

Schapiro Exhibit 4

From: Deana Arizala
Sent: Wednesday, November 22, 2006 5:34 PM
To: Michelena.hallie@mtvn.com; Morales, Cindy
Cc: Mark M. Ishikawa; Sarah Cruz; Evelyn Espinosa; Courtney Nieman
Subject: RE: MTVN Content - specifically Avatar and SouthPark
Attachments: Authorized Asset List.11.22.06.xls

Michelena,

Enclosed is an updated rules for takedown.

Best Regards,
Deana Arizala

Deana Arizala
Client Services Manager. BayTSP, Inc
408.341.2365 (direct)
408.341.2300 (voice)
408.341.2399 (fax)

From: Courtney Nieman
Sent: Wednesday, November 22, 2006 9:28 AM
To: Michelena.hallie@mtvn.com
Cc: Mark M. Ishikawa; Deana Arizala; Sarah Cruz; Evelyn Espinosa
Subject: RE: MTVN Content - specifically Avatar and SouthPark

Michelena,

We will up date our rules for take down. We will send you an updated copy.

Courtney Nieman

From: Michelena.hallie@mtvn.com
Sent: Wednesday, November 22, 2006 9:19 AM
To: Courtney Nieman
Cc: Mark M. Ishikawa; Deana Arizala; Sarah Cruz; Evelyn Espinosa
Subject: RE: MTVN Content - specifically Avatar and SouthPark

Yes. Please remove.

6/11/2008

From: Courtney Nieman [mailto:courtneyni@baytsp.com]
Sent: Wednesday, November 22, 2006 11:58 AM
To: Hallie, Michelena
Cc: Mark M. Ishikawa; Deana Arizala; Sarah Cruz; Courtney Nieman; Evelyn Espinosa
Subject: MTVN Content - specifically Avatar and SouthPark

Michelena,

We have found a number of Avatar and Southpark episodes that have a 1-8 second "title" page. There is no social commentary, no voice over, only a screen that identifies the person or persons that created the content. The look and feel is similar to the titles before a movie begins that identify the studios responsible for creating the movie.

Can we have permission to take action on infringing material that have "title" clips before actual pirated episodes? Example: <http://www.youtube.com/watch?v=zWcT5PMdEUM> is a full Southpark clip with a title frame for a YouTube Director cowpie674.

Waiting for your answer.

Courtney Nieman
Manager Client Services
BayTSP, Inc.
408-341-2314
AIM: BayTSPCanne
Have you checked out BayTSP's Piracy news web log? <http://www.baytsp.com/weblog>

The information contained in this email message may be confidential and is intended only for the parties to whom it is addressed. If you are not the intended recipient or an agent of same, please notify us of the mistake by telephone (408-341-2300) or email and delete the message from your system. Please do not copy the message or distribute it to anyone.

6/11/2008

HIGHLY CONFIDENTIAL

BAYTSP 003749924

MTVN Agent/Asset/Rule list					
Authorized Agent of...	Network	F	C	R	Show Title
		u	l	u	
		l	i	l	
		l	p	e	
SpikeTV	Spike TV				Ultimate Fighting Championship Most Xtreme Challenge
Comedy Central	Comedy Central				Chappelle Show Comedy Central Presents Drawn Together Mind of Mencia The Daily Show The Colbert Report Reno 911! Stella South Park Upright Citizen Brigade
		X	X	3 or greater	
		X	X	3 or greater	
		X	X	2.5 or greater	
Viacom	Nickelodeon	X	X	2.5 or greater	Naked Brothers Band Spongebob Squarepants Fairly Odd Parents Zoey 101 Drake & Josh
		X	X	2.5 or greater	
		X	X	2.5 or greater	
		X	X	2.5 or greater	
		X	X	2.5 or greater	
Viacom	Nick Jr.	X	X	2.5 or greater	Backyardigans Mr. Meaty Jimmy Neutron Unfabulous Amanda Show Rugrats Invader Zim Ren and Stimpy
Viacom	Noggin	X	X	2.5 or greater	South of Nowhere Deggrassi Beyond the Break
		X	X	2.5 or greater	
		X	X	2.5 or greater	
CMT	CMT	X	X	2.5 or greater	Crossroads
Viacom	TVLand / Nick at Nite	X	X	2.5 or greater	I Pity the Fool
		X	X	2.5 or greater	TV Land Present the 100
Viacom	LOGO	X	X	2.5 or greater	Noah's Arc
Viacom	MTV				Beavis & Butthead Celebrity Death Match Laguna Beach Pimp My Ride Punk'd Real World Andy Milonakis VMA Awards
		X	X	2.5 or greater	
		X	X	2.5 or greater	
		X	X	2.5 or greater	
Viacom	Unknown	X	X	2.5 or greater	Avatar the Last Airbender
Viacom	VH1				Best Week Ever
	ATM Films	X	X	2.5 or greater	Star Wars Gangsta Rap Angry Kid
		X	X	2.5 or greater	

X = ok to send notices

* Mash-Ups will no longer include clips or episode with personal title frame.

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		X	X	2.5 or greater	TV Land Present the 100
Viacom	LOGO	X	X	2.5 or greater	Noah's Arc
Viacom	MTV				Beavis & Butthead Celebrity Death Match Laguna Beach Pimp My Ride Punk'd Real World Andy Milonakis VMA Awards
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		X	X	2.5 or greater	

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Schapiro Exhibit 5

From: "Kim, Clara" <Clara.Kim@mtvstaff.com>
Date: Tue, 10 Oct 2006 14:00:49 -0400
To: "Hallie, Michelena" <Michelena.Hallie@mtvn.com>, "Cheeks, George"
<George.Cheeks@mtvstaff.com>, "West, Joella" <Joella.West@comedycentral.com>
Cc: "Shapiro, Andra" <Andra.Shapiro@mtvstaff.com>, "Farrell, Steve"
<Steve.Farrell@spiketv.com>, "Weinstein, Caleb" <Caleb.Weinstein@mtvn.com>, "Spina, Dario" <Dario.Spina@spiketv.com>
Subject: Re: Youtube Bay Tsp Initial Analysis

Yes- as I said on the all hands call re: filtering week before last, Spike provides Youtube with clips to promote various network initiatives. Youtube is a powerful marketing platform that most networks are using for promotion. As far as I know, there is no formal agreement with youtube concerning the promotional clips, so we really need to reach out to our marketing/online people.

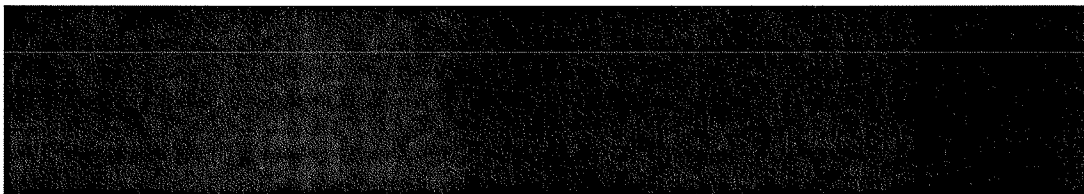
Steve + Dario, Do we have a list of the clips we've given youtube? Can one be prepared?

CLARA

Sent from my BlackBerry Wireless Handheld

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

From: Hallie, Michelena
To: Cheeks, George; Kim, Clara; West, Joella
CC: Shapiro, Andra
Sent: Tue Oct 10 11:38:03 2006
Subject: RE: Youtube Bay Tsp Initial Analysis



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

From: Cheeks, George
Sent: Tuesday, October 10, 2006 11:24 AM
To: Hallie, Michelena; Kim, Clara; West, Joella
Cc: Shapiro, Andra
Subject: RE: Youtube Bay Tsp Initial Analysis

I spoke to the VH1 senior management team yesterday and they told me there are A LOT of clips they have seeded to you tube.



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

From: Hallie, Michelena
Sent: Tuesday, October 10, 2006 11:03 AM
To: Cheeks, George; Kim, Clara; West, Joella
Cc: Shapiro, Andra
Subject: Fw: Youtube Bay Tsp Initial Analysis

Hi guys. Any info on programs we've licensed to youtube? Thanks.

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

From: Hallie, Michelena
To: Cheeks, George; Kim, Clara; Shapiro, Andra; West, Joella
CC: Matthews, Beth; Sussman, David
Sent: Mon Oct 09 09:20:08 2006
Subject: FW: Youtube Bay Tsp Initial Analysis

[REDACTED] we need to identify any uploads of MTVN content onto youtube which we have authorized. It is my understanding that several such deals have been struck most probably through channel marketing and development groups. Please check within your channels and let us know as soon as possible today whether your group has authorized such postings, and a description of such authorized material.

As always, call with any questions. Michelena

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

From: Hallie, Michelena
Sent: Friday, October 06, 2006 7:15 PM
To: Matthews, Beth; Norman, Christina; Toffler, Van; Zarghami, Cyma; Philips, Brian - CMT; Calderone, Tom; Ascheim, Tom; Herzog, Doug
Cc: Sussman, David; Bakish, Robert; Fricklas, Michael; Cheeks, George; Kim, Clara; Shapiro, Andra; West, Joella; Browning, Nicole - MTVN; Ashendorf, Sandy - MTVN; Witt, Jason; Cahan, Adam; Cucci, John; Wolf, Michael; Simon, Joe; McGrath, Judy; Harrison, Blair - iFilm; Weinstein, Caleb; Kirshbaum Levy, Sarah; Eigendorff, Rich; Hurvitz, Lauren
Subject: Re: Youtube Bay Tsp Initial Analysis

[REDACTED]

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

From: Matthews, Beth
To: Norman, Christina; Toffler, Van; Zarghami, Cyma; Philips, Brian - CMT; Calderone, Tom; Ascheim, Tom; Herzog, Doug
CC: Hallie, Michelena; Sussman, David; Bakish, Robert; Fricklas, Michael; Cheeks, George; Kim, Clara; Shapiro, Andra; West, Joella; Browning, Nicole - MTVN; Ashendorf, Sandy - MTVN; Witt, Jason; Cahan, Adam; Cucci, John; Wolf, Michael; Simon, Joe; McGrath, Judy; Harrison, Blair - iFilm; Weinstein, Caleb; Kirshbaum Levy, Sarah;

Eigendorff, Rich; Hurvitz, Lauren
Sent: Fri Oct 06 17:59:51 2006
Subject: Youtube Bay Tsp Initial Analysis

ATTORNEY CLIENT PRIVILEGED COMMUNICATION

Hi,

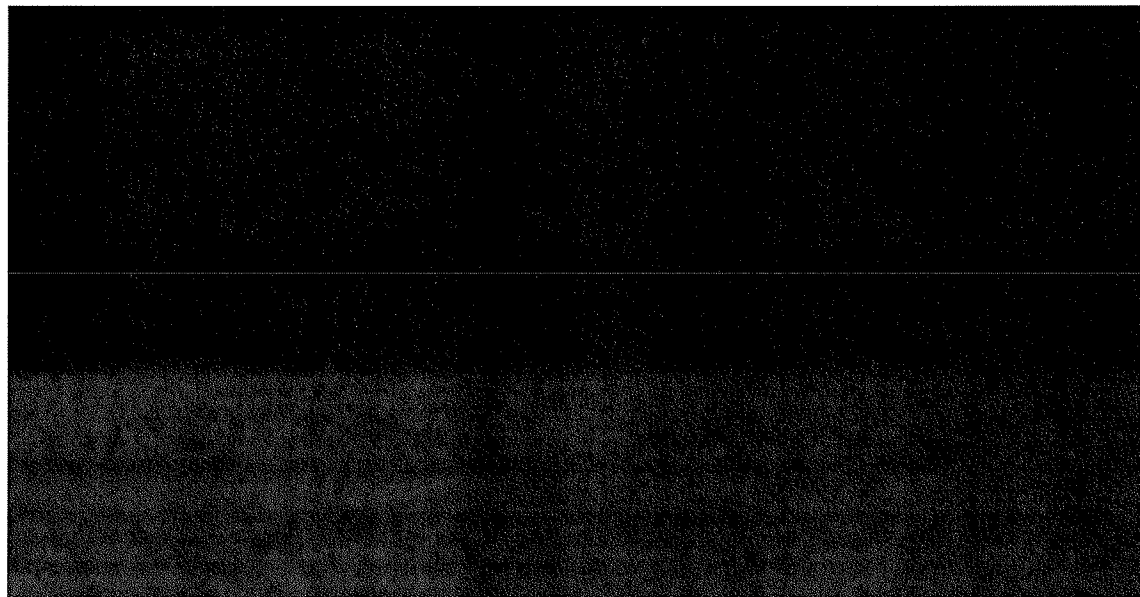


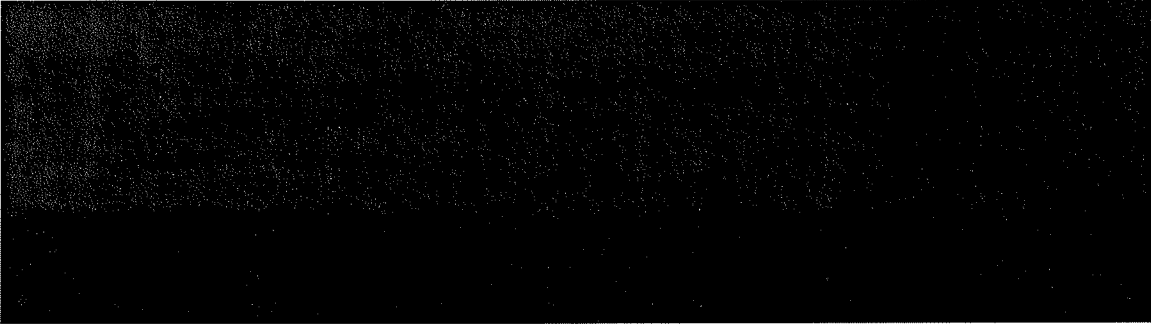
Thanks,

Beth

From: Hallie, Michelena
Sent: Thursday, October 05, 2006 3:59 PM
To: Ashendorf, Sandy - MTVN; Cheeks, George; Dominguez, Chris - iFilm; Fricklas, Michael; Harrison, Blair - iFilm; Herzog, Doug; Hurvitz, Lauren; Kim, Clara; Matthews, Beth; Moosnick, Heather - MTVN; Shapiro, Andra; Simon, Joe; Sussman, David; Weinstein, Caleb; Wen, Pauline; West, Joella; Williams, Reggie; Wolf, Michael
Cc: Morales, Cindy; Rodriguez, Roxelana
Subject: Youtube Bay Tsp Initial Analysis
Importance: High

PRIVILEGED AND CONFIDENTIAL





And as always, call with any questions/thoughts/ideas.

Michelena Hallie
Senior Vice President
Deputy General Counsel, Intellectual Property MTV Networks, Business and Legal Affairs
1515 Broadway, 34th Floor
New York, New York 10036


Schapiro Exhibit 6

John Eddow

From: Allie Wester
Sent: Monday, August 18, 2008 2:27 PM
To: [REDACTED]
Cc: Christy Wise
Subject: "FanscapeVideos" Account Disabled

Hello,

I work for Fanscape, a new media marketing agency, and our "FanscapeVideos" YouTube Channel/Account was permanently disabled today. We work with MTV (Viacom) on several of their shows and upload a lot of their content. We've had this problem before with some of our videos getting flagged by Viacom and not realizing we are an MTV agency. However, this time, MTV legal claims that they have no record of requesting our videos or channel be removed.

Everything on our channel has been legally provided for us by clients – can you let me know if there is an issue or complaint I am not aware of, and what steps we can take to get the account reactivated?

Thank you,
Allie

Allie Wester
Coordinator, Online Publicity & Promotions
Fanscape, Inc.
<http://www.fanscape.com>
360 N. La Cienega Blvd., 3rd FL
Los Angeles, CA 90048
T: 323.785.7786 | F: 323.785.7101
AllieW@fanscape.com
AIM: [REDACTED]

This email and any attached files contain confidential information and are intended only for the individual or entity named. If you are not the named addressee, you are notified to not disseminate, disclose, print, distribute or copy this e-mail and any such action in reliance upon the information contained herein is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail in error and delete this e-mail from your system.

CONFIDENTIAL

FS000085

10/27/2008

Schapiro Exhibit 7

Subject: Fw: Variety stories:Privileged and Confidential
From: "Powell, Amy - Paramount" <EX:/O=VIACOM/OU=PARAMOUNT/CN=RECIPIENTS/CN=POWELLAM>
To: Bordo, Sara - Paramount; Crowell, Megan - Paramount; Tipton, Kristina - Paramount; Warman, Bryan - Paramount; Worsnup, Mickey - Paramount; Wahtera, Megan - Paramount; Hu, Carolyn - Paramount; Simard, Stephanie - Paramount; Springer, Geoffrey - Paramount; Teifeld, Tamar - Paramount; Tipton, Kristina - Paramount
Cc: Date: Wed, 07 Feb 2007 19:07:41 +0000

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

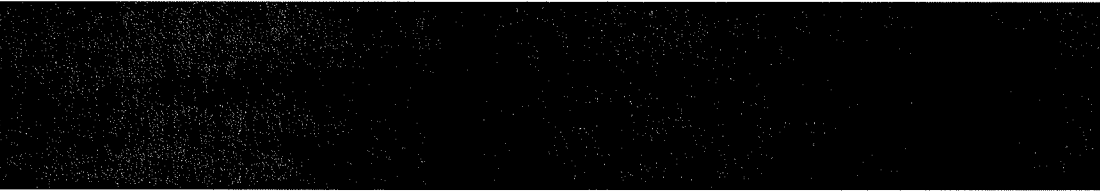
From: Perry, Alfred - Paramount
To: Powell, Amy - Paramount; Arkin, Michael - Paramount
CC: Martin, Scott - Paramount; Pacacha, Margie - Paramount; 'marki@bayTSP.com' <marki@bayTSP.com>
Sent: Tue Feb 06 14:56:28 2007
Subject: FW: Variety stories:Privileged and Confidential

It's official. Please continue to "place" authorized clips on YouTube, but make sure that prior to doing so BayTSP has received the user name/other identifiers necessary to detect and therefore not send notices for the authorized content. Please reach out to those with whom you work and make sure that they have the same understanding on how to proceed.

Thank you.

From: Martin, Scott - Paramount
Sent: Tuesday, February 06, 2007 2:47 PM
To: Perry, Alfred - Paramount; Morril, Mark; Hallie, Michelena
Cc: Prentice, Rebecca - Paramount; Cahan, Adam; Fricklas, Michael
Subject: RE: Variety stories:Privileged and Confidential

Redacted
for
Privilege



S

| Scott Martin | Executive Vice-President, Intellectual Property |
| Paramount Pictures Corporation |
| 5555 Melrose Avenue | Lubitsch 324 | Hollywood, CA 90038 |
| (phone 323.956-5570 | & fax 323.862-0964 |

From: Perry, Alfred - Paramount
Sent: Tuesday, February 06, 2007 2:38 PM
To: Morril, Mark; Hallie, Michelena; Martin, Scott - Paramount
Cc: Prentice, Rebecca - Paramount; Cahan, Adam; Fricklas, Michael
Subject: RE: Variety stories:Privileged and Confidential

Ok, we have the direction from Scott and Rebecca, which I think was discussed with Amy. Thanks, to all.

From: Morrill, Mark
Sent: Tuesday, February 06, 2007 2:36 PM
To: Hallie, Michelaena; Perry, Alfred - Paramount; Martin, Scott - Paramount
Cc: Prentice, Rebecca - Paramount; Cahan, Adam; Fricklas, Michael
Subject: RE: Variety stories:Privileged and Confidential

Redacted
for
Privilege

From: Hallie, Michelaena
Sent: Tuesday, February 06, 2007 4:37 PM
To: Perry, Alfred - Paramount; Morrill, Mark; Martin, Scott - Paramount
Cc: Prentice, Rebecca - Paramount
Subject: RE: Variety stories:Privileged and Confidential

Redacted
for
Privilege

As of now, we are posting clips and providing ip addresses to Bay so they know not to take them down.

From: Perry, Alfred - Paramount
Sent: Tuesday, February 06, 2007 4:08 PM
To: Morrill, Mark; Martin, Scott - Paramount; Hallie, Michelaena
Cc: Prentice, Rebecca - Paramount
Subject: FW: Variety stories:Privileged and Confidential

Redacted
for
Privilege

Thanks.

From: Powell, Amy - Paramount
Sent: Tuesday, February 06, 2007 12:56 PM
To: Anderson, Jon - PPI
Cc: Heath Tydesley/PP/MP/Paramount_Pictures@Paramount_Pictures; Perry, Alfred - Paramount
Subject: RE: Variety stories

Hi Jon,

Great to see you too. I am cc'ing Al Perry who can give you more information re: the YouTube position.

Thanks.

Amy Powell
Senior Vice President
Interactive Marketing
Paramount Pictures
5555 Melrose Avenue
Hollywood, CA 90038

From: Jon Anderson/PP/MP/Paramount_Pictures@PARAMOUNT_PICTURES

Sent: Monday, February 05, 2007 6:48 AM
To: Powell, Amy - Paramount
Cc: Heath Tyldesley/PPI/MP/Paramount_Pictures@Paramount_Pictures
Subject: Fw: Variety stories

Hi Amy,

Good to see you last week.

Below is an article (scan down) on Youtube and Viacom's position.

Can you clarify Paramount's position on dealing with Youtube at a local level - are we able to work with them if we are using our own approved material - or is this a blanket ruling that we should not be dealing with Youtube at all.

Kind regards

Jon

----- Forwarded by Jon Anderson/PPI/MP/Paramount_Pictures on 05/02/2007 14:45 -----

From: Jaakko Niemela

05/02/2007 08:49

To:

cc:

Subject: Variety stories

'Pursuit' shows Will power overseas

'Happyness' tops 'Museum,' 'Diamond'

By DAVE MCNARY <<http://www.variety.com/index.asp?layout=bio&peopleID=1508>>

Showing the worldwide drawing power of Will Smith, "The Pursuit of Happyness" topped a healthy weekend at the international box office with \$16 million at 3,100 playdates in two dozen markets.

"The Pursuit of Happyness" beat "Night at the Museum" and "Blood Diamond" by more than \$2 million in a three-way battle for the top slot. The race would have been far closer had many Brit chains not banished "Museum" due to Fox's decision to shorten the DVD release window, but "Pursuit" would have likely still won.

The frame also saw "Casino Royale" continue to mint money overseas, thanks mostly to a boffo Chinese launch, while "Dreamgirls" posted a decent Brit launch but stumbled in its German debut.

"Pursuit" prevailed thanks to a combo of solid openings plus respectable holdover perfs as Sony took advantage of Smith's ongoing star power plus his Oscar nom. Best figures came from pic's second-place Spanish launch with \$2.4 million at 286; its Japanese soph sesh of \$2.3 million at 271, down 21%; its French launch of \$2.2 million at 322, losing narrowly to the "Blood Diamond" debut; and its German second weekend with \$1.7 million at 521, off 19%.

"Pursuit" also opened respectably in Mexico with \$1.3 million at 300.

Despite the Brit ban, "Night at the Museum" showed plenty of pop elsewhere with \$13.5 million at 4,500 in 50 markets, led by a socko first-place Italian launch of \$4.7 million at 536 and a solid Spanish soph sesh of \$3.6 million at 481, down 34%.

But Brit biz nearly vanished for "Museum," plunging 87% to \$274,000 at 190 in its sixth weekend as the number of locations -- including many top destinations -- dropped from 458 in the previous frame. "Museum" still managed to hit the \$40 million mark in U.K. grosses, the leading overseas market for a pic that's cumed \$212 million internationally and \$438 million worldwide.

It was the first time in six seshes that "Night at the Museum" didn't top the foreign charts.

Overall biz exceeded the same frame a year ago, when "Munich" led with \$13.3 million.

Warner's "Blood Diamond" continued to turn up solid rather than spectacular overseas returns with \$13.2 million from 3,200 prints in 51 markets, led by its first-place French opening of \$2.5 million at 459.

"Blood Diamond," which opens next weekend in Mexico and Spain, has cumed \$45.5 million offshore and should go well past the \$54 million domestic total.

Sony's sturdy "Casino Royale" generated plenty of B.O. heat in its first six days in China with \$6.9 million at 468, including \$4 million for the weekend as the first James Bond pic ever to play in that market. Weekend launch was the third best for a non-Chinese pic, trailing only those of "The Da Vinci Code" and "Harry Potter and the Goblet of Fire." "Casino" has cumed \$416.8 million overseas and \$582 million worldwide -- No. 34 of all time.

BVI kicked in an impressive launch in Germanic markets for local family comedy "Wild Bunch 4" with \$5.5 million at

700, including \$4.7 million at 600 in Germany, where it easily topped the "Saw III" opening with \$3 million at 439. "Rocky Balboa" continued to punch in decent numbers with \$5.4 million at 2,300 in 21 territories, led by its third Brit frame with \$1.7 million and its French soph sesh of \$1.5 million. The sixth "Rocky" pic has grossed \$47 million overseas and \$116 million worldwide.

With its eight Oscar noms, Paramount's "Dreamgirls" doubled its foreign gross with \$4.7 million at 1,188 in 11 markets, led by a Brit launch of \$2.5 million at 271.

"Babel," with seven Oscar noms, remained an international contributor with \$3.6 million at 1,126 to lift foreign cume to nearly \$59 million.

Fox's Brit launch of "Notes on a Scandal," with Oscar noms for Cate Blanchett and Judi Dench, nearly matched "Dreamgirls" with \$2.3 million at 300 in its first foreign outing. And its "The Last King of Scotland" pulled in \$1.4 million at 378 in 15 markets to push foreign gross to \$8.3 million.

Warner's "The Departed" continued to shake down more foreign coin with \$1.8 million at 1,200 in 31 markets for a foreign cume of \$142.4 million and a worldwide total of \$271 million.

Fox saw "Apocalypto" grab \$3.1 million at 600, led by a South Korean launch of \$1 million at 157, while Warner's "Happy Feet" kicked up \$2.8 million at 2,700 for a foreign total of \$165.2 million. BVI's "Deja Vu" materialized with \$2.5 million at 1,857 to cross the \$100 million foreign mark -- the 11th Jerry Bruckheimer film to hit the milestone for BVI.

Scorsese wins at DGA Awards

'Departed' director takes Feature Film prize

Martin Scorsese has scored the top feature award from the Directors Guild of America for his work on Warner Bros.' gangster thriller "The Departed."

It was the first victory in seven DGA nominations for Scorsese, who topped Alejandro Gonzalez Inarritu for "Babel," Bill Condon for "Dreamgirls," Jonathan Dayton and Valerie Faris for "Little Miss Sunshine" and Stephen Frears for "The Queen."

"I just wanted to make a good film and people would go see it and enjoy the film and God willing I'd get another picture and that's it," Scorsese told the audience of about 1,000 at the Century Plaza Hotel. "I did not think I'd be standing here tonight, I'll tel you that."

The award, presented by Steven Spielberg on Saturday night in ceremonies at the Century Plaza Hotel, places Scorsese as a front-runner for the Best Director Oscar. The DGA winner, based on voting by 13,400 Guild members, has matched the Oscar winner in 52 of its 58 awards, including last year when Ang Lee won both for "Brokeback Mountain."

In his acceptance speech, Scorsese paid tribute to genre film directors such as Don Seigel, Samuel Fuller, Anthony Mann and Robert Aldrich. And he noted that the grosses were especially strong in such organized crime centers as Las Vegas and Boca Raton, Fla.

Scorsese now faces Frears and Inarritu for the Oscar along with Clint Eastwood for "Letters From Iwo Jima" and Paul Greengrass for "United 93." It's his sixth Oscar directing nomination along with "Raging Bull," "The Last Temptation of Christ," "Good Fellas" "Gangs of New York" and "The Aviator."

"The Departed" has taken in the highest gross among the nominated films with \$127 million domestically and nearly \$270 million worldwide. Scorsese won the Golden Globe for Best director three weeks ago; since then, "Little Miss Sunshine" won both the top feature film awards from the PGA and SAG.

Scorsese's previous DGA nominations were for "The Aviator," "Gangs of New York," "The Age of Innocence," "Goodfellas," "Raging Bull" and "Taxi Driver." He won the DGA's Lifetime Achievement Award in 2003.

Richard Shepard won the DGA trophy for comedy series for ABC's pilot of "Ugly Betty" and Jon Cassar won the drama series award for Fox's "24." Rob Marshall took the musical variety award for NBC's "Tony Bennett: An American Classic" and Walter Hill won for TV movies for AMC's "Broken Trail."

Marshall won the DGA feature award four years ago for "Chicago" while Hill won the drama award two years ago for the "Deadwood pilot."

Lithuanian filmmaker Arunas Matelis won for feature documentary award for "Before Flying Back to the Earth," centered on children hospitalized with leukemia, topping Oscar nominees, "Deliver Us From Evil" and "Iraq in Fragments."

YouTube to remove Viacom clips

Conglom wants over 100K videos taken down

By BEN FRITZ <<http://www.variety.com/index.asp?layout=bio&peopleID=1372>>

The simmering tension between Hollywood and the new Google/YouTube combination exploded on Friday as Viacom demanded that the viral video giant take down every single clip of its copyrighted content after talks about a

revenue sharing and distribution deal between the two companies broke down. YouTube said it will comply with the request, though it will likely be a long process as Viacom identified more than 100,000 clips from MTV, Comedy Central, BET, Paramount, and its other properties. After more than a year of tolerating huge amounts of its content being illegally uploaded onto the site, Viacom is now issuing the massive legal takedown notice in an attempt to pressure Google and YouTube to bend its way in negotiations. Thus far, companies have been unable to reach terms on a formula to give Viacom a portion of the advertising money generated by its clips. Conglom also expressed frustration that YouTube has not yet fully implemented a long-promised content identification system that would allow it to identify and automatically delete copyrighted clips, or let media partners share in the revenue from ads around the content they own, regardless of who posted it. Viacom apparently concluded that private talks wouldn't go its way and took the dispute public, issuing a hostile public statement saying that Google and YouTube are "unwilling to come to a fair market agreement that would make Viacom content available to YouTube users." While no other congloms are currently joining Viacom, all are in some stage of active negotiations with YouTube and many are also believed to be frustrated by their inability to reach a deal. All are hoping to get a big payout from YouTube's new owner, Google, which bought the website for \$1.65 billion last fall. Search giant ended 2006 with nearly \$4 billion cash and has a market cap of close to \$150 billion. In the meantime, however, all are passively allowing YouTube to keep up many clips of their content. By not issuing takedown notices, as Viacom did, they're demonstrating they think the video site has some promotional value, or that they don't want to alienate its users. Viacom previously had the same strategy. Even in October, when it asked the Netco to take down only about 10,000 of the longest clips of its shows, it allowed tens of thousands of shorter ones to stay online. News Corp., which has its own Web properties like MySpace and isn't as dependent on YouTube to distribute its content online, also hasn't been getting along well with the video site recently. Last week it demanded that YouTube not only take down episodes of "24" and "The Simpsons," but identify the users who uploaded them. If other traditional media companies aren't able to find common ground to forge an agreement with Google and YouTube, then there will likely be more public disputes and takedown requests. In a worse case scenario, there could potentially be copyright infringement lawsuits, like those Universal Music already filed against video websites Grouper and Bolt.com. "With the News Corp. issue and now this, you're seeing the first sparks of something that could ignite in the future," IDC research manager Rachel Happe said. Several big media congloms have also been talking about launching a YouTube competitor with all of their content pooled together. But insiders say that while the talks aren't dead, it's unlikely there will be an agreement anytime soon. CBS is the only network to have pacted with YouTube, along with record labels Universal, Warner, and Sony BMG. However, all four agreements, reached in the fall, included YouTube rolling out the content identification system as a key provision. Though it was promised by the end of last year, YouTube is still working on deploying it. "Content identification architecture is not one single component, but rather a collection of tools for our partners, some of which are already in use," YouTube co-founder Chad Hurley told Daily Variety in a statement. "We will continue to evolve these tools and roll out additional components over time." Big media execs have been increasingly friendly toward websites that are earning money off their content, recognizing that ignoring or attacking them could alienate young consumers. In fact, Viacom itself even pacted with Google Video last summer for a test of an ad-supported video syndication service. But it was clear that the seas between Hollywood and Silicon Valley may be getting choppy again in the two companies' public statements issued on Friday. "Filtering tools promised repeatedly by YouTube and Google have not been put in place, and they continue to host and stream vast amounts of unauthorized video," Sumner Redstone-led conglomerate said. "YouTube and Google retain all of the revenue generated from this practice, without extending fair compensation to the people who have expended all of the effort and cost to create it." By the afternoon, YouTube shot back that "It's unfortunate that Viacom will no longer be able to benefit from YouTube's passionate audience which has helped to promote many of Viacom's shows." Conglom noted that it has a broad array of Web properties that feature its content. However, none match the availability and ease-of-use of YouTube. MTV-owned iFilm, for instance, legally posts full episodes of shows like "The Colbert Report" and "Laguna Beach," but doesn't have nearly as many clips. In addition, YouTube users often cut up episodes to show only the exact

moments that are most popular.

Schapiro Exhibit 8

Subject: Re: Full eps on YouTube
From: "Exarhos, Tina" <EX:/O=VIACOM/OU=MTVUSA/CN=RECIPIENTS/CN=EXAROST
>
To: Burrell, Damon
Cc: Date: Fri, 06 Oct 2006 23:09:51 +0000

Just that?

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

From: Burrell, Damon
To: Exarhos, Tina
Sent: Fri Oct 06 19:09:33 2006
Subject: Full eps on YouTube

According to Todd's email he DID submit a full episode to YouTube.

Sent from my BlackBerry Wireless Handheld

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

From: Apmann, Todd
To: Exarhos, Tina; Armenia, Joe; Burrell, Damon
Sent: Thu Oct 05 10:49:14 2006
Subject: RE: TV WEEK INFORMATION: ASAP

A few highlights--let me know if you want more on the viral marketing side (including a couple quick points for Q1 '07 shows). I'm sure Joe and Damon will have more to add and we can chat further...

2-A-DAYS

- Premiere Episode on MSN
- Premiere Episode on UGC sites: www.ifilm.com, www.youtube.com, www.dailym.com <<http://www.dailymotion.com>> www.vsocial.com, www.imeem.com
- Partnership with high school football focused site: www.maxpreps.com

DUELS

- Premiere Episode on MSN
- Clip from of Beth & Tina right before punch being leaked to UGC sites as well as RW, RR and Challenges fan communities
- Beth Reel may live as podcast in iTunes

LAGUNA BEACH

- Virtual Laguna Beach
- Work with Record Labels to provide tune-in info on artist websites who's music appears in the show, including Dashboard Confessional communities for last night's Chris Carrabba guest music supervised episode

ROB & BIG

- Premiere episode on iTunes + weekly episode availability for purchase
- Street Skater Video Game Where you Can Play as Rob
- Potential Xfire.com game competition between Rob, Big and fans
- Tapping skater culture online with autographed skate deck giveaways, media buys and more.

24/7

- Helio Mobile Integration
- Premiere episode on Yahoo + iTunes, then weekly sales on iTunes.
- Work with Record Labels to provide tune-in info on artist websites who's music appears in the show

-
- Possible playlists for music in each show on URGE, iTunes and other music download sites.
 - Cast podcasts about each show & LA life in general

ADVENTURES IN HOLLYHOOD (3-6 MAFIA)

- Will work heavily with Columbia Records to leverage their assets and promote to 3-6 fan base.
- Also tap hip hop communities, websites as well as lifestyle and music communities

HUMAN GIANT

- Love the idea from the 360 brainstorm about having all show content live online in various places prior to premiere. Not sure if we wanna talk about that or save it for closer to show premiere.

YO MOMMA

- Wilmer-ism clips and Weekly show clips on various UGC, lifestyle and comedy sites
- Online street teams tapping various communities and passing around show assets.

From: Exarhos, Tina
Sent: Wednesday, October 04, 2006 8:52 PM
To: Burrell, Damon; Armenia, Joe; Apmann, Todd
Subject: FW: TV WEEK INFORMATION: ASAP

Let's talk about this in the am.

From: DeBenedittis, Paul A. - Programming
Sent: Wed 10/4/2006 7:57 PM
To: Burrell, Damon; Exarhos, Tina; Urbont, Ariana; Levy, Joanne; DeGooyer, Paul; Scogin, Michael; Zola, Daniel; Helms, Colin
Subject: TV WEEK INFORMATION: ASAP

Ariana & I are helping pull together some info for Brian's TV WEEK Interview tomorrow. There will be much emphasis on our success with content across multiple platforms... so a great chance for us to shine here.

Can you provide some quick points on the latest portal deals...including viral efforts. Please provide the marketing elements we received as well as some stats.

SERIES TO INCLUDE:

- * 2-A-DAYS
- * DUELS
- * LAGUNA BEACH
- * ROB & BIG
- * 24/7
- * ADVENTURES IN HOLLYHOOD (3-6 MAFIA)
- * HUMAN GIANT
- * YO MOMMA

I recognize that many of the new series are too far into the future to have specifics.

Happy to broaden this out a little further so feel free to include anything that you think is a great example... should be within the past 3-8 mths.

Schapiro Exhibit 9

Subject: YouTube.com
From: Lam, Cuong <EX:/O=VIACOM/OU=MTVUSA/CN=RECIPIENTS/CN=USER
ACCOUNTS/CN=USER/CN=LAMC>
To: Preston, Lisa
Cc: Date: Fri, 10 Mar 2006 22:11:32 +0000

Lisa:

Spoke with Jeff and we are both going to submit clips to YouTube.com - him through his personal account so it seems like a users of the site and me through "mtv2." We'll cover the site this way until we have further contact with YouTube.com.

Thanks,
Cuong.

Schapiro Exhibit 10

Subject: RE: disturbia / paris
From: "Tipton, Kristina - Paramount" <EX:/O=VIACOM/OU=PARAMOUNT/CN=RECIPIENTS/CN=TIPTONKR>
To: Powell, Amy - Paramount
Cc: Teifeld, Tamar - Paramount; Wahtera, Megan - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Bonnici, Kyle - Paramount
Date: Tue, 12 Jun 2007 00:08:37 +0000

Hi Amy,

Kyle has uploaded and fostered the Paris Hilton Disturbia video on a handful of viral video sites (using email & account that can't be traced back to Paramount) by posting comments and video responses on existing, popular Paris Hilton videos ranging from around 100K views to 2.5M views.

The video on YouTube has over 250 views, but has a poor rating (1 star). I'll rally internal support to get the rating up higher.

Paris Hilton Disturbia Video Outreach:

Links:

YouTube

www.YouTube.com/watch?v=c-A8i73lIOA

Revver

<http://one.revver.com/watch/298190>

Break

(still uploading)

Clevver

<http://viralvideo.clevver.com/video/928f120b-92aa-496e-99e1-994a013182d2.htm>

AtomFilms.com

<http://uploads.atomfilms.com/clip.aspx?key=ECCCEE9BD8798697>

Veoh

<http://www.veoh.com/videoDetails.html?v=v614725NJYFwAsM>

In 2 Hours time, the video received more than 200 views.

Promotion of video on numerous other highly rated Paris Hilton jail videos through text comments such as the following:

CHECK OUT THIS HOT PARIS HOUSE ARREST VIDEO AT [YouTube\(dot\)com/watch?v=c-A8i73lIOA](http://YouTube(dot)com/watch?v=c-A8i73lIOA)

Links to Other Paris Hilton Videos:

<http://www.youtube.com/watch?v=k66epna2Sss>

http://www.youtube.com/watch?v=CJ-J_v69304

<http://youtube.com/watch?v=4yjRLrZfln8>

<http://youtube.com/watch?v=l4nMdS0Jrt0>
<http://youtube.com/watch?v=NM-h6Df3KmE>
<http://youtube.com/watch?v=IKJzFTptbyY>
<http://youtube.com/watch?v=FHKAsjDHPm>

Let us know if you have any questions.

Thanks!

Kristina Tipton

Interactive Marketing

Paramount Pictures

323-956-8453

From: Teifeld, Tamar - Paramount
Sent: Monday, June 11, 2007 9:58 AM
To: Tipton, Kristina - Paramount
Subject: FW: disturbia / paris

From: Powell, Amy - Paramount
Sent: Monday, June 11, 2007 8:25 AM
To: Wahtera, Megan - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount
Subject: RE: disturbia / paris

should definitely not be associated with the studio- should appear as if a fan created and posted it.

From: Wahtera, Megan - Paramount
Sent: Mon 6/11/2007 7:34 AM
To: Powell, Amy - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount
Subject: RE: disturbia / paris

hi amy -

we will definitely get this posted.
we assume you want kt/tt to go out to webmasters, plus for us to upload to viral video sites.

for viral video sites - can you confirm you want us to post from random accnts that are not paramount related?

thanks!
megan

-----Original Message-----
From: Powell, Amy - Paramount
Sent: Sun 6/10/2007 4:56 PM

To: Simard, Stephanie - Paramount; Wahtera, Megan - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount
Subject: disturbia / paris

see below... can you guys get this posted? it's funny.

From: Sauter, Jeremy - Paramount
Sent: Fri 6/8/2007 7:00 PM
To: Powell, Amy - Paramount; Rich, Gerry - Paramount; Waldman, David - Paramount; Vollman, Michael - Paramount
Subject: Fw: Posted

Amy -
Want to post this?
J-

Jeremy Sauter
Paramount Pictures

----- Original Message -----
From: Mark Lipsky <markl@buddhajonestrailer.com>
To: Sauter, Jeremy - Paramount
Sent: Fri Jun 08 18:56:45 2007
Subject: Posted

Jeremy,
We have posted Disturbia "Paris" :30 V.1 to our website. I have listed log in information below.

Once you log in you will come to a page with a Disturbia Icon on it and it will bring you to another page with a file tree on the left hand side. Click the top file that will say Disturbia. This will bring you to another page with a thumbnail in the center of the page. To download the spot option click the download icon below the thumbnail. If you want to watch the spot on the website click the thumbnail then click the click here to play icon and wait for them to load. Give me a call with any questions.

Mark

link:
<http://secure.wiredrive.com/clients/buddhajonestrailer/wd/folder/55341/list>

username: ankle
password: [REDACTED]

Schapiro Exhibit 11

From: Liza Patriana

Sent: 9/19/2007 8:55 PM

To: [-] employees

Cc: [-]

Bcc: [-]

Subject: Marketing Meeting Notes: September 19, 2007

Hello everyone,

Here are the notes from today's marketing meeting. Please let me know if you have any questions.

Thanks!

Liza

Marketing Meeting Minutes

September 19, 2007

New Projects (Taylor, Kahner):

- * Honda Battle of the Bands (9/24 – 10/29)
- * Event happens in GA every January. Never been a DVD in the past but there has been such a high demand in the past. This DVD has footage from January 2006 event.
- * Client's goal to sell 30,000 DVDs.
- * Working in conjunction with Flowers Communications (w/ Ron Childs).
- * Campaign components: Online publicity, Promotions, and Grassroots

Coming Up (Kahner):

- * Ignited/Bleach (10/1 – 10/31)
- > Video game. Also on Adult Swim. Anime.
- > Video game release date: October 9th
- > 4 weeks of grassroots. Also a Dedicated Email slated to be sent on October 9th (game release day)
- * NBC/Talent Scout (TBD) - more info to come later

Partner Update (Christy, My-lan, Michelle):

Funny Or Die <http://www.funnyordie.com/> (Christy)

- * Traffic: 775k (NetRatings), 1.8 million (Quantcast), 500k (Compete)
- * Video upload site. Will Ferrell is co-owner. Infamous for Landlord Pearl video.
- * Celebrities and comedies upload their videos to site. Now site wants more access to musicians and this is where we come in.
- * Will write skits, film, edit, and produce everything. We just need to bring the artist to them
- * Coming Up: MTV, Fall Out Boy

--> will be the first one from us. Premise = fake press release where they will only ask questions about Ashlee Simpson. Will also have MTV tie-in. Rap Superstars interview FOB asking them what it's like growing up in the 'hood.

- * Early pitch to Bon Jovi. Premise = Jon Bon Jovi walks around reciting lyrics to his songs.
- * They will allow us to do any promotion as long as there is a celebrity tie-in. Ex. Will not do Jig-A-Loo promo sans celebrity factor
- * Please come to Christy if you have artists/clients in mind for this partnership

XXL Magazine <http://www.xxlmag.com/> (Ben)

- * Traffic: 102k (NetRatings), 326k (Quantcast), 190k (Compete)
- * New contest partner . Will be working our Vegoose promotion. Rotating contest on their front page. Contest went live this morning
- * Hip-hop audience. Male leaning demographic.
- * Better than Source or Vibe magazines
- * They have a new marketing director who is great.

Snorg Tee's <http://www.snorgtees.com/> (Michelle)

- * Traffic: 200k (NetRatings), 240k (Quantcast), 175k (Compete)
- * T-shirt company. Somewhat similar to Threadless. Their shirts are the ones with weird slogans/phrases from movies, television, and popular culture.
- * Early discussions . They have never done promotions or anything new before so they are a bit nervous. They haven't really known what to do with site since it has blown up.
- * Company started by 4 guys right out of college 4 years ago. Site is very basic. Lots of potential for us to do promo.
- * They have a newsletter (no stats on this yet) but it is pretty bland. Lots of room for us to work with this newsletter, too.
- * Demographic = college student
- * Pitched The Honorary Title. More pitches to come. Please speak to Michelle if you have any ideas

Publicity Update (My-lan):

MTV Leak: Celebrity Rap Superstar

- * Perez Hilton threw a temper tantrum and MTV wanted the world to know about it
- * "Leaked" video clip uploaded to IFILM and YouTube

--> covert operation. Noone can know that Fanscape or MTV is involved in this.

--> My-lan emailed gossip blogs with fake email address (gossipgirl40).

- * Not many sites picked it up except the smaller blogs (who pick up anything thrown their way)
- * TMZ picked up video but put it up on their media player, not our YouTube link. Same with iFilm.
- * By Saturday midnight there were 1,000 views on YouTube (that My-lan put up)
- * Gawker put up leak #2 yesterday at 1pm and today there have been 7,000 views
- * We should Digg the video. Also, should use Tube Mogul from start to be able to track views everywhere
- * Is this against WOMMA? Room feels WOMMA doesn't apply because this is the PR/gossip blog world and stunts/leaks/tips happen all the time.
- * Huge success with leaks for MTV. MTV will most likely do this more often. Our publicity team can only benefit from learning experience. See what works and what doesn't.

Media Update (Lisa)

Fanscape Survey: Mobile

* Results from a brief survey. Asked people whether or not they would be interested in receiving an EMAIL newsletter vs. newsletter on their CELL PHONES (about the latest mobile tech and promotions)

--> Almost 50% prefer email to mobile

--> Almost 75% said they were NOT interested in newsletters on their cells

* What's it all mean?

--> we should insert mobile info into newsletters.

--> people are still afraid of giving out their mobile number due to unexpected charges and the like. Odd because mobile technology is getting better. Stigma still lingers.

--> maybe reassure people that they will not get charged crazy fees. Also give them free prize for participating?

Fanscape stats

- * Traffic analysis data report
- * August 1 = 1 million in our database
- * Fanscape newsletter open rate = 8.4%
- * Dedicated email open rate = 23%
- * Industry average for newsletter open rates = 8%
- * Fanscape.com views for August = 160,820
- * Contests page views = 19,990
- * Blog page views = 5,000 (up from 815 views in May). Should update blog regularly with compelling content to continue to drive traffic
- * Fanfeeds = 1.37 million views. Not sure which fanfeed is getting most views.
- * Please ask Lisa Jenkins for more info regarding stats.
- * JP and Lisa are working on benchmark grid for more conclusive data to compare to. More authority to our numbers.

Liza Patriana

Coordinator, Marketing

Fanscape, Inc.

3201 W. Cahuenga Blvd.

Los Angeles, CA 90068

p: 323 785 7758

f: 323 785 7101

email: lizap@fanscape.com

aim: [REDACTED]

www.fanscape.com

www.fanscape.com/blog

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Schapiro Exhibit 12

From: Mylan Beauford
To: Ariana.Urbort@mtvstaff.com; Andrea.Manning@mtvstaff.com
Cc: Jessica.Nicola@mtvstaff.com; David.French@mtvstaff.com; Christy Wise
Bcc: [redacted]
Subject: Perez Hilton leaked video from Celebrity Rap Superstar

Hi All-

The leaked Perez video received a lot of initial pick-up from the TMZ feature on Friday. However the video truly went viral this weekend before it was removed from YouTube. According to my Google search, it was listed as one of the top viewed videos on YouTube on Friday night. I believe the video may have been featured on YouTube's homepage as well because there was a tremendous spike in traffic Saturday night. From the email account I used (GossipGirl40) to upload the video I received over a 1,000 comments between Saturday and Sunday and I'm sure tons of views. Unfortunately I can't provide a screenshot since the page was removed.

Most of the comments were mild, commenting on how crazy and diva-ish Perez Hilton has become.

Since the removal, another YouTube-er has re-posted the behind the scenes video, so the video continues to stay viral. I think the video was an incredible assets in keeping 'buzz' going on the show, I would recommend that in the future we leak during the week to better track its spread—especially if choose to use YouTube where Viacom material will be removed.

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Google Search shows YouTube Most viewed videos

http://blogsearch.google.com/blogsearch?hl=en&session=tUKvZ45y25lbdRBN5jR0L7p8zrqyiCm427-qFtcwvaG4x0TISkVVNuPuewKaoYYWu3CjnxInXwPvtk0ebQ1ZlwG3d0BGSBBD-GPZMWV2fmWraBQWas8l5_kULYN5qTFGCHqcbYslybCbhN4yt2GrGTvCgUAEwOjKbj3LmjVMfPMjTjDQr3uHx9lodFV0V87yW_8LpkU7vgYwLSDtkPsoZTBVE&ie=UTF-8&q=Youtube+Perez+hilton

Leak Placements

TMZ <http://www.tmz.com/>

News mention on homepage
Site traffic: 7,107,000 unique visitors per month

<http://www.tmz.com/>

<http://www.tmz.com/2007/09/14/perez-and-shar-in-celebrity-rap-superstar-drama/>

Stupid Celebrities <http://stupidcelebrities.net>

News mention on homepage
Site traffic: 10,000 unique visitors per month

<http://stupidcelebrities.net>

<http://stupidcelebrities.net/2007/09/15/perez-hilton/>

To Clips <http://www.toclips.com>

Leaked video

Site traffic: 10,000 unique visitors per month

<http://www.toclips.com/index.php/perez-hilton-freaking-out/>

The Human Meat Market <http://www.phuckqu.com/>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

http://www.phuckqu.com/blog/blog_view.php?entry_id=13537&user_id=1

Mad Hollywood <http://www.madhollywood.com>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://www.madhollywood.com/2007/09/14/perez-shar-in-celebrity-rap-superstar-drama/>

BruMedia <http://movies.brumedia.com>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://movies.brumedia.com/2007/09/14/perez-shar-in-celebrity-rap-superstar-drama-tmzcom/>

Celebrity Blogs <http://www.blixblogs.net/>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://www.blixblogs.net/2007/09/14/perez-celebrity-rap-superstar-drama/>

Love is Shit <http://love-is-shit.blogspot.com>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://love-is-shit.blogspot.com/2007/09/in-rap-shar-perez-drama-superstar.html>

Celebrity News 24-7 <http://www.celebritynews24-7.com/>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://www.celebritynews24-7.com/perez-shar-in-celebrity-rap-superstar-drama/>

Lauren Jessop Modeling <http://www.laurenjessop.com/>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://www.laurenjessop.com/modeling-blog/2007/09/14/perez-shar-in-celebrity-rap-superstar-drama/>

Celebrity Gossip Videos <http://celebrities.video-sponge.com>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

<http://celebrities.video-sponge.com/view/5424-perez-hilton-freaking-out.html>

Umm Yeah <http://ummyeah.com>

Leaked video news mention

Site traffic: 10,000 unique visitors per month

http://ummyeah.com/page/Perez_Hilton_Freaking_Out

TO Gawp <http://togawp.com/>

Leaked video news mention
Site traffic: 10,000 unique visitors per month

<http://togawp.com/entry/perez-hilton-freaking-out-mtc-celebrity-rap-superstar-092007/>

Video Walrus <http://videowalrus.com/>

Leaked video news mention
Site traffic: 10,000 unique visitors per month

<http://videowalrus.com/perez-hilton-freaking-out/>

iFilm <http://www.ifilm.com/>

Leaked video on homepage
Site traffic: 2.4 million unique visitors per month

<http://www.ifilm.com/>

Video Upload:

YouTube <http://www.youtube.com/>

Leaked video

<http://www.youtube.com/watch?v=N3NG3NFuvsY>

IFILM <http://www.ifilm.com>

Leaked video

<http://www.ifilm.com/profile/gossipgirl40>

