

To: "Franck Chastagnol" <franckc@google.com>  
From: "David G King" <dgking@google.com>  
Cc:  
Bcc:  
Received Date: 2007-08-02 01:05:47 CST  
Subject: Re: Strikes against user accounts

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Franck,

To make the right call on this, it would be very helpful to understand how often this happens. I do somewhat monitor the daily reports, but they don't really make the trends obvious. Can you provide any stats on how many strikes have resulted from this code change since it went live 2 weeks ago? It seems that audio only claims would go into the audioswap flow, without causing strikes, and that video fingerprinting will also avoid issuing account strikes, so activity here is probably low. I'd be more inclined to prioritize this up the list if and when it starts really affecting our users.

As for implementation, I think it makes more sense to split the "block" claim into two: "block" or "block and strike."

Anyway, a little more data would be helpful, if not too hard to supply.

dk

Franck Chastagnol wrote:

> Hi Philip,  
>  
> Yes, sorry for not communicating this but it was release in v21.  
> A claim with block policy issued by a partner from desc search in CYC  
> tool now results in a strike for user.  
>  
> We do not have the option at a partner level to deactivate this  
> feature - but we can book a project to add this.  
> I let Dave determine the priority of this project.  
>  
> Thanks,  
> Franck  
>  
> On 8/1/07, "Philip Inghelbrecht" <inghelbrecht@google.com  
> <mailto:inghelbrecht@google.com>> wrote:  
>  
> Hi guys  
>  
> I never heard back from you on this email ... but then just read  
> this in the product report: "With v.21 release, takedowns made by  
> partners in CYC tools are now properly connected to the repeat  
> infringer policy. For those managing partners, you can now  
> release CYC access with caveats about the missing 3 strikes policy."  
>  
> I am a bit surprised ... So is this indeed live, and if yes, can  
> it be switched off?  
>  
> [p]  
>  
>

DATE: 12/10/08 EXHIBIT# 6  
DEPONENT: Chastagnol

CASE: Viacom, et al., v. YouTube, et al., The Football  
Association Premier League, et al., v. YouTube, et al.,  
Case Nos. 07-CV-2203 and 07-CV-3582  
A. Ignacio Howard, CLR, RPR, CSR No. 9830

>  
> On 7/26/07, \*Philip Inghelbrecht\* <inghelbrecht@google.com  
> <mailto:inghelbrecht@google.com>> wrote:

>  
> Hi guys

>  
> I understand that we don't count strikes against users when  
> their videos are taken down through the CYC tool. This is  
> actually fantastic news as it comes to a deal we're putting  
> together with Lions Gate. However, I understand that this  
> policy may change in the future. If that's the case, can we  
> pls ensure that the partner can switch strikes count on/off  
> (again: only on the CYC tool, not direct DMCA takedowns)?

>  
> So no action required ... just putting something on your radar :)

>  
> Thanks! [p]

>  
> --  
> Philip Inghelbrecht  
> Strategic Partner Development  
> Google Inc  
> Dir [REDACTED]  
> Cel [REDACTED]  
> Fax [REDACTED]

>  
> "If you received this communication by mistake, please don't  
> forward it to anyone else (it may contain confidential or  
> privileged information), please erase all copies of it,  
> including all attachments, and please let the sender know it  
> went to the wrong person. Thanks."

>  
> --  
> Philip Inghelbrecht  
> Strategic Partner Development  
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