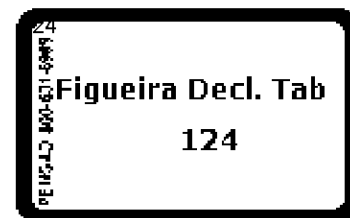


12/16/2009 Weingarten, Oliver

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



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

8 Plaintiffs,)

9 vs.)

NO. 07-CV-2103

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

12 Defendants.)

13 _____)
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 _____)
24 VIDEOTAPED DEPOSITION OF OLIVER WEINGARTEN
25 TAKEN ON WEDNESDAY, DECEMBER 16, 2009
AT THE OFFICES OF MAYER BROWN INTERNATIONAL, LLP
201 BISHOPSGATE
LONDON EC2M 3AF, UNITED KINGDOM
JOB NO. 18278

1 Q. Did you understand that -- let me ask it this way: 124-0002
2 Did YouTube tell Premier League that, in order to
3 participate in the trial of the video fingerprinting
4 technology, that it would need to licence content to
5 YouTube?

6 MR. SHAFTEL: Objection.

7 A. They did at a meeting prior to this date.

8 Q. They said what?

9 A. They said that the technology was being offered to
10 those who they had commercial partnerships with. 10:40

11 Q. Which technology specifically are you referring to?

12 A. What you term as digital fingerprint technology.

13 Q. Was that the video fingerprinting technology or was
14 that something else?

15 A. Are we classifying digital and video fingerprint
16 technology as the same thing?

17 Q. I am talking specifically about the YouTube video
18 fingerprinting technology that was the subject of some of
19 these e-mails?

20 MR. SHAFTEL: Objection to form. 10:41

21 A. That, to me, is the video, which is still digital
22 fingerprint technology.

23 Q. So the question is, did YouTube ever tell Premier
24 League that the video fingerprinting technology would only
25 be available to Premier League if Premier League licensed

1 content to YouTube?

124-0003

2 A. Yes.

3 MR. SHAFTEL: OK.

4 Q. When was that said?

5 A. Prior to this e-mail exchange, in a meeting.

6 Q. Do you remember specifically when that meeting
7 occurred?

8 A. I think it was about February 2007.

9 Q. And who said that to Premier League?

10 A. There are a number of representatives from Google and 10:42
11 YouTube at the meeting. I believe, from recollection, it
12 may have been Patrick Walker.

13 Q. What exactly do you recall Mr. Walker saying?

14 A. I recollect him saying Google/YouTube had technology
15 available for those who had commercial partnerships or
16 commercial partnership with YouTube.

17 Q. And did you understand the technology that he was
18 speaking about to be video fingerprinting technology or
19 some other technology?

20 MR. SHAFTEL: Objection. 10:43

21 A. We understood it to be video fingerprint technology.

22 Q. Did you understand that YouTube actually had video
23 fingerprint technology available in February of 2007?

24 MR. SHAFTEL: Objection.

25 A. We certainly asked the question and YouTube said that