

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VIACOM INT'L INC., ET AL.,)
)
Plaintiffs,)
v.)
YOUTUBE, INC., ET AL.,)
)
Defendants.)

ECF Case
Civil No. 07-CV-2103 (LLS)

THE FOOTBALL ASSOCIATION)
PREMIER LEAGUE LIMITED, ET AL.,)
on behalf of themselves and all others)
similarly situated,)
)
Plaintiffs,)
v.)
YOUTUBE, INC., ET AL.,)
)
Defendants.)

NOTICE OF MOTION

ECF Case
Civil No. 07-CV-3582 (LLS)

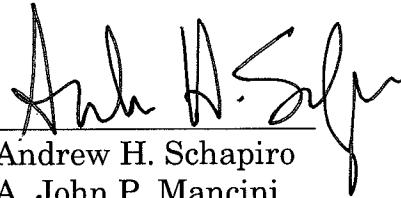
PLEASE TAKE NOTICE that, upon: (i) the Memorandum of Law in Support of Defendants' Motion for Summary Judgment; (ii) Defendants' Local Rule 56.1 Statement of Material Facts As To Which There Is No Genuine Issue To Be Tried; (iii) the Declaration of Andrew H. Schapiro, dated March 5, 2010, and the exhibits attached thereto; (iv) the Declaration of Michael Rubin, dated March 5, 2010, and the exhibits attached thereto; (v) the Declaration of Roelof Botha, dated February 26, 2010, and the exhibits attached thereto; (vi) the Declaration of Arthur Chan, dated October 30, 2009; (vii) the Declaration of Chad Hurley, dated March 3, 2010, and the exhibits attached thereto; (viii) the Declaration of David King, dated March

1, 2010, and the exhibits attached thereto; (ix) the Declaration of Zahavah Levine, dated March 4, 2010, and the exhibits attached thereto; (x) the Declaration of Christopher Maxcy, dated February 28, 2010, and the exhibits attached thereto; (xi) the Declaration of Daniel Ostrow, dated August 8, 2009; (xii) the Declaration of Suzanne Reider, dated March 1, 2010; (xiii) the Declaration of Micah Schaffer, dated March 2, 2010, and the exhibits attached thereto; (xiv) the Declaration of Michael Solomon, dated March 3, 2010; (xv) the Declaration of Hunter Walk, dated February 28, 2010, and the exhibits attached thereto; and (xvi) all papers and pleadings previously filed herein,

Defendants YouTube, Inc., YouTube, LLC and Google Inc. (collectively, “YouTube”), by their undersigned counsel, will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, before the Honorable Louis L. Stanton, United States District Judge, for an Order, pursuant to Federal Rule of Civil Procedure 56(b), that YouTube is entitled to summary judgment: (1) that YouTube qualifies for protection under Section 512(c) of the Digital Millennium Copyright Act, 17 U.S.C. § 512(c) *et seq.*, against all of plaintiffs’ direct and secondary copyright infringement claims; (2) on plaintiffs’ claims for contributory liability under the theory of inducement; and (3) for such other and further relief as this Court deems just and proper.

Dated: March 5, 2010
New York, New York

Respectfully submitted,



Andrew H. Schapiro
A. John P. Mancini
Matthew D. Ingber
Brian M. Willen
MAYER BROWN LLP
1675 Broadway
New York, New York 10019
(212) 506-2500

David H. Kramer
Maura L. Rees
Michael H. Rubin
Bart E. Volkmer
WILSON SONSINI GOODRICH & ROSATI PC
650 Page Mill Road
Palo Alto, California 94304
(650) 493-9300

Attorneys for Defendants

TO: Stuart Jay Baskin
Shearman & Sterling LLP
599 Lexington Ave.
New York, NY 10022
(212) 848-4000

Susan J. Kohlmann
Jenner & Block LLP
919 Third Avenue
37th Floor
New York, NY 10022-3908

William M. Hohengarten
Scott B. Wilkens
Jenner & Block LLP
601 Thirteenth Street, N.W.
Suite 1200 South

Washington, DC 20005-3823
(202) 639-6000

Louis M. Solomon
William M. Hart
Hal S. Shaftel
Noah S. Gitterman
Proskauer Rose LLP
1585 Broadway
New York, NY 10036-8299
(212) 969-3000

Max W. Berger
John C. Browne
Bernstein Litowitz Berger & Grossman LLP
1285 Avenue of the Americas
New York, NY 10019
(212) 554-1400

Attorneys for Plaintiffs