

## **Levine Exhibit 8**



YouTube Help

Search Help

Try Google's new browser. Browse the web faster, safer, and more easily with [Google Chrome](#).

Hide

### Copyright

#### General Copyright Inquiries

- [DMCA complaints](#)
- [My video's removed, similar videos aren't](#)
- [Recording concerts, sporting events, etc.](#)
- [Falsely accused of copyright infringement](#)
- [Examples of copyrighted works](#)
- [Copyright Tips: A few guiding principles](#)
- [Using Some Copyrighted Content In Your Videos](#)
- [What Will Happen If You Upload Infringing Content](#)
- [Claimed Content](#)
- [Permission to use videos?](#)
- [Why was my audio muted?](#)
- [I have permission to use this content.](#)
- [I made the video; I'm in it!](#)
- [I purchased the material I uploaded.](#)
- [My original recording of a cover song was removed.](#)
- [My video was removed after I received a notice saying it was allowed.](#)
- [Video copyright and ownership](#)
- [Understanding who claimed copyright ownership](#)
- [Using some copyrighted content](#)
- [A few guiding principles](#)
- [Recording from TV, DVD or CD](#)
- [I don't know whether claimant's content is in my video](#)
- [Copyright definition](#)

#### Reporting Copyright Infringement

- [Report copyright infringement](#)

#### Copyright Claim Disputes

- [Filing a counter-notification](#)
- [Video ID Disputes](#)

#### YouTube Copyright Policy

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- [Preventing copyright infringement on YouTube](#)
- [Video Identification tool](#)
- [DMCA and counternotice procedure](#)
- [Consequences of uploading copyrighted material](#)

#### YouTube

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#### Help & Info

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#### Discover

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© 2010 YouTube, LLC - Change Language:  

## **Levine Exhibit 9**



Search bar with 'Search' button

Create Account or Sign In

Subscriptions History Upload

Home Videos Channels Shows

About YouTube

- Contact us
Company blog
Press room
Company History
YouTube store
Jobs

Discover

- YouTube on Your Phone
YouTube on Your TV
YouTube on Your Site
YouTube RSS Feeds
TestTube

Programs

- Advertising Programs
Partnerships
Developer Tools
Content Management

Policy

- Privacy Policy
Terms of Service
Copyright Notices
Community Guidelines

Help

- Help Center ->
Safety Center
Creator's Corner
Video Speed Info
YouTube Handbook
Contact Us

Content Management

Overview Audio ID and Video ID Content Verification Program Copyright Infringement Notification

Copyright Infringement Notification

To report abuse, harassment, inappropriate content, or privacy complaints, please visit the Help Center.
For information on copyright, visit the Copyright Tips page.

Copyright Infringement Notification

To file a copyright infringement notification with us, you will need to send a written communication that includes substantially the following (please consult your legal counsel or see Section 512(c)(3) of the Digital Millennium Copyright Act to confirm these requirements):

- i. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
ii. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.
iii. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.
iv. Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
v. A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
vi. A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

To expedite our ability to process your request, such written notice should be sent to our designated agent via our online copyright complaint form below. You will need a YouTube account in order to utilize this tool.

Copyright Complaint Webform

If there are many videos to be removed, or you expect to have an ongoing need to remove potentially infringing content from YouTube, we suggest that you sign up for our Content Verification Program, which electronically notifies us, removing any room for error, and significantly increases the speed at which we are able to remove any infringing content.

If you prefer to contact us via postal mail, email, or fax, you may do so here.

Please note that under Section 512(f) any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages. Don't make false claims!

Please also note that the information provided in this legal notice may be forwarded to the person who provided the allegedly infringing content. Claimant information will be published on the YouTube site in place of disabled content.

Counter-Notification

If you elect to send us a counter notice, please go to our Help Center to access the instructions.

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability. Please also be advised that we enforce a policy that provides for the termination in appropriate circumstances of subscribers who are repeat infringers.

Try YouTube in a fast, new web browser! Download Google Chrome for PC

Footer navigation area with search bar and multiple columns of links including YouTube, Contact Us, Programs, Advertising, Developers, Partnerships, Content Management, Help, Get Help, YouTube Handbook, Community Help Forums, Safety Center, Creator's Corner, Video Speed Info, Policy, Privacy Policy, Terms of Service, Copyright Notices, Community Guidelines, Discover, YouTube on Your Phone, YouTube on Your Site, YouTube on Your TV, YouTube RSS Feeds, TestTube.

Current Location: Worldwide Show locations
Current Language: English Show languages
Safety Mode is off
Add YouTube to your Google homepage
© 2010 YouTube, LLC

# **Levine Exhibit 10**



Search

caroew Sign Out

Home Videos Channels Shows

Subscriptions History Upload

### Copyright Infringement Notification

#### What is the issue?

- Inappropriate content (Nudity, violence, etc.)
- I appear in this video without permission
- Abuse/Harrassment (Someone is attacking me)
- Privacy (Someone is using my image)
- Trademark infringement (Someone is using my trademark)
- Copyright infringement (Someone copied my creation)
- Other legal issue

#### Copyright infringement - Who is affected?

- I am!
- My company/organization
- Another copyright owner

To submit a DMCA complaint, please complete the following required fields.

#### Tell us about yourself

* Copyright Owner Name (Company Name if applicable): † <input type="text"/>	* Street Address: <input type="text"/>
* Your Full Legal Name (Aliases, usernames or initials not accepted): <input type="text"/>	* City: <input type="text"/>
* Your Title or Job Position (What is your authority to make this complain?): <input type="text"/>	* State/Province: <input type="text"/>
* Phone: <input type="text"/>	* ZIP/Postal Code: <input type="text"/>
Fax: <input type="text"/>	* Country: <input type="text" value="United States"/>

Email Address: caroew@gmail.com

† Claimant information will be published on the YouTube site in place of disabled content.

#### Videos to be removed

\* URL of allegedly infringing video to be removed:

Describe the work allegedly infringed:

\* Please select one:

By checking the following boxes, I state UNDER PENALTY OF PERJURY that:

- I am the owner, or an agent authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law, and
- This notification is accurate.

I acknowledge that under Section 512(f) any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages.

Typing your full name in this box will act as your digital signature.

\*

- I understand that abuse of this tool will result in termination of my YouTube account.

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[Help](#) [About](#) [Safety](#) [Privacy](#) [Terms](#) [Copyright](#) [Partners](#) [Developers](#) [Advertising](#)  
Language: English Location: Worldwide Safety mode: Off



# **Levine Exhibit 11.**

To: "copyright@youtube.com" <copyright@youtube.com>  
From: =?iso-2022-jp?B?GyRCJWkJCJVEPzM6OkIOGyhC?= <rights@ntv.co.jp>  
Cc:  
Bcc:  
Received Date: 2006-07-21 10:25:37 GMT  
Subject: COPYRIGHT INFRINGEMENT NOTIFICATION

---

Mr. Heather Gillette  
DMCA Complaints  
YouTube, Inc.  
71 E. Third Ave.  
San Mateo, CA 94401  
U.S.A.

21st July, 2006

Dear Mr. Heather Gillette;

RE: COPYRIGHT INFRINGEMENT NOTIFICATION

Thank you very much for your quick action to remove "SUKKIRI" materials as per our e-mail of 20th July, 2006.

As we found other copyright infringement today, We once again write this e-mail to request that the Materials (as defined below) be removed from the YouTube website due to copyright infringement. The following are relevant facts upon which we base our request, in accordance with the directions provided at [http://www.youtube.com/t/dmca\\_policy](http://www.youtube.com/t/dmca_policy).

We are one of the biggest commercial broadcasting stations in Japan whose principal business, among others, is terrestrial television broadcasting and television program production. We have copyrights of a program entitled "SUKKIRI"(Daily Morning Show), which is being produced and broadcast nationwide through our terrestrial broadcasting network in the Japanese language on 19th July, 2006

We have learned that a copy of "SUKKIRI" (hereinafter referred to as the "Materials") is located on <http://www.youtube.com/> the details of which are as under-mentioned;

- 1, From warosunews <http://www.youtube.com/watch?v=CG9t7EOHtXo>
- 2, From hiropooh120 <http://www.youtube.com/watch?v=pRoJy2cLEPA>
- 3, From mokaiba <http://www.youtube.com/watch?v=lGeCbBzN3jQ>
- 4, From KGKKGK [http://www.youtube.com/watch?v=3f5\\_uWE0baY](http://www.youtube.com/watch?v=3f5_uWE0baY)

We are sure that the Materials have been copied from the original program of "SUKKIRI" because all of the Material is found included in the original program as broadcasted in Japan on 19th July, 2006.

We hereby confirm that neither we nor our agents have permitted any third party to copy all or any of the program of "SUKKIRI" for any use on a website, including, without limitation, use on the YouTube website.

We further confirm that the above information is accurate and that we are the genuine copyright owner of "SUKKIRI" program.

Once again, we ask that you take immediate action in removing the Materials from the YouTube website, and disable and/or terminate the account of the user who is infringing our copyright.

If you need any additional information, please do not hesitate to contact us.

Our contact details are as follows:

Address: 1-6-1 Higashi Shimbashi, Minato-ku, Tokyo 105-7444 Japan  
Tel No.: 03-6215-3082 Fax No. : 03-6215-3075  
URL <http://www.ntv.co.jp/english/index.html> (For Japanese: <http://www.ntv.co.jp>)

E-Mail: rights@ntv.co.jp

We thank you for your kind attention to the above and look forward to hearing from you soon.

Faithfully yours,

Mitsuyasu Amano  
Deputy General Manager,  
Rights & Contract Management,  
Compliance & Standards  
Nippon Television Network Corporation

From - Mon Apr 02 17:35:43 2007  
X-Mozilla-Status: 0008  
X-Mozilla-Status2: 00000000

---

To: "Copyright Service" <copyright@youtube.com>  
From: "Naeem R." [REDACTED]  
Cc: [REDACTED] "Nathan Lewan"  
Bcc:  
Received Date: 2006-11-11 02:03:27 CST  
Subject: RE: URGENT:: COPYRIGHT VIOLATION notice!

---

Thanks for the SUPER FAST response - you guys rock!!!!!!!!!!

The whole film team says THANK YOU!!

-----  
www.AmericanRamadan.com  
Naeem Randhawa director  
214.282.4325  
naeem@justsaygo.com  
-----

-----Original Message-----

From: Copyright Service [mailto:copyright@youtube.com]  
Sent: Friday, November 10, 2006 7:45 PM  
To: [REDACTED]  
Subject: Re: URGENT:: COPYRIGHT VIOLATION notice!

Dear Mr. Randhawa,

Thank you very much for your notification, the content has been removed.

Hope this helps,

The YouTube Team

Naeem R. wrote:

> Hello;  
>  
> I am the director of "\*\*American Ramadan\*\*" (\*www.AmericanRamadan.com\*  
> <<http://www.AmericanRamadan.com>>), this movie is owned by \*JustSayGO,  
> LLC\* (\*www.JustSayGoFILMS.com\* <<http://www.JustSayGoFILMS.com>>).  
>  
> It seems that a YouTube user has taken the liberty to post our entire  
> commercial production on his page:  
> \*<http://www.youtube.com/watch?v=v21FtTG1ubA>\*  
>  
> As an independent production company - this is UNACCEPTABLE, please  
> remove this and any other instance of our movie from YouTube IMMEDIATELY.  
>  
> We're broke enough as it is! We don't need someone else stealing what  
> little we have!!  
>  
> Thanks for your help! Please contact me immediately once this is done.  
>  
> Thanks,

> \*-----\*  
> --- \*\*www.AmericanRamadan.com <http://www.americanramadan.com/> \*  
> \*Naeem Randhawa \*director  
> 214.282.4325  
> [REDACTED]  
> \*-----\*  
> ---\*  
>  
>  
> --  
> No virus found in this outgoing message.  
> Checked by AVG Free Edition.  
> Version: 7.1.409 / Virus Database: 268.14.0/525 - Release Date:  
> 11/9/2006  
>

--  
No virus found in this incoming message.  
Checked by AVG Free Edition.  
Version: 7.1.409 / Virus Database: 268.14.0/525 - Release Date: 11/9/2006

--  
No virus found in this outgoing message.  
Checked by AVG Free Edition.  
Version: 7.1.409 / Virus Database: 268.14.0/525 - Release Date: 11/9/2006

From - Mon Apr 02 17:29:18 2007  
X-Mozilla-Status: 0008  
X-Mozilla-Status2: 00000000

---

To: "Copyright Service" <copyright@youtube.com>  
From: "Antonio Hens" [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-11-16 09:08:40 CST  
Subject: Re: "En Malas Compañías" aka "Doors cut down" Copyright Infringement Notification

---

Dear Sirs,

Thank you very much indeed for your fast response. I highly appreciate it as well as your attitude towards the exchange of audiovisual materials through the Net. Thanks to companies like yours our business can be secure while taking advantage of the benefits of new technologies.

Best wishes,

Antonio Hens  
Producer

---

To: "Copyright Service" <copyright@support.youtube.com>, "Fowler, Tyler (NBC Universal)" <tyler.fowler@nbcuni.com>  
From: "Neil, Doug (NBC Universal)" <Doug.Neil@nbcuni.com>  
Cc: "heather@youtube.com" <heather@youtube.com>, "micah@youtube.com" <micah@youtube.com>  
Bcc:  
Received Date: 2007-04-04 02:51:20 CST  
Subject: RE: [#132397007] Pulldown request

---

Justin,  
Thank you for the quick response. We appreciate your help in complying with this request. We'll ask the MPAA about placing content behind the restricted area on YouTube. We'll need to clarify the age verification that is done before someone can access the content. Can you advise?

Thanks,  
Doug Neil

-----Original Message-----

From: Copyright Service [mailto:copyright@support.youtube.com]  
Sent: Tuesday, April 03, 2007 6:34 PM  
To: Fowler, Tyler (NBC Universal)  
Cc: heather@youtube.com; micah@youtube.com; Neil, Doug (NBC Universal)  
Subject: Re: [#132397007] Pulldown request

Dear Tyler,

Thank you very much for your notification. The content has been removed. However, please be advised that we really do need complete DMCA notifications in order to remove content. The easiest way of providing this is to sign up for our Content Verification Program. Steve Kang already has this login information and may share his login with other authorized users, or you may sign up for additional accounts as needed. Information on signing up follows.

Also, I wanted to let you know that we do have the ability to mark videos as "restricted" in the case that you have a red-band trailer that you would like to keep online, but accessible only to users that are over 18. Let me know if you have other questions about this; I'm not completely familiar with the MPAA's guidelines.

YouTube's Content Verification Tool provides an easy-to-use interface where content owners may request removal of infringing content by using check boxes and "select all" functions. After you have submitted a short, one page form in order to verify your identity, this system automatically provides the proper DMCA notification that we need in order to remove our content. This is the fastest way to ensure removal of content from the site - 24 hours a day, 365 days a year.

All a content owner needs to do to participate in the program and gain access to this tool is complete and submit to YouTube a short form that can be found here:

[http://youtube.com/t/copyright\\_program](http://youtube.com/t/copyright_program)

Once your application has been submitted, we will follow up by providing you with a tutorial and login information to get you started and on your

way!

We are committed to working in cooperation with content owners to keep infringing content off of the YouTube site! Please let me know if you have any questions.

Sincerely,

Justin  
The YouTube Team

Original Message Follows:

-----  
From: "Fowler, Tyler \ (NBC Universal)" <tyler.fowler@nbcuni.com>  
Subject: RE: Pulldown request  
Date: Tue, 3 Apr 2007 17:55:46 -0700

Hi folks- Just checking in again regarding this request. Please let me know when you expect this video to be pulled down.

Thanks,

Tyler

-----Original Message-----

From: Fowler, Tyler (NBC Universal)  
Sent: Tuesday, April 03, 2007 3:35 PM  
To: 'copyright@youtube.com'  
Cc: 'heather@youtube.com'; 'micah@youtube.com'; Neil, Doug (NBC Universal)  
Subject: RE: Pulldown request

Hi folks- Sorry for the back-and-forth on this request. We do need you to pull this video down after all. Please confirm that this is doable.

Thanks again for your help with this!

Best,

Tyler Fowler

-----Original Message-----

From: Fowler, Tyler (NBC Universal)  
Sent: Tuesday, April 03, 2007 12:45 PM  
To: Fowler, Tyler (NBC Universal); 'copyright@youtube.com'  
Cc: 'heather@youtube.com'; 'micah@youtube.com'; Neil, Doug (NBC Universal)  
Subject: Re: Pulldown request

Hi folks- pls hold off on this request for the time being. we're waiting on a second opinion regarding this. Have you folks had similar requests regarding R-band content from other studios?

TF

-----Original Message-----

From: Fowler, Tyler (NBC Universal)  
To: 'copyright@youtube.com' <copyright@youtube.com>



CC: 'heather@youtube.com' <heather@youtube.com>; 'micah@youtube.com' <micah@youtube.com>; Neil, Doug (NBC Universal)  
Sent: Tue Apr 03 12:28:09 2007  
Subject: Pulldown request

Hi folks-  
We'd like to request that the following red-band trailer for our film Knocked Up be pulled down from Youtube, due to the fact that it contains restricted content that the MPAA only allows to be posted online behind an age-gate. <http://www.youtube.com/watch?v=5PVOSmxiGWI>

Please let us know if you have any questions.

Best,

Tyler Fowler  
Universal Pictures  
Digital Marketing

---

To: "Copyright Service" <copyright@youtube.com>  
From: "aar band" [REDACTED]  
CC:  
BCC:  
Sent Date: 2007-06-28 02:05:19 GMT  
Subject: Thank you so much

---

thank you so much, I really appreciate your wonderful work. I never thought you would be so efficient.

With deep respect

Aar

--- Copyright Service <copyright@youtube.com> wrote:

> Dear Aar,  
>  
> Thank you very much for your response. The content  
> has been removed.  
>  
> Sincerely,  
>  
> Erik  
> The YouTube Team  
>  
>  
> Original Message Follows:  
> -----  
> From: aar band [REDACTED]  
> Subject: urgent request  
> Date: Tue, 26 Jun 2007 18:20:22 -0700 (PDT)  
>  
> My name is Aar, I am a Somali musician  
> based in London UK, recently one of my videos was  
> copied from myspace by an unauthorised person. I  
> sent  
> a number of requests  
> to this individual to remove my video but and he  
> continuesly ignored me. I would appreciate if my  
> video  
> could be deleted from  
> youtube.  
>  
> The copyrighted work at issue is a music video  
> titled  
> Hanaanka. This is my video I am the artist who owns  
> the rights to this song and video.  
>  
> This video was stolen from my profile in myspace

> www.myspace.com/aarmusic. You can use my email  
> address  
> [REDACTED] to verify me in Myspace.  
>  
>  
> The URL of the video in question is  
> <http://www.youtube.com/watch?v=zFkHZmoHDWI>  
> The guy who stole my video can be found here  
> <http://www.youtube.com/user/mukhtaar114>  
>  
> I look forward to your immediate response. Thanking  
> you in advance  
>  
> Aar  
>  
>  
>  
>

---

Ready  
> for the edge of your seat?  
> Check out tonight's top picks on Yahoo! TV.  
> <http://tv.yahoo.com/>  
>  
>

---

Got a little couch potato?  
Check out fun summer activities for kids.  
[http://search.yahoo.com/search?fr=oni\\_on\\_mail&p=summer+activities+for+kids&cs=bz](http://search.yahoo.com/search?fr=oni_on_mail&p=summer+activities+for+kids&cs=bz)

To: "Copyright Service" <copyright@youtube.com>  
From: "James Gilmore" [REDACTED]  
CC:  
BCC:  
Sent Date: 2007-11-02 22:36:13 GMT  
Subject: Re: [#211442614] DMCA complaint

---

Dear Justin,

Just wanted to thank you for the prompt & professional response to my copyright infringement notification. Your assistance is truly appreciated. Thank you very much.

Sincerely,  
James D. Gilmore

--- Copyright Service <copyright@youtube.com> wrote:

> Dear James,  
>  
> Thank you for your notification. As a one time  
> courtesy and a measure of our good faith the content  
> has been removed. However, going forward, we will  
> need complete DMCA notifications in order to  
> continue to remove content.  
>  
> We encourage you to sign up for our Content  
> Verification Program at:  
> [http://www.youtube.com/t/copyright\\_program](http://www.youtube.com/t/copyright_program) which is  
> the easiest way of providing this.  
>  
> To file a notice of infringement with us, you must  
> provide a written communication that sets forth the  
> items specified below. To expedite our ability to  
> process your request, please use the following  
> format (including section numbers):  
>  
> 1. Identify in sufficient detail the copyrighted  
> work that you believe has been infringed upon,  
> including the owner of the work. For example, "The  
> copyrighted work at issue is the video titled "My  
> Video" produced by me."  
>  
> 2. Identify the material that you claim is  
> infringing the copyrighted work listed in item #1  
> above.  
>  
> YOU MUST IDENTIFY EACH VIDEO THAT ALLEGEDLY CONTAINS  
> INFRINGING MATERIAL. This requires you to specify  
> the URL of the playback page for that video (like  
> this: [http://www.youtube.com/watch?v=QCVxQ\\_3Ejkg](http://www.youtube.com/watch?v=QCVxQ_3Ejkg)).  
>  
> PROVIDING URL LINKS IN THE BODY OF AN EMAIL IS THE  
> BEST WAY TO HELP US LOCATE CONTENT QUICKLY. Sending  
> a fax, .jpg, .tif or .pdf copy of your URL  
> identification may delay the processing of your

> claim if we are unable to differentiate the scanned  
> characters, which will require your confirmation.  
>  
> If there are many URLs to be removed, we encourage  
> you to sign up for our Content Verification Program  
> at: [http://www.youtube.com/t/copyright\\_program](http://www.youtube.com/t/copyright_program)  
>  
> YouTube's Content Verification Program provides an  
> easy-to-use interface where content owners may  
> request removal of allegedly infringing content by  
> simply checking a box. After you have submitted a  
> short, one page form in order to verify your  
> identity, this system automatically provides the  
> proper DMCA notification that we need in order to  
> remove your content. This is the fastest way to  
> ensure removal of content from the site - 24 hours a  
> day, 365 days a year.  
>  
> 3. Provide information reasonably sufficient to  
> permit YouTube to contact you (email address is  
> preferred).  
>  
> 4. Include the following statement: "I have a good  
> faith belief that use of the copyrighted materials  
> described above on the allegedly infringing web  
> pages is not authorized by the copyright owner, its  
> agent, or the law."  
>  
> 5. Include the following statement: "I swear, under  
> penalty of perjury, that the information in the  
> notification is accurate and that I am the copyright  
> owner or am authorized to act on behalf of the owner  
> of an exclusive right that is allegedly infringed."  
>  
> 6. Provide a physical or electronic signature.  
>  
> Send the written communication to YouTube:  
>  
> EMAIL IS OUR PREFERRED METHOD OF CONTACT  
>  
> Email: [copyright@youtube.com](mailto:copyright@youtube.com)  
>  
> OR  
>  
> DMCA Complaints  
> YouTube, Inc.  
> 1000 Cherry Ave.  
> Second Floor  
> San Bruno, CA 94066  
>  
> OR  
>  
> fax: 650.872.8513, Attn: YouTube Legal Support, DMCA  
> Complaints.  
>  
> Sincerely,  
>  
> Justin  
> The YouTube Team  
>

>  
>  
>

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

---

To: "Copyright Service" <copyright@youtube.com>  
From: "David.Louca" [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-09-08 09:46:54 CST  
Subject: RE: Cillit Bang Remix

---

Thank you very much for your swift action.

Dave

-----Original Message-----

From: Copyright Service [mailto:copyright@youtube.com]  
Sent: 07 September 2006 23:14  
To: David.Louca  
Subject: Re: Cillit Bang Remix

Dear Mr. Louca,

Thank you for notifying us! The videos you listed have been removed.

Hope this helps,

Aaron  
The YouTube Team

David.Louca wrote:

- > Hi YouTube, the following posts are infringing our & Reckitt
- > Benkiser's copyrights
- > by uploading the Cillit Bang Remix to your site.
- >
- > Please could you have them removed immediately.
- >
- > If you need any more information from me please ask.
- >
- > Many thanks
- >
- > <http://www.youtube.com/watch?v=MdfOZb5MWEE>
- > [http://www.youtube.com/watch?v=3GW1395hq\\_g](http://www.youtube.com/watch?v=3GW1395hq_g)
- > <http://www.youtube.com/watch?v=cqUO91YXkA8>
- > <http://www.youtube.com/watch?v=IRwpFww2nWo>
- > <http://www.youtube.com/watch?v=gJYVlvycddg>
- > <http://www.youtube.com/watch?v=oCYUL3-7OAI>
- > <http://www.youtube.com/watch?v=WwX7GEvnN-E>
- > <http://www.youtube.com/watch?v=zW71Rgpwwuo>
- > <http://www.youtube.com/watch?v=J8CRSvCj2BU>
- > <http://www.youtube.com/watch?v=xyjFXU06O2g>
- > <http://www.youtube.com/watch?v=5MnvcPRH5Yk>
- > <http://www.youtube.com/watch?v=LWFZOk-VkaQ>
- > <http://www.youtube.com/watch?v=XBgGTMwGpzE>
- > <http://www.youtube.com/watch?v=3ekCQW5Q1ec>
- > <http://www.youtube.com/watch?v=el51Ybc5RsY>
- > <http://www.youtube.com/watch?v=IFMIUJWcwXfQ>
- > <http://www.youtube.com/watch?v=uLtjijyudDk>
- > <http://www.youtube.com/watch?v=gGC3tbaAJUc>
- > <http://www.youtube.com/watch?v=CR7G4O9Fc68>

> <http://www.youtube.com/watch?v=eQEIUisq77I>  
> <http://www.youtube.com/watch?v=NLC2ljkQmHo>  
> <http://www.youtube.com/watch?v=uqdzdnRXyPk>  
> [http://www.youtube.com/watch?v=X7SKZ0Fi\\_bY](http://www.youtube.com/watch?v=X7SKZ0Fi_bY)  
> <http://www.youtube.com/watch?v=ie2Qn8E37Ks>  
> <http://www.youtube.com/watch?v=neCDuJFQoj0>  
>  
> Dave Louca (Head Of A&R & Promotions)  
>  
> Media Records Ltd  
> (Nukleuz, UMM Records)  
> 1 Pepys Court, 84-86 The Chase, Clapham Common,  
> London SW4 0NF, UK  
>  
> E: [REDACTED]  
> T: [REDACTED]  
> F: [REDACTED]  
> MSN: [REDACTED]  
> AIM: [REDACTED]  
>  
> [www.myspace.com/ummrecords](http://www.myspace.com/ummrecords) <<http://www.myspace.com/ummrecords>>  
> [www.myspace.com/nukleuzrecords](http://www.myspace.com/nukleuzrecords) <<http://www.myspace.com/nukleuzrecords>>  
>  
>

---



To: "copyright@youtube.com" <copyright@youtube.com>  
From: [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-06-15 05:29:44 GMT  
Subject: FW: Copyright Infringement

---

Thank you for removing my video from the site and taking care of that user. I really am glad to see that you guys do protect us.  
Thanks again,  
Brett  
President of Sk8xtreme Inc. DBA M1 Urethane

----- Original Message -----

Date: 6/14/2006 02:54 AM

From: [REDACTED]

To: copyright@youtube.com

Subject: Copyright Infringement

To whom it may concern:

Sections of my DVD have been put on to your website illegally. I request that these files be taken down immediatly. All 4 uploads by the following user- yossie0906 Are from the M1 Team Video "Twenty to Life" that I own. To keep from any further leagal action we ask that these come down.

Thank you,

Brett W. Garson

President of Sk8xtreme Inc. DBA M1 Urethane

---

To: "Copyright Service" <copyright@youtube.com>  
From: [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-10-24 10:35:27 CST  
Subject: Re: Copyright Infringement - URGENT ACTION REQUIRED

---

Many thanks for your swift action.

> Mr. Leman,  
>  
> Thank you very much for your notification, the content has been removed.  
>  
> Hope this helps,  
>  
> Misty  
> The YouTube Team  
> leman@mailbox.co.uk wrote:  
>> Leman Productions Ltd  
>> Film and Television Production  
>> 1F1 33 Balcarres St, Morningside, Edinburgh EH10 5JF U.K.  
>>  
>> DMCA Complaints  
>> YouTube, Inc.  
>> 1000 Cherry Ave.  
>> Second Floor  
>> San Bruno, CA 94066  
>> Fax: 650.343.2983  
>>  
>>  
>> Ref: Unauthorised use of Copyright Material / Bert Jansch / 'Acoustic  
> Routes'  
>>  
>> Sirs,  
>>  
>> It has been brought to my attention that two clips from the 1992 music  
> film 'Acoustic  
>> Routes' featuring Bert Jansch have  
>> been posted on your site by one of your users – Pitoucat - without  
my> company's consent or  
>> permission.  
>>  
>> The clips posted ( in the music category ) are: Bert Jansch playing  
'> Needle of Death' and  
>> 'Blues Run the Game' with Al  
>> Stewart.  
>>  
>> For your information, the film 'Acoustic Routes' was an  
Independent> Production for the BBC  
>> and the copyright for the  
>> film rests with my company.  
>>  
>> I strongly request that these clips are removed forthwith from Youtube  
> and reserve the  
>> right to take whatever legal

24 Oct 2006

> > action necessary to protect my company's productions from  
unauthorise> d illegal copying and  
> > transmission.  
> >  
> > I await your prompt response.  
> >  
> > Sincerely,  
> >  
> > Jan Leman – Director, Leman Productions Ltd  
> >  
> >  
> >  
> > CC: Jim Preacher, Head of Business and Legal Affairs, BBC Scotland  
> >  
> >  
> >  
>

From - Mon Apr 02 17:26:54 2007  
X-Mozilla-Status: 0018  
X-Mozilla-Status2: 00000000

---

To: "Copyright Service" <copyright@youtube.com>  
From: "Shellenbarger, Daniel" [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-09-29 23:10:59 CST  
Subject: RE: copyright infringement

---

Thank you, it is down now, I just tried the link. THANK YOU again for your very speedy response!

-----Original Message-----

From: Copyright Service [mailto:copyright@youtube.com]  
Sent: Friday, September 29, 2006 6:09 PM  
To: Shellenbarger, Daniel  
Subject: Re: copyright infringement

Mr. Shellenbarger,

The video shows removed, it is possible for the thumbnail and searches to still show the video for some time after its removal. I assure you though, if you click on the video it will show that it is down.

Misty  
The YouTube Team

Shellenbarger, Daniel wrote:

> Thank you for your speedy reply. I just checked and the video is still  
> available. The URL is: <http://www.youtube.com/watch?v=lwrAL2e9NH4>

>  
> Thank you again for your speedy reply!

>  
> -----Original Message-----  
> From: Copyright Service [mailto:copyright@youtube.com]  
> Sent: Friday, September 29, 2006 4:04 PM  
> To: Shellenbarger, Daniel  
> Subject: Re: copyright infringement

> Mr. Shellenbarger,

> Thank you very much for your notification, the content has been removed.

> Hope this helps,

> The YouTube Team

> Shellenbarger, Daniel wrote:

>>

>>

>>

>>

>>

>>

>> To: YouTube Content Managers

>>

>> From: Dan Shellenbarger

>>

>> Executive Director, Ohio Channel/division of ideastream  
>>  
>> Date: September 29, 2006  
>>  
>> Re: Use of Copyright video  
>>  
>>  
>>  
>>  
>> The video clip used in the link:  
>>  
>> <http://www.youtube.com/watch?v=lwrAL2e9NH4>  
>>  
>> substantially uses Ohio Channel <<http://www.ohiochannel.org/>> footage in  
>> the broadcast. All Ohio Channel footage is copyright by ideastream  
>> <<http://www.wviz.org/>> and is specifically prohibited for use in  
>> political or commercial productions. We are a not-for-profit PBS entity  
>> in Ohio and have full distribution authority for the use of the video.  
>> The video was obtained from us and the user agreed to our terms of  
>> service (which prohibit the unauthorized use of the work). All  
>> ideastream produced work is copyright and rights must be sought for any  
>> retransmission.  
>>  
>>  
>>  
>> We have communicated with the party linking to the video and they have  
>> agreed to take down the work. This has not yet happened.  
>>  
>>  
>>  
>> The contact for the link is:  
>>  
>>  
>>  
>> Ohio Republican Party  
>>  
>> 211 S. Fifth Street  
>>  
>> Columbus, OH 43215  
>>  
>>  
>>  
>> Phone: [REDACTED]  
>>  
>>  
>>  
>> I have worked with John McClelland in all communications.  
>>  
>>  
>>  
>> I ask that the video be removed as soon as possible or we will need to  
>> take further action.  
>>  
>>  
>>  
>> Thank you for your patience and consideration.  
>>

>>  
>>  
>> Dan Shellenbarger  
>>  
>>  
>>  
>>  
>>  
>> Dan Shellenbarger  
>>  
>> Executive Director  
>>  
>> OGT/Ohio Channel  
>>  
>> Ohio Statehouse  
>>  
>> Room 013  
>>  
>> Columbus, OH 43215  
>>  
>>  
>>  
>> [REDACTED]  
>>  
>>  
>>  
>> [REDACTED]  
>>  
>>  
>>  
>> www.ohiochannel.org <<http://www.ohiochannel.org>>  
>>  
>>  
>>  
>> //The Ohio Channel is a service of //  
>>  
>> //Ohio's Public Broadcasting Stations//  
>>  
>> \*\*Managed by \*\*ideastream  
>>  
>>  
>>  
>>

---

To: heather gillette <heather@youtube.com>  
From: Atsushi IIZUKA [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-12-15 20:41:40 GMT  
Subject: Re: Copyright infringement notice (NHK 060626)

---

Dear Heather,

Thank you always your kind and rapid  
action against copyright infringement.  
(removal of listed videos)  
I (we) appreciate it very much!

Best regards,

Atsushi IIZUKA  
NHK Japan Broadcasting Corporation  
Copyright & Archives Center  
TOKYO JAPAN

----- Original Message -----

From: "heather gillette" <heather@youtube.com>  
To: "Atsushi IIZUKA" [REDACTED]  
Cc: "?? ??CD" [REDACTED]  
Sent: Tuesday, June 27, 2006 8:27 AM  
Subject: RE: Copyright infringement notice (NHK 060626)

> Dear Atsushi Iizuka,  
>  
> Thank you again for alerting us to this! The videos listed in the  
> attachment to this email have been removed.  
>  
> Sincerely,  
>  
> Heather Gillette  
> Copyright Agent  
> YouTube, Inc.  
>  
> -----Original Message-----  
> From: Atsushi IIZUKA [REDACTED]  
> Sent: Monday, June 26, 2006 1:48 AM  
> To: copyright@youtube.com  
> Cc: ?? ??CD  
> Subject: Copyright infringement notice (NHK 060626)  
>  
> Dear YouTube Inc.  
>  
> My name is Atsushi IIZUKA. I am with  
> NHK Japan Broadcasting Corporation.  
> I inform you the copyright infringement  
> notice. Please take a look at my  
> attached document which explains in detail.  
>  
> Your kind cooperation on this matter

> is highly appreciated.  
>  
> Regards,  
>  
> Atsushi IIZUKA  
>  
> Senior Program Director  
> NHK Japan Broadcasting Corporation  
> Copyright & Archives Center  
> TOKYO JAPAN  
> [REDACTED]  
> +81-3-3481-1803 (fax)  
>

---



To: heather gillette <heather@youtube.com>  
From: Paul Walsh [REDACTED]  
Cc:  
Bcc:  
Received Date: 2006-12-15 20:41:40 GMT  
Subject: RE: Copyright infringement - Lano & Woodley

---

Dear Heather

Thankyou very much for responding to our request to remove the copyright material so quickly. It is good to see a file-sharing website taking such a responsible approach and hopefully many others will follow your exemplary model. I will logon to your site and register as you suggest.

Thanks again, and have a great week.

Regards  
Paul

---

From: heather gillette [mailto:heather@youtube.com]  
Sent: Saturday, 29 April 2006 10:40 AM  
To: Paul Walsh  
Subject: RE: Copyright infringement - Lano & Woodley

Dear Mr. Walsh,

Than you very much for this notification! I have removed the video listed in the attachment to this email. You also mention that you were unable to provide more links because our site was down at the time that you wrote the letter. Accordingly, we would like to take this opportunity to invite you to access a new tool that we created solely to assist content owners to locate and notify us of potentially infringing content on YouTube.com.

All a content owner needs to do to participate in the program and gain access to this tool is complete and submit to YouTube a short application that can be found here:

[http://youtube.com/t/copyright\\_program](http://youtube.com/t/copyright_program)

Once your application has been submitted, we will follow up by providing you with a tutorial and login information to get you started and on your way!

We are committed to working in cooperation with content owners to keep infringing content off of the YouTube site! Please let me know if you have any questions.

Sincerely,

Heather Gillette

YouTube, Inc.

---

From: Paul Walsh [REDACTED]  
Sent: Friday, April 28, 2006 12:23 AM  
To: copyright@youtube.com  
Subject: Copyright infringement - Lano & Woodley

Dear Sirs

Please see attached an electronic copy of a fax sent to you today concerning unauthorised reproduction of segments from Lano & Woodley (whom we represent as their agents) - from both their current performance in Australia and their DVDs. All segments of Lano and Woodley on your site are breaches of copyright and we request that they be removed immediately.

Please do not hesitate to contact me should you require any further information.

Thank you very much for your assistance with this matter.

Regards

Paul Walsh  
Legal & Business Affairs Manager  
Token Artists

paul@token.com.au  
Ph: [REDACTED] Fax: +61 3 9417 4722  
1st Floor, 274 Brunswick Street Fitzroy VIC 3065  
PO Box 108 Fitzroy VIC 3065  
www.token.com.au

---

This e-mail (including attachments) is intended for the addressee only. If you have received this communication in error, please advise by telephone or reply email and destroy the original email, any attachments and copies.

This is a confidential communication and may be privileged. Confidentiality or privilege is not waived even if this email has been sent in error.

This email is also subject to copyright and may not be reproduced, adapted or communicated without our written consent.

---

## **Levine Exhibit 12**

To: sabahan [REDACTED]  
From: DMCA Complaints <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2006-03-03 23:40:49 CST  
Subject: Video Rejected: Copyright Infringement

---

Dear Subscriber:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

Edge and Christian in London

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos that you do not own the rights to and refrain from uploading additional videos that infringe on the copyrights of others.

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

(A) A physical or electronic signature of the subscriber.

(B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.

(C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.

(D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
PO Box 2053  
San Mateo, CA 94401  
Email: copyright@youtube.com

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Very truly yours,  
YouTube, Inc.

---

To: "prospero9000" <hong@youtube.com>  
From: "DMCA Complaints" <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2006-05-04 16:44:25 GMT  
Subject: Video Rejected: Copyright Infringement

---

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

VIP: (<http://mrizzo.dev.youtube.com/watch?v=EzbZpl4dFjc>)

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the "Copyright Tips" guide: [http://www.youtube.com/t/howto\\_copyright](http://www.youtube.com/t/howto_copyright).

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

- (A) A physical or electronic signature of the subscriber.
- (B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
- (C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
- (D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
PO Box 2053  
San Mateo, CA 94401  
Email: [copyright@youtube.com](mailto:copyright@youtube.com)

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

---

To: drmonkey [REDACTED]  
From: DMCA Complaints <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2006-06-14 18:30:46 CST  
Subject: Video Rejected: Copyright Infringement

---

YouTube Logo

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

Amaenaideyo ep 6: [http://www.youtube.com/watch?v=u\\_clzyfylvc](http://www.youtube.com/watch?v=u_clzyfylvc)

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the Copyright Tips guide.

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

(A) A physical or electronic signature of the subscriber.

(B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.

(C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.

(D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
PO Box 2053  
San Mateo, CA 94401  
Email: [copyright@youtube.com](mailto:copyright@youtube.com)

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

Copyright © 2006 YouTube, Inc.

abuse\_copyright.tpl





To: "Crimrap" [REDACTED]  
From: "DMCA Complaints" <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2006-12-29 10:34:55 GMT  
Subject: Video Removed: Copyright Infringement

---

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by The Soccer Clubs claiming that this material is infringing:

Ajax - FCK 0-2 (The 0-1 Goal): (<http://www.youtube.com/watch?v=3vpVLPCR8hs>)

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the "Copyright Tips" guide: [http://www.youtube.com/t/howto\\_copyright](http://www.youtube.com/t/howto_copyright).

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

- (A) A physical or electronic signature of the subscriber.
- (B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
- (C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
- (D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
1000 Cherry Ave.  
Second Floor  
San Bruno, CA 94066  
Email: [copyright@youtube.com](mailto:copyright@youtube.com)

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

---

To: "sweetberrykiss0119" [REDACTED]  
From: "DMCA Complaints" <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2007-02-23 09:32:06 GMT  
Subject: Video Removed: Copyright Infringement

---

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by JASRAC claiming that this material is infringing:

C' b " B = C # B b C % B # B 0 : ( [http://www.youtube.com/watch?v=PkaDizZH\\_PU](http://www.youtube.com/watch?v=PkaDizZH_PU) )

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyright of others. For more information about YouTube's copyright policy, please read the "Copyright Tips" guide: [http://www.youtube.com/t/howto\\_copyright](http://www.youtube.com/t/howto_copyright).

If you elect to send us a counter notice, please go to our Help Center to access the instructions:

<http://www.google.com/support/youtube/bin/answer.py?answer=58127>

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

---

To: "proudfist" [REDACTED]  
From: "DMCA Complaints" <copyright\_counternotice@youtube.com>  
Cc:  
Bcc:  
Received Date: 2007-01-10 10:10:38 GMT  
Subject: Video Removed: Copyright Infringement

---

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Sunrise, Inc. claiming that this material is infringing:

Scryed Opening b Episode 1: (<http://www.youtube.com/watch?v=0QTVjZ7NGA8>)

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos which you do not own the rights, and refrain from uploading additional videos that infringe on the copyright of others. For more information about YouTube's copyright policy, please read the "Copyright Tips" guide: [http://www.youtube.com/t/howto\\_copyright](http://www.youtube.com/t/howto_copyright).

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

(A) A physical or electronic signature of the subscriber.

(B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.

(C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.

(D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
1000 Cherry Ave.  
Second Floor  
San Bruno, CA 94066  
Email: [copyright@youtube.com](mailto:copyright@youtube.com)

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

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# **Levine Exhibit 13**

# MCCAIN

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# PALIN

VIA EMAIL AND U.S. MAIL

Chad Hurley, CEO  
Zahavah Levine, General Counsel  
William Patry, Senior Copyright Counsel, Google  
YouTube, LLC  
901 Cherry Ave.  
Second Floor  
San Bruno, CA 94066

October 13, 2008

Dear Mr. Hurley, and Ms. Levine, and Mr. Patry:

By providing a platform for political candidates and the American public to post, view, share, discuss, comment on, mash-up, re-mix, and argue over campaign-related videos, YouTube has played a prominent and overwhelmingly positive role in the 2008 election. YouTube is to be congratulated on the groundbreaking contributions it has made to the political discourse, including through the CNN/YouTube primary debates.

We write, however, to alert you to a problem that has already chilled this free and uninhibited discourse, and to propose a solution. First, the problem: overreaching copyright claims have resulted in the removal of non-infringing campaign videos from YouTube, thus silencing political speech. Numerous times during the course of the campaign, our advertisements or web videos have been the subject of DMCA takedown notices regarding uses that are clearly privileged under the fair use doctrine. The uses at issue have been the inclusion of fewer than ten seconds of footage from news broadcasts in campaign ads or videos, as a basis for commentary on the issues presented in the news reports, or on the reports themselves. These are paradigmatic examples of fair use, in which all four of the statutory factors are strongly in our favor: 1) the uses are non-commercial and transformative; 2) they are factual, not fictional; 3) they are extremely brief; and 4) they have no conceivable effect on the market for the allegedly infringed works. *See* 17 U.S.C. § 107(1)-(4).

Despite the complete lack of merit in these copyright claims, YouTube has removed our videos immediately upon receipt of takedown notices. This is both unfortunate and unnecessary. It is unfortunate because it deprives the public of the ability to freely and easily view and discuss the most popular political videos of the day. And it is wholly unnecessary from a legal standpoint. We recognize that YouTube has said it adheres to the notice-and-takedown procedures established by the DMCA. But nothing in the DMCA requires a host like YouTube to comply automatically with takedown notices, while blinding itself to their legal merit (or, as here, their lack thereof). The DMCA provides hosts with a safe harbor from liability for



Paid for by McCain-Palin 2008

PO Box 16118 | Arlington, VA 22215

infringement—but there is no need for a safe harbor where, as here, there is no infringement in the first instance. *See id.* § 107 (a fair use “is not an infringement of copyright”).

We recognize that the DMCA provides a counternotice procedure (of which we have availed ourselves several times), but this procedure, and the way YouTube has implemented it, provides inadequate protection for political speech, particularly in the context of a fast-paced political campaign. As you know, the DMCA (and YouTube’s policies) do not contemplate re-posting of the video until at least 10 and up to 14 days following the receipt of a counternotice—even where the notice is frivolous and the counternotice entirely sound. *See id.* § 512(g)(2)(C). But 10 days can be a lifetime in a political campaign, and there is no justification for depriving the American people of access to important and timely campaign videos during that period. Again, YouTube has nothing to fear by hosting *non-infringing* videos, let alone by re-posting them much sooner than 10 days.<sup>1</sup>

We propose a solution to the problem described above that we believe would serve both to protect the important First Amendment values vital to political discourse, and adequately protect YouTube from copyright liability. We fully understand that YouTube may receive too many videos, and too many takedown notices, to be able to conduct full fair-use review of all such notices. But we believe it would consume few resources—and provide enormous benefit—for YouTube to commit to a full legal review of all takedown notices on videos posted from accounts controlled by (at least) political candidates and campaigns. If YouTube receives a takedown notice for any video posted from such accounts, we propose that it commit to a careful legal review, including fair use analysis, to determine whether the infringement claim has substantial merit. If YouTube is satisfied that the use at issue is fair, or otherwise non-infringing, we propose that it decline to act upon the notice. Surely the protection of core political speech, and the protection of the central role YouTube has come to play in the country’s political discourse, is worth the small amount of additional legal work our proposal would require.

While the issues presented by YouTube and other Internet technologies are new, the need to prevent meritless copyright claims from chilling political speech is decidedly not. Thirty years ago, a federal judge confronting a copyright claim over the use of music in a political advertisement correctly recognized the importance of preventing copyright from interfering with political candidates’ free and full exercise of their First Amendment right to vigorously debate the issues of the day:

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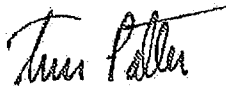
<sup>1</sup> In our experience, copyright holders often back down upon receipt of a counternotice, primarily because they never had any intention of following through on their takedown notices by filing lawsuits to protect their asserted copyright interests. *See* 17 U.S.C. § 512(g)(2)(C). We believe this is so for two reasons. First, they recognize the weakness of their claims and do not wish to risk a loss on the merits. Second, even if they believe their claims have merit, they do not routinely register their live news broadcasts with the Copyright Office, and cannot obtain registration certificates within 10 days, even through an expedited application. Without such certificates in hand, they have no ability to file infringement actions. *See* 17 U.S.C. § 411(a) (“[N]o action for infringement of the copyright in any United States work shall be instituted until preregistration or registration of the copyright claim has been made in accordance with this title.”); *see also, e.g., Xoom, Inc. v. Imageline, Inc.*, 323 F.3d 279, 283 (4th Cir. 2003) (“Copyright registration is a jurisdictional prerequisite to bringing an action for infringement under the Copyright Act.”); William Patry, “Registration issues,” *The Patry Copyright Blog*, Aug. 1, 2005 (available at <http://williampatry.blogspot.com/2005/08/registration-issues.html>).

In the context of this case, the Court must be aware that it operates in an area of the most fundamental First Amendment activities. Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords the broadest protection to such political expression in order to assure the unfettered interchange of ideas for the bringing about of political and social changes desired by the people.... [T]here is practically universal agreement that the major purpose of that Amendment was to protect the free discussion of governmental affairs, including discussions of candidates. This is a reflection of our profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open. In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, because the identities of those who are elected will inevitably shape the course that we follow as a nation.

*See Keep Thomson Governor Committee v. Citizens for Gallen Committee*, 457 F. Supp. 957, 959-960 (D. N.H. 1978) (citation omitted) (declining to enjoin allegedly infringing political advertisement). Though the judge who wrote those words had never used YouTube, the values he articulated are as true today as they were when he wrote them three decades ago.

We stand ready to work with you and any other campaign or group who may be interested in finding a mutually acceptable means to ensure that YouTube remains a place for vigorous political debate—unchilled by meritless copyright claims. We have copied the Obama campaign as a way of seeing if they would like to join in this effort. Please contact me at [REDACTED] or [REDACTED] if you would like to discuss these issues further.

Very truly yours,



Trevor Potter  
General Counsel

Robert Bauer, Esq. (General Counsel, Obama for America; via U.S. Mail)

# **Levine Exhibit 14**





**Biz not sure how to treat upstart YouTube**

**Catching YouTube**

Andrew Wallenstein

March 21, 2008

The entertainment world is putting the squeeze on YouTube.com, but will it be more like a hug than a headlock?

In a few short months, the Web site has emerged from the obscure ranks of dozens of online viral-video outposts to dominate even giant portals in the category, including Yahoo! and Google.

But its astonishing growth -- streaming 30 million videos a day -- also has put old-guard media empires on the defensive. NBC Universal and CBS Corp. are just a few of the power players who have clamped down on YouTube recently for hosting copyright-infringing clips snatched from broadcast airwaves.

"As the broadband digital space develops, it's important for rules of the road to be clearly established," says Richard Cotton, executive vp and general counsel at NBC Uni.

However, the relationship between this Internet upstart and Hollywood isn't as adversarial as you might assume. For every corporate lawyer firing off angry letters to YouTube, there are two more executives exploring potential partnership opportunities -- maybe even an outright acquisition.

What's more, YouTube execs claim that these conflicting legal and promotional imperatives often unknowingly emanate from the same company.

"There's been a few examples of marketing departments uploading content directly to the site, while on the other side of the company their attorney is demanding we remove this content," YouTube co-founder Chad Hurley says.

The media establishment's schizophrenic attitude toward YouTube reflects the undeniable promotional power of viral video, which sends clips bouncing around the Internet's young-adult user base like a beach ball at a Nickelback concert. As conglomerates begin charging for programming everywhere from their own Web sites to Google Video, savvy independents like YouTube are being sized up as allies or iTunes or enemies on par with the Napster of old.

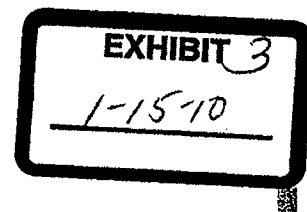
Hurley contends to be the former. YouTube is actively seeking partnerships with media companies, positioning itself as something of a virtual buffet where one can nibble on bite-size clips of programming for free in order to drive consumer interest in the feast offered by movie studios and TV networks.

"The community and viral nature of it is often an opportunity to reach a large audience and to promote movies," Hurley says. "We don't see YouTube as a place to watch a whole show. We're about clips and promotional content, and user-generated content."

In just a few months, YouTube has generated an inordinate amount of attention for a company with only



Advertisement



3

## Biz not sure how to treat upstart YouTube

20 employees squeezed into a loft above a pizza parlor in San Mateo, Calif. Hurley founded the company in February 2005 with fellow twentysomething Steve Chen; both are former employees at online payment service PayPal.

YouTube is not a peer-to-peer service like Napster, but its video-hosting capabilities allow Internet surfers to stream videos easily from a Web page. Also unlike Napster, most of the video available is not entire TV episodes or movies but short clips no longer than three minutes.

That makes YouTube and its ilk ideal for showcasing homemade video of everything from baby's first steps to frat-house pranks. But many of these sites are positively teeming with copyright-infringing footage snipped from current and past television shows and movies. There is no barrier to entry for illegal videos; users can upload whatever they want in less than a half-hour.

YouTube has become an online juggernaut seemingly overnight. Not long after its soft launch in May, viewers were watching 30 videos a day; by the time the company officially launched in December, it was 3 million. Today, YouTube has twice the traffic of Yahoo! Video and more than three times that of Google Video and AOL Video.

"Their growth has been phenomenal," says Leeann Prescott, senior research analyst at Internet tracking firm Hitwise USA. "It's really the next evolution of online entertainment."

But many of the hits that drove the growth were copyright-violating clips. Last month, NBC Uni ordered YouTube and other unspecified viral-video Web sites to take down hundreds of clips, including a "Saturday Night Live" skit known as "Lazy Sunday" that became an Internet sensation. YouTube complied but since has had to chase down more "SNL" material at NBC Uni's behest, including a skit featuring Natalie Portman.

One week later, CBS News came down on YouTube for making available a "CBS Evening News" segment about an autistic basketball player that also became a big Internet draw.

At least that example was one where CBS wanted the footage seen. Not so over at ABC, which had to weather the indignity the day after its Academy Awards telecast of YouTube users parsing every second of a vignette featuring Tom Hanks in which he appears to have accidentally muttered profanities. ABC declined comment.

Sources say Fremantle North America, producer of the Fox powerhouse "American Idol," leaned on YouTube to remove scenes from the megahit show. The company declined comment.

But for all the notoriety YouTube has earned, Hurley notes that the site has not been sued, nor has it even received a cease-and-desist letter. What YouTube has been bombarded with are Digital Millennium Copyright Act notifications, which compel Web sites to remove copyright-infringing material.

YouTube has received high marks from most companies that credit the Web site with complying quickly with removal requests.

"YouTube has been a good corporate citizen and taken off copyrighted material," an MPAA spokeswoman says. "We'll continue to monitor what they do. Right now the indication is they are willing to work with us."

YouTube is starting to see a trickle of established players sign on for promotional partnerships. Matador Records is spreading the word on Pretty Girls Make Graves by allowing viewers to submit music videos for the band's upcoming single. Cable network MTV2 has provided clips from upcoming programming including "The Andy Milonakis Show" that links back to the MTV2 Web site. Even advertisers are on board, as Nike has seeded the site with video clips promoting its footwear.

This week, Dimension entrusted YouTube with the trailer for its upcoming film "Scary Movie 4," which promptly garnered 200,000 streams in its first 15 hours on the site.

"In terms of sheer popularity, presently YouTube is at the forefront when it comes to video sharing," says Ian Schafer, CEO of Deep Focus, Dimension's advertising agency. "The more people who see this film's trailer, the more people we feel will get excited about this film."

Hurley indicated that this is just the beginning, with even bigger brands soon to make joint announcements with YouTube from all over the industry. He also says other programs are taking a

more covert approach, uploading movie trailers and the like without striking any official deals in hopes of starting a faux-organic wildfire of buzz.

Not that YouTube will partner with just anyone. Cognizant of the anarchic sensibility pervading viral video, the company wants to be selective in order not to be viewed as a sellout to corporate interests.

"We are moving really cautiously for that reason," Hurley says. "We are looking at indie brands, the kind of brands that resonate with our users."

For now, the company is abstaining from any kind of advertising on the site in hopes that partnerships with media companies eventually will help pay the bills. Advertising will eventually be incorporated, but in the meantime YouTube is subsisting on the \$3.5 million in private equity funding it received in November from Sequoia Capital.

In the meantime, YouTube is still trying to make amends with corporate Hollywood by improving the mechanism that allows it to move quickly to strike infringing videos. But even as the company improves its technology, Hurley warns that constitutional protection is still in place to keep YouTube an open community. "We're not required to police the site," Hurley says. "But we're building the tools to help control everything."

NBC Uni's Cotton is taking a wait-and-see attitude, noting that digital media is a fast-evolving landscape. Still, he isn't ruling out putting on more pressure.

"They may have to undertake additional activities on the order of filtering or screening," Cotton says.

Were it only that easy. Some of YouTube's more creative users do more than just post excerpts of shows; they splice them together with footage from other bits of video. These amalgamations yield a few absurdist oddities like a video mash-up of "The Apprentice" with footage of Charles Manson, which suggests what might happen if Donald Trump were interviewing the notorious serial killer for his show.

YouTube is far from alone in the viral-video category, with dozens of others attempting to mount the kind of mindshare it has aggregated, including Grouper, Vimeo and Clipshack.

Some new entries are aiming for a more distinctive corner of the market, like Revver, which takes a zero-tolerance policy against illegal footage and goes as far as splitting advertising revenue with amateur auteurs who submit to the site.

"Web sites that attract users by flagrant copyright infringement we don't see as a business," Revver founder Steven Starr says.

YouTube's main competition seems to be the big-brand portals, all of which are stumbling into video-sharing in fits and starts and leaning heavily toward the subscription model. While Google Video has lined up interesting partner brands like CBS, its navigation and ease of use has been heavily criticized.

Yahoo! seemed to be moving strong into original programming but recently has made indications that it will back away from that strategy in favor of more user-generated content.

"I think they're adjusting to the amount of attention we're receiving," Hurley says of Yahoo! Inc. "They're going to be chasing us. We can out-innovate these guys. They are large organizations that take time to innovate product."

YouTube's greatest competition might turn out to be the Internet brand that is currently its greatest asset: social networking giant MySpace.com, which Hitwise estimates delivers one out of every five streams for YouTube. In January, MySpace launched its own video hosting service at [vids.myspace.com](http://vids.myspace.com) that could become an easier go-to option for MySpace's massive user base.

"It could cut into YouTube's traffic," Hitwise USA's Prescott says.

MySpace recently was acquired by News Corp., and therein lies another challenge that might lie ahead for YouTube. Media companies are snapping up online properties in part because they serve as a promotional base. Witness how News Corp.-owned cable channel FX injected MySpace with the latest video from Ice Cube: It happens to double as a promo for "Black. White.," an FX series that launched this month and counts the rapper as one of its executive producers.

And News Corp. isn't the only media giant that recognizes the advertising potential of viral video. Not long after the acquisition of MySpace.com, Viacom grabbed a similar site, iFilm.com. Last week, NBC Universal acquired the female-targeted Web site iVillage, which it plans to seed with video programming as well.

Hurley acknowledges that YouTube could make a nice acquisition target but says no such plans are in the offing.

"That is not our intent," he says. "We're not looking for a quick exit."



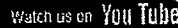
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## **Levine Exhibit 15**

**FOR IMMEDIATE RELEASE**

**MEDIA CONTACTS**

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**YouTube**



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Joe Libonati

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818-840-3050

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Kathy Kelly-Brown

**NBC Universal Corporate Communications**



[Kathy.Kelly-brown@nbcuni.com](mailto:Kathy.Kelly-brown@nbcuni.com)

**NBC AND YOUTUBE ANNOUNCE STRATEGIC PARTNERSHIP**

*Companies Team Up in Ground-Breaking, Promotional Relationship  
And Innovative Advertising Agreement*

BURBANK, Calif. and SAN MATEO, Calif. – June 27, 2006 – NBC and YouTube, Inc. today announced a strategic partnership that will combine NBC's quality programming with YouTube's vast audience to enhance the entertainment experience on YouTube while engaging viewers in innovative new ways to promote NBC's Fall program lineup and other preferred shows over the next year. The agreement also includes an integrated, cross-promotional advertising relationship on the YouTube service and significant on-air promotion provided by NBC.

Under the terms of the agreement, NBC will create an official NBC Channel on YouTube to house its Fall Preview area with exclusive clips to promote NBC's "The Office." In addition, over the next year, NBC will upload several video presentations and longform promos per week to the NBC Channel on YouTube from primetime and late-night programs like "Saturday Night Live," "The Office," and "The Tonight Show with Jay Leno." YouTube will also promote NBC's videos throughout the site.

“The YouTube and NBC partnership symbolizes what can happen when traditional media companies and new media companies find common ground,” said John Miller, Chief Marketing Officer, NBC Universal Television Group. “YouTube is the perfect online media partner to promote NBC’s marquee entertainment to their audience and explore new and creative ways to harness the power of viral video in a manner that respects copyrights. We applaud YouTube for their continued willingness to work with us to remove any unauthorized NBC content and protect our copyrighted material. We are thrilled to be partnering with this forward-thinking company.”

“We are delighted to work with NBC on an official basis. Bringing more entertaining and exclusive content to YouTube helps further our goal of providing the best video entertainment experience on the Internet,” said Chad Hurley, co-founder and CEO of YouTube. “This partnership provides greater visibility and access to both NBC and YouTube’s audiences, providing both companies with new outlets for growth and opportunity.”

Additionally, NBC will launch a contest for its hit comedy “The Office” (Thursdays, 9:30-10 p.m. ET) where people can submit their own creative 20-second promotional videos to NBC’s YouTube Group ([www.youtube.com/theoffice](http://www.youtube.com/theoffice)). NBC will publicize the campaign on air regularly during the first three weeks of the contest, encouraging YouTube users to enter. User-generated videos must be compelling and entertaining and create interest for potential viewers to watch “The Office.” Examples can be seen in the NBC YouTube Group.

The contest runs June 26 through July 21. The winning video will air within the network broadcast of “The Office” during the month of August. NBC will also offer a “how-to” video featuring writer-producer Bill Lowery, who normally writes and produces all the network’s promos for “The Office.”

“We are excited about customizing the NBC Channel and sharing with our subscribers all the entertaining promotional content we are offering to encourage them to watch our Fall line-up and other programs,” said Miller. “With the contest, we want to have some fun and allow an artistic avenue for fans of ‘The Office.’ We know they have a lot of great ideas that deserve to be shared and we can’t wait to see what they upload to YouTube.”

People now watch more than 70 million videos per day on YouTube, and it is the 17<sup>th</sup> most trafficked Web site in the world, making YouTube the leading entertainment destination for video on the Internet.

#### **About NBC Universal**

NBC Universal is one of the world's leading media and entertainment companies in the development, production, and marketing of entertainment, news, and information to a global audience. Formed in May 2004 through the combining of NBC and Vivendi Universal Entertainment, NBC Universal owns and operates a valuable portfolio of news and entertainment networks, a premier motion picture company, significant television production operations, a leading television stations group, and world-renowned theme parks. NBC Universal is 80%-owned by General Electric, with 20% controlled by Vivendi Universal.

#### **About YouTube**

Founded in February 2005, YouTube is a consumer media company for people to watch and share original videos worldwide through a Web experience. YouTube allows people to easily upload and share video clips on [www.YouTube.com](http://www.YouTube.com) and across the Internet through websites, blogs, and e-mail. The company currently delivers more than 70 million video views every day with 60,000 new videos uploaded daily. With investment support from Sequoia Capital, YouTube has quickly become the leading destination on the Internet for video entertainment.

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## **Levine Exhibit 16**

To: 'YouTubers Group' [REDACTED]  
From: [REDACTED]  
Cc: [REDACTED]  
Bcc: [REDACTED]  
Received Date: 2006-06-27 13:36:28 GMT  
Subject: NBC AND YOUTUBE ANNOUNCE STRATEGIC PARTNERSHIP

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YouTubers,

Today we made a significant announcement with NBC. See the press release we put over the wire today and the Page One story that ran in today's Wall Street Journal. A Page One story for a company of our size is a very rare experience, it means our news was considered extremely important to the market.

This story was crucial to us and newsworthy for several reasons: a) the NBC deal illustrated YouTube's first step toward building a legitimate, sustainable business; b) it portrayed the management team as being effective in guiding the company in the right direction; and c) it also implied that if we can build a successful advertising model we have the potential to become one of the most successful companies on the Internet.

You will see many more articles today about the news.

Keep up the good work everyone!

NBC AND YOUTUBE ANNOUNCE STRATEGIC PARTNERSHIP

Companies Team Up in Ground-Breaking, Promotional Relationship  
And Innovative Advertising Agreement

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The Wall Street Journal

June 27, 2006

PAGE ONE

Garage Brand  
With NBC Pact, YouTube Site

Tries to Build a Lasting Business

Internet Video Service Sketches  
A Path to Profitability;  
Difficult Copyright Issues

Receiving 60,000 Clips a Day

By KEVIN J. DELANEY  
June 27, 2006; Page A1

Over the past decade, large media and tech companies have tried to build mass-market services offering video over the Internet. Someone has finally succeeded big: a startup with 35 employees and an office over a pizza restaurant.

Through YouTube Inc.'s Web service, consumers view short videos more than 70 million times a day, ranging from clips of unicycling jugglers and aspiring musicians to vintage Bugs Bunny cartoons and World Cup soccer highlights recorded from TV. Users post more than 60,000 videos daily, with a limit of 10 minutes for most clips.

The big question for YouTube now: Can it turn this loose bazaar of videos into an enduring business?

It will take a step in that direction today when it gets a big endorsement from General Electric Co.'s NBC Universal. NBC plans to announce that it will make available on YouTube promotional video clips for some of its popular shows, such as "The Office," "Saturday Night Live" and "The Tonight Show with Jay Leno." NBC plans to market its new fall lineup using clips on YouTube, and is holding a contest for consumers to submit their own promotional videos for "The Office." It will also buy ads on the site and promote YouTube with mentions on television. That's a significant step for NBC, which earlier had demanded that YouTube take down clips of its programming. (Time Warner Inc.'s Warner Bros. has made a deal to distribute movies and TV shows via Guba.com.)

[Steve Chen]YouTube is a classic Silicon Valley garage-to-glory tale. Two friends, Chad Hurley and Steve Chen, started a company in a garage to tackle an issue they were grappling with personally: how to share home videos online. They maxed out Mr. Chen's credit card on business expenses before a financier bankrolled them. They built a huge consumer following under the noses of richer, better-known companies with vastly larger payrolls. The young company burst forth as the dominant player.

But for every Apple Computer Inc. or Google Inc., Silicon Valley's history is filled with dozens of hot startups that gained 15 minutes of fame but couldn't sustain their brief success. YouTube's executives, including some alumni of Internet flameouts, are now furiously planning strategy and making deals to sustain their upward arc.

YouTube's 29-year-old chief executive, Mr. Hurley, and its 27-year-old chief technology officer, Mr. Chen, see two big challenges. The first is to figure out how to make money. The second is to address concerns of copyright holders that many of their TV and movie clips, music videos and songs are available through YouTube without permission.

[Chad Hurley]Messrs. Hurley and Chen, who worked together at eBay Inc.'s PayPal electronic-payment unit, are trying to tackle both issues with a major stroke. They're quietly building an online-ad system with Google-scale ambitions, which they intend to use to entice producers to post their best videos on YouTube. When the system rolls out later this year, YouTube will share revenue from ads that appear alongside some videos with the producers of those videos. Messrs. Hurley and Chen hope that Hollywood will come to see YouTube much as it now views network TV: a legitimate means of distributing content with revenue and promotional payoff.

With stepped-up ad sales, YouTube could become a bigger target for lawsuits. While much of its content consists of home-shot videos, critics say the most-viewed items often involve some type of copyright infringement. On a recent day, top-viewed videos included clips from "Today" and "The Daily Show," a shaky "Radiohead" concert video and World Cup soccer highlights recorded from TV.

YouTube says it removes clips when content owners request it, under a procedure outlined in the Digital

Millennium Copyright Act of 1998. In some cases, copyright owners such as TV producers put the clips on its site themselves in order to generate buzz or to test ideas.

NBC has been among the media companies most actively requesting YouTube to take down videos that users have uploaded without permission. With today's agreement, NBC seeks to promote its shows to YouTube's audience while getting assurances that material it doesn't want on the site will be removed. "YouTube has done their work on protecting copyright and we have assurances from them they will continue to do so," says NBC Universal Television Group Chief Marketing Officer John Miller. "They are a bright light, they have a lot of traffic," he adds.

Based in San Mateo, Calif., YouTube got its start in February 2005, after a dinner party attended by Mr. Hurley, who studied design in college and sports shoulder-length hair, and Mr. Chen, a Taiwan-born engineer with small hoops in each ear. They took videos of the party, but grew frustrated when they tried to share the footage with friends. They set out to build an online service that would let them do just that. At the time, Mr. Chen was still working at PayPal. Mr. Hurley, who had designed PayPal's current logo during his 1999 job interview there, was doing consulting work.

They set up shop in Mr. Hurley's Menlo Park garage. In May 2005, they released a test version of the site on the Web with no marketing. Early videos available prominently featured Mr. Chen's cat, PJ.

#### Building a Following

The site quickly built up a following. It stood out from the growing corps of online video services, including an offering from Google, for its simplicity. YouTube serves up videos from its Web site directly or from other sites where people insert them, generally not requiring users to download any special software. To accomplish this technical feat, YouTube drew on open-source software and wrote its own code. The service can handle about 110 video formats and 64 audio formats used by digital photo and video cameras and cellphones.

It also let consumers display its videos on other sites, such as blogs or personal pages on News Corp.'s popular MySpace social networking service. Users could easily upload the video and email links to YouTube videos to each other. The influential techie site Slashdot's mention of YouTube helped boost traffic.

After seeing Mr. Chen at a party last summer, former PayPal Chief Financial Officer Roelof Botha put some clips from his honeymoon in Italy on the site. Now a partner at venture-capital firm Sequoia Capital -- known for backing Apple, Cisco, Google and Yahoo, among others -- Mr. Botha invited the YouTube co-founders to his office in mid-August. Mr. Botha says that their project shares a key attribute with some of those tech legends: "building something for a personal need that winds up being universally useful."

By September, users were viewing YouTube videos more than a million times a day. Plotting strategy with Mr. Botha in October, the YouTube founders still believed their main business opportunity involved individuals sharing home videos. The next month, they announced Sequoia had injected \$3.5 million to help finance the company.

But it started becoming clear to YouTube that users were sharing more than just their own videos, and viewership stretched far beyond circles of friends. By the time of the site's official public release on Dec. 15, consumers were viewing YouTube videos more than three million times daily. Millions of users had watched clips starring Brazilian soccer star Ronaldinho posted by sneaker giant Nike Inc. A few days later, someone posted to YouTube a skit from NBC's "Saturday Night Live" dubbed "Lazy Sunday," featuring two grown men rapping about cupcakes, red licorice candy and "The Chronicles of Narnia" film.

After it turned up among user favorites on the site, Mr. Hurley on Dec. 28 emailed a contact at NBC. He asked whether NBC had provided the clip itself, and volunteered to remove it from YouTube if the video had been shared without NBC's permission. The NBC staffer replied that he didn't know the answer, but would look into it, Mr. Hurley says.

Consumers viewed "Lazy Sunday" six million times before NBC on Feb. 3 contacted YouTube to request that it be removed, along with hundreds of other clips including Jay Leno monologues and video from the Winter Olympics.

## Run-In With MySpace

YouTube's rising popularity led to run-ins with others. In December, MySpace blocked users from playing YouTube videos on their MySpace pages. Consumer outcry followed and MySpace activated the YouTube feature again. A News Corp. executive later said MySpace was concerned that the YouTube videos contained porn, and only reactivated them once YouTube had given it assurances about porn filtering. (YouTube says it removes any pornography after users point it out.) Shortly after the incident, MySpace released its own video service to compete with YouTube.

As YouTube users began complaining that the system was slowing, the company spent more on technology. In January, it began displaying limited advertising to help offset its rising costs for computer equipment and telecom lines. Mr. Chen predicts YouTube will open one new data center with computers to run its service each month this year.

Thanks partly to its use on MySpace and the Saturday Night Live clip, YouTube quickly became a cultural phenomenon. Amateur video enthusiasts created their own video tributes to "Lazy Sunday" that they titled "Lazy Monday" and "Lazy Muncie." Videos of young people, including two Chinese students, hamming it up in front of Webcams while lip syncing to popular songs were viewed millions of times.

[Eye Catching] Along the way, the entertainment world began exploring how it might benefit from YouTube's audience. The Weinstein Co., a movie company run by producers Bob and Harvey Weinstein, in April premiered the first eight minutes of the film "Lucky Number Slewin" on YouTube. Viacom Inc.'s Paramount Vantage movie unit last Friday posted exclusively on YouTube an 83-second animated clip poking fun at Al Gore to promote its "An Inconvenient Truth" film. By midday yesterday, it had been viewed nearly 600,000 times. "As a marketer you almost can't find a better place than YouTube to promote your movie," says Andrew Lin, vice president for interactive marketing at Paramount Vantage. Viacom owns YouTube rival ifilm.

Still, there were bumps. C-SPAN asked YouTube to take down popular clips of an appearance by television personality Stephen Colbert at the White House Correspondents' Association dinner in April. C-SPAN distributed the clips free through Google's video service.

Some top tech and entertainment executives have lambasted the company -- while others have showed grudging admiration. Microsoft Corp. Chairman Bill Gates in May told attendees of The Wall Street Journal's "D" technology conference that, given the copyright issues and the lack of a clear path to profitability, his company would be "in a lot of trouble" if it did what YouTube has. But he also acknowledged spending time on the site. "I saw a bunch of old Harlem Globetrotters movies up there the other night, it's great," he said.

Google and other YouTube competitors also stepped up their games. Google simplified its video-upload interface to match what YouTube had been offering. Yahoo this month upgraded its video service to allow consumers to submit videos directly to it, competing more squarely with YouTube.

Rumors have circulated in recent months that some major media companies have expressed interest in buying YouTube. In response Mr. Hurley says the company is not for sale. He says an initial public offering in the future is a possibility.

The YouTube co-founders decline to provide many specific details of the ad system they expect to gradually begin rolling out next month. But they say they're not fond of commercials that play before a user can watch a video, known in the industry as "prerolls." YouTube recently hired Yahoo sales executive Tony Nethercutt to build its sales team.

## Submission by Cellphone

Consumers can now submit videos from their mobile phones, and Messrs. Chen and Hurley say they one day should be able to view YouTube clips on phones and other devices. They say they'll potentially expand beyond video to audio and other content.

For now, YouTube remains by far the most-visited video site on the Web. It attracted more than 20 million U.S. users in May, compared with 11.1 million for Microsoft's MSN Video and around seven million for both

MySpace's video site and Google Video, according to research firm NetRatings Inc. YouTube says behavior indicates that users are most interested in viewing clips three minutes or shorter.

"We're at the fork in the road where Google was at maybe four or five years ago before they rolled out" their current ad model, says Mr. Chen.

A big question is whether more advertising and promotions will drive away some users who like the site's edgy feeling. Consumers spoke up earlier this year when YouTube's home page began to highlight in yellow links to videos from official content partners, questioning the preferential treatment. In response, YouTube quickly removed the yellow highlighting from the page.

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My YouTube Video Pick of the Week: Underground Robot

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# **Levine Exhibit 17**

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**WARNER MUSIC GROUP AND YOUTUBE ANNOUNCE  
LANDMARK VIDEO DISTRIBUTION AND REVENUE  
PARTNERSHIP**

*Warner Music Group Becomes the First Media Company to Embrace Power of User-Generated Content*

*YouTube to Deliver Innovative New Architecture to Help Media Companies Harness the Financial Potential of User-Generated Content*

NEW YORK, NY and SAN MATEO, Calif. – September 18, 2006 – YouTube, Inc., a consumer media company for people to watch and share original videos through a Web experience, and Warner Music Group Corp. (NYSE: WMG), one of the world's leading global music companies, today announced an agreement to distribute on YouTube the library of music videos from WMG's world-renowned roster of artists as well as behind-the-scenes footage, artist interviews, original programming and other special content. In a first-of-its-kind arrangement, YouTube users will be able to incorporate music from WMG's recorded music catalog into the videos they create and upload onto YouTube.

WMG thus becomes the first music company to harness YouTube's leading video entertainment service to commercially distribute its music video catalog. More importantly, it becomes the first global media company to broadly embrace the power and creativity of user-generated content through a wide-ranging agreement with the category leader, enabling its artists to connect with a vast new audience in an entirely new way. WMG will have the opportunity to authorize the use of its content by the YouTube community by taking advantage of YouTube's advanced content identification and royalty reporting system, set for release by the end of the year. YouTube and WMG will share revenue from advertising on both WMG music videos and user uploaded videos that incorporate audio and audiovisual works from WMG's catalog.

WMG's music video library and special artist content will be made available simultaneously with the launch of YouTube's content identification and royalty reporting system.

"Partnering with Warner Music Group is one of the most significant milestones for our company and our community, and shifts the paradigm in this new media movement," said Chad Hurley, CEO and Co-Founder of YouTube. "By providing a new distribution opportunity, we are paving the way for media companies to harness the vast financial potential of user-generated content on YouTube. We are thrilled that WMG had the vision to be the first music company, in partnership with its artists, to support the use of their content within user videos and to allow our community to interact with WMG music in new creative ways."

Edgar Bronfman, Jr., Chairman and CEO of Warner Music Group, said, "Technology is changing entertainment, and Warner Music is embracing that innovation. Consumer-empowering destinations like YouTube have created a two-way dialogue that will transform entertainment and media forever. As user-generated content becomes more prevalent, this kind of partnership will allow music fans to celebrate the music of their favorite artists, enable artists to reach consumers in new ways, and ensure that copyright holders and artists are fairly compensated."

Alex Zubillaga, Executive Vice President, Digital Strategy and Business Development for Warner Music Group, said, "Innovation is one of our guiding principles. That's why we've worked with innovation leader YouTube for many months now to develop this pioneering partnership. This agreement establishes a model by which content companies can transform consumers' creativity into a legitimate commercial enterprise that will benefit fans, artists and copyright holders. We commend Chad and the YouTube team for their commitment to creating a framework in which the needs of their users and rights of copyright holders can coexist in a mutually beneficial environment. We look forward to partnering with them to offer this powerful distribution platform to our artists and their fans."

#### ***Allowing the Audience to Communicate and Interact with their Favorite Artists***

WMG, one of the world's largest music companies and parent company to record labels including Atlantic, Warner Bros., Asylum, Bad Boy, Cordless, East West, Nonesuch, Reprise, Rhino, Rykodisc, Sire and Word, among others, will make available its entire video catalog cleared for Internet use to YouTube in order for their artists to reach and interact with a new audience while enhancing the entertainment experience on YouTube. YouTube and WMG expect artists to embrace this new opportunity to reach a vast new audience to promote and distribute their music. With this agreement, WMG also enhances its ability to act responsibly on

behalf of its artists and to request the removal of copyrighted content from YouTube when an artist elects to remove it. However, with the new content identification and royalty reporting and tracking system, WMG plans to identify and locate WMG content with the intention of enabling consumers to continue to interact with and enjoy the works of their favorite artists on YouTube.

### ***YouTube Advanced Content Identification and Reporting Architecture to be Delivered by End of Year***

By the end of the year, professional content creators, including record labels, TV networks and movie studios, will have the opportunity to authorize the use of their content within the YouTube community by taking advantage of YouTube's new content identification and royalty reporting system.

YouTube has been actively working on the operational details and building the infrastructure for this innovative new framework which includes royalty tracking and reporting, and a sophisticated content identification system. This new architecture will offer media companies the following:

- Sophisticated copyright identification tools to help identify their content on the site;
- Automated audio identification technology to locate their works within user videos on the site;
- The opportunity to authorize and monetize the use of their works within the user-generated content on the site;
- Reporting and tracking systems for royalties, etc.

### **About Warner Music Group**

Warner Music Group became the only stand-alone music company to be publicly traded in the United States in May 2005. With its broad roster of new stars and legendary artists, Warner Music Group is home to a collection of the best-known record labels in the music industry including Atlantic, Bad Boy, Elektra, Lava, Maverick, Nonesuch, Reprise, Rhino, Rykodisc, Sire, Warner Bros. and Word. Warner Music International, a leading company in national and international repertoire, operates through numerous international affiliates and licensees in more than 50 countries. Warner Music Group also includes Warner/Chappell Music, one of the world's leading music publishers.

### **About YouTube**

Founded in February 2005, YouTube is a consumer media company for people to watch and share original videos worldwide through a Web experience. YouTube allows people to easily upload and share video clips on [www.YouTube.com](http://www.YouTube.com) and across the Internet through websites, blogs, and e-mail. YouTube currently delivers more than 100 million

video views every day with 65,000 new videos uploaded daily and it has quickly become the leading destination on the Internet for video entertainment.

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