

12/17/2009 Walker, Kent

HIGHLY CONFIDENTIAL -- OUTSIDE COUNSEL'S EYES ONLY

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK
3

4 VIACOM INTERNATIONAL, INC., COMEDY)
5 PARTNERS, COUNTRY MUSIC.)
6 TELEVISION, INC., PARAMOUNT)
7 PICTURES CORPORATION, and BLACK)
8 ENTERTAINMENT TELEVISION, LLC,)

9 Plaintiffs,)

10 vs.)

NO. 07-CV-2103

11 YOUTUBE, INC., YOUTUBE, LLC,)
12 and GOOGLE, INC.,)

13 Defendants.)

14 THE FOOTBALL ASSOCIATION PREMIER)
15 LEAGUE LIMITED, BOURNE CO., et al.,)
16 on behalf of themselves and all)
17 others similarly situated,)

18 Plaintiffs,)

19 vs.)

NO. 07-CV-3582

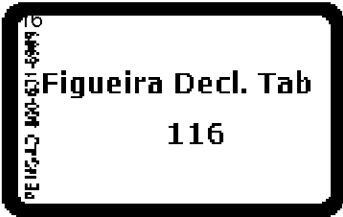
20 YOUTUBE, INC., YOUTUBE, LLC, and)
21 GOOGLE, INC.,)

22 Defendants.)

23 VIDEOTAPED DEPOSITION OF KENT WALKER
24 PALO ALTO, CALIFORNIA

25 THURSDAY, DECEMBER 17, 2009

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR
CSR LICENSE NO. 9830
JOB NO. 18312



1 WALKER, KENT 116-0002

2 bullet point reads, "When YouTube receives a takedown
3 notice or otherwise obtains knowledge of a clip that
4 has eluded the filtering system, it should immediately
5 remove not only the clip or full work in question, but
6 all other versions or excerpts of the same copyrighted
7 programming identified in the notice, in addition to
8 hashing and fingerprinting the copyrighted work, to
9 prevent future unauthorized uploads as discussed
10 above."

11 My question is, did Google do that in
12 February of 2007?

13 A In -- for some period of time previous to
14 that, I don't know when it started, YouTube had a
15 system called MD5 hashing, which identified unique
16 copies of a given video, and when we received a DMCA
17 notice for one version, I believe we would block other
18 versions that also had that same hash, which is, by
19 the way, another example of a situation where we were
20 removing or blocking items without having received the
21 specific URL and, I believe, going beyond what the
22 DMCA requires.

23 The other aspects of this question, it's --
24 because the sentence is compound, the -- the question
25 is derivatively compound, if you will, so it's a