain Prods. , 353 F.3d 792 (9th Cir. 2003)..... 18, 35, 36, 38
	Quinn v. City of Detroit , 23 F. Supp. 2d 741 (E.D. Mich. 1998) <i>passim</i>

1 *Religious Tech. Ctr. v. Netcom On-Line Communications Servs., Inc.*, 907 F. Supp.
1361 (N.D. Cal. 1995) 19, 38

2 *Salgado-Diaz v. Ashcroft*, 395 F.3d 1158 (9th Cir. 2005).....25

3 *Salinger v. Random House, Inc.*, 811 F.2d 90 (2d Cir. 1987)35

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7 (9th Cir. 1987).....17

8 **STATUTES**

9

10 17 U.S.C. § 101 (2005)20

11 17 U.S.C. § 106 (2005)24

12 17 U.S.C. § 106(3) (2005)20

13 17 U.S.C. § 107 (2005)28, 31, 40

14 17 U.S.C. § 412(2) (2005)14

15 17 U.S.C. § 501 (2005)25

16 17 U.S.C. § 512 (2005)18

17 **RULES**

18 FED. R. CIV. P. 56(c)17

19 **MISCELLANEOUS**

20

21 3 MELVILLE B. NIMMER & DAVID NIMMER, NIMMER ON COPYRIGHT § 10.03[A]
(1989).....20

22 4 MELVILLE B. NIMMER & DAVID NIMMER, NIMMER ON COPYRIGHT § 13.07 (1990)25

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24 Edward A. Cavazos, *Intellectual Property on the WWW: Linking, License and*
25 *Liability*, 576 PLI/Pat 559 (1999).....21

26 H.R. REP. NO. 105-551, pt. 2, at 58 (1988).....29

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TABLE OF ABBREVIATIONS

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Brougher Decl.	Declaration of Bill Brougher in Support of Google Inc.'s Motion for Summary Judgment, filed concurrently with this motion.
Field Depo.	Transcript from the deposition of Blake A. Field, taken on June 9, 2005 (excerpts attached as Ex. 1 to the O'Callaghan Decl.).
Levine Decl.	Declaration of Dr. John R. Levine in Support of Google Inc.'s Motion for Summary Judgment, filed concurrently with this motion.
Levine Report	Expert Report of Dr. John R. Levine (attached as Ex. 1 to the Levine Decl.).
Macgillivray Decl.	Declaration of Alexander Macgillivray in Support of Google Inc.'s Motion for Summary Judgment, filed concurrently with this motion.
O'Callaghan Decl.	Declaration of William O'Callaghan in Support of Google Inc.'s Motion for Summary Judgment, filed concurrently with this motion.

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NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

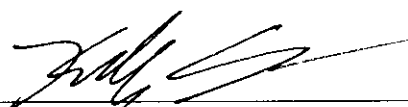
PLEASE TAKE NOTICE that as soon as counsel may be heard, before the Honorable Judge Robert C. Jones, defendant Google Inc. ("Google") will and does hereby move this Court pursuant to Federal Rule of Civil Procedure 56 for summary judgment that (1) Plaintiff Blake A. Field has failed to prove that Google infringed any of his copyrighted works; (2) Field granted Google an implied license to copy and distribute his copyrighted works; (3) Field is estopped from asserting his copyright infringement claim against Google; and (4) Google's alleged infringement is a non-infringing fair use.

This motion is made pursuant to Federal Rule of Civil Procedure 56. Google bases this motion upon this Notice of Motion and Motion; the accompanying Memorandum of Points and Authorities, and the accompanying Declarations of Bill Brougher, Dr. John R. Levine. Alexander Macgillivray and William O' Callaghan, filed concurrently with this motion.

Dated: November 7th, 2005

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By:



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CERTIFICATE OF MAILING

I certify that a true and correct copy of the foregoing **GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT** was served this 27 day of September, 2005, by placing same in the United States mail, postage prepaid, addressed to the following:

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the foregoing GOOGLE INC.'S MOTION FOR SUMMARY JUDGMENT was served this 3 day of November, 2005, by placing same in the United States mail, postage prepaid, addressed to the following:

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