

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY)
 PARTNERS, COUNTRY MUSIC)
 TELEVISION, INC., PARAMOUNT)
 PICTURES CORPORATION, and BLACK)
 ENTERTAINMENT TELEVISION, LLC,)
)
 Plaintiffs,)
)
 vs.) NO. 07-CV-2203
)
 YOUTUBE, INC., YOUTUBE, LLC,)
 and GOOGLE, INC.,)
)
 Defendants.)
 _____)
)
 THE FOOTBALL ASSOCIATION PREMIER)
 LEAGUE LIMITED, BOURNE CO., et al.,)
 on behalf of themselves and all)
 others similarly situated,)
)
 Plaintiffs,)
 vs.) NO. 07-CV-3582
)
 YOUTUBE, INC., YOUTUBE, LLC, and)
 GOOGLE, INC.,)
)
 Defendants.)
 _____)

VIDEOTAPED DEPOSITION OF JAWED KARIM
PALO ALTO, CALIFORNIA
TUESDAY, JUNE 9, 2009

JOB NO. 16798

1 KARIM, JAWED
2 JUNE 9, 2009
3 10:11 a.m.

4
5 VIDEOTAPED DEPOSITION OF JAWED KARIM,
6 held at the offices of WILSON, SONSINI,
7 GOODRICH & ROSATI, 601 California Avenue,
8 Palo Alto, California, pursuant to notice,
9 before R. CHAYO AYON, CLR, CSR License
10 No. 12372.

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1 KARIM, JAWED

2 A P P E A R A N C E S:

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4 FOR THE PLAINTIFFS VIACOM INTERNATIONAL, INC.:

5 SHEARMAN & STERLING, LLP

6 BY: STUART J. BASKIN, ESQ.

7 599 Lexington Avenue

8 New York, New York 10022-6069

9 (212) 848-4000 stuart.baskin@shearman.com

10

11 FOR THE PLAINTIFFS VIACOM INTERNATIONAL INC.:

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13 BY: SUSAN J. KOHLMANN, ESQ.

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17 Washington, D.C. 20001

18 (202) 639-6000 skohlmann@jenner.com

19

20 FOR THE LEAD PLAINTIFFS AND PROSPECTIVE CLASS:

21 BERNSTEIN, LITOWITZ, BERGER & GROSSMAN, LLP

22 BY: JOHN BROWNE, ESQ.

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24 New York, New York 10019

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DAVID FELDMAN WORLDWIDE, INC.

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KARIM, JAWED

A P P E A R A N C E S (Continued.)

FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC, and
GOOGLE, INC.:

MAYER BROWN, LLP

BY: MATTHEW D. INGBER, ESQ.

BRIAN WILLEN, ESQ.

1675 Broadway

New York, New York 10019-5820

(212) 506-2279 mingber@mayerbrownrowe.com

FOR THE WITNESS:

DURIE, TANGRI, PAGE, LEMLEY, ROBERTS &
KENT, LLP

BY: MICHAEL H. PAGE, ESQ.

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San Francisco, California 94104

(415) 362-6666 mpage@durietangri.com

ALSO PRESENT:

KELLY TRUELOVE, Ph.D,

TRUELOVE RESEARCH, CONSULTANT FOR VIACOM

LOU MEADOWS, VIDEOGRAPHER

DAVID FELDMAN WORLDWIDE, INC.

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1 KARIM, JAWED

2 PALO ALTO, CALIFORNIA, JUNE 9, 2009

3 10:11 a.m. to 5:23 p.m.

4

5 PROCEEDINGS

10:11:37 6 THE VIDEOGRAPHER: This is today's
10:11:38 7 videotaped deposition of Jawed Karim, taken on June
10:11:44 8 9, 2009, at Wilson, Sonsini, Goodrich & Rosati,
10:11:49 9 601 California, San Jose, California -- excuse me --
10:11:52 10 Palo Alto, California, in the matter of Viacom
10:11:58 11 International, Inc., vs. YouTube, Inc., and The
10:11:58 12 Football Association Premier League vs. YouTube,
10:12:00 13 Inc., et al., case number 07-CV-2103 and 07-CV-3582
10:12:10 14 in the United States District Court for the Southern
10:12:14 15 District of New York.

10:12:15 16 My name is Lou Meadows, and I represent
10:12:17 17 David Feldman Worldwide, located at 600 Anton
10:12:20 18 Boulevard, Suite 1100, in Costa Mesa, California.

10:12:22 19 We are now commencing at 10:11 a.m.

10:12:27 20 Will all counsel present please identify
10:12:29 21 themselves and state whom they represent for the
10:12:32 22 record.

10:12:32 23 MR. PAGE: Michael Page of Durie Tangri,
10:12:36 24 representing the witness.

10:12:36 25 MR. INGBER: Matthew Ingber, Mayer Brown,

1 KARIM, JAWED

10:12:36 2 representing Google and YouTube.

10:12:40 3 MR. WILLEN: Brian Willen from Mayer Brown,

10:12:42 4 representing Google and YouTube.

10:12:42 5 MR. BASKIN: I'm Stuart Baskin from

10:12:45 6 Shearman & Sterling, representing Viacom.

10:12:49 7 MR. WILKINS: Scott Wilkins from Jenner &

10:12:49 8 Block, representing Viacom.

10:12:49 9 MS. KOHLMANN: Susan Kohlmann from Jenner &

10:12:58 10 Block, representing Viacom.

10:12:58 11 MR. BROWNE: John Browne from Bernstein,

10:12:59 12 Litowitz, Berger & Grossman on behalf of The

10:12:59 13 Premiere League and The Class.

10:13:04 14 MR. TRUELOVE: Kelly Truelove, consultant

10:13:06 15 for Viacom.

16 THE VIDEOGRAPHER: Thank you. If there are
17 no stipulations, the court reporter may now
18 administer the oath.

19 JAWED KARIM,
20 called as a witness by the Plaintiffs and who,
21 having been by me duly sworn, was thereupon examined
22 and testified as hereinafter set forth.

23 EXAMINATION

24 BY MR. BASKIN:

10:13:20 25 Q. Good morning.

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1 KARIM, JAWED

14:33:18 2 MR. INGBER: Objection, lacks foundation,
14:33:20 3 assumes facts.

14:33:26 4 THE WITNESS: I don't remember.

14:33:29 5 BY MR. BASKIN:

14:33:29 6 Q. What are private videos, sir?

14:33:33 7 A. A private video is -- the way we defined
14:33:37 8 them, at least until I was no longer involved with
14:33:41 9 product development, is videos that individuals
14:33:45 10 could share with other individuals but that
14:33:49 11 otherwise you wouldn't be able to find.

14:33:56 12 Q. And do you currently have any videos on
14:34:04 13 YouTube that are marked private?

14:34:05 14 A. I think so.

14:34:14 15 Q. And how many do you have?

14:34:18 16 A. Total?

14:34:20 17 Q. Yes.

14:34:21 18 A. I probably have a couple dozen videos.

14:34:25 19 Q. And did you film each one of those videos
14:34:28 20 yourself?

14:34:28 21 A. Not in all cases.

14:34:30 22 Q. Did you upload any of them as public videos
14:34:33 23 and later switch them to private?

14:34:36 24 A. Yes.

14:34:42 25 Q. How many times did you do that?

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