

Schapiro Exhibit 380

Subject: Re: Video Search Challenge
From: "Megan Crowell" <
To: Amy Powell
Cc: Bryan Warman; Kristina Tipton; Megan Wahtera; Mickey Worsnup;
Sara Bordo
Date: Sat, 25 Feb 2006 02:40:25 +0000

Hi Amy,

Kristina & I have reviewed your list of video sites & have looked into some others as well. Here are our suggestions for incorporating these sites into our marketing campaign:

- For sites such as Google video & AOL video search, we should always be sure to supply these search engines with all of our content & metadata to ensure user searches are fulfilled with official, high quality content
- We recommend YouTube, Vimeo, & VidiLife as sites to post our content for viral distribution. In these instances, the best promotion can be gained by:
 - * Posting behind-the-scenes footage or content from the cutting room floor, so users feel they have found something unique rather than a traditional trailer
 - * Whenever possible tagging our content with related phrases to capture search audiences
 - * Encouraging our internal team to rank, view, & comment on these placements (not using Paramount email accounts) to gain higher position in clip galleries
 - * Anonymously tipping a blog or two about the placement (i.e. AdRants, Fark, BoingBoing) without sounding like an obvious marketing ploy.

Example: "was watching Jesus the musical for the 100th time & saw a cool Jack Black clip for Nacho Libre. Never heard of it, but was stoked to see it by the same people who did Napoleon Dynamite. Anyways, in this clip he's getting waxed & it's worse than 40 year old virgin. ouch!"

- Once we have distributed content, we need to continue free access from the source (see ppt for details on NBC/YouTube disaster)

Attached you can also find a more in-depth review of these sites & their offerings.

Megan Crowell
Paramount Pictures Interactive Marketing
323.956.8471
fax: 323.862.1107

----- Replied by Megan Crowell on 2/24/2006 6:39:52 PM

From: Amy Powell

02/20/2006 11:51 AM

To: kristina_tipton@paramount.com, megan_crowell@paramount.com, sara_bordo@paramount.com
cc: mickey_worsnup@paramount.com, bryan_warman@paramount.com, megan_wahtera@paramount.com
Subject: Video Search Challenge

KT & MC: please do an analysis of sites below and let's discuss how we can utilize them to begin viral video campaigns.

Amy Powell
Senior Vice President, Interactive Marketing
Paramount Pictures

February 20, 2006
Video Search Challenge



CONFIDENTIAL

VIA 00366274

Devising the Killer App for Easier Browsing Is Taking on Urgency

By Daisy Whitney

At nearly every industry conference or panel in the past few months, video search has emerged as the new hot topic as content multiplies on numerous platforms—broadband, traditional television, video-on-demand, mobile phones and iTunes. As delivery methods and programming grow at an exponential rate, the industry is seeking new means to navigate seamlessly through the content.

Story continues below...

"Everybody is trying to figure out how to manage it," said Andy Addis, executive VP of Hillcrest Labs, which enables navigation across devices using a visual interface. "In a world where content choice becomes limitless, navigation is at the end of the day going to separate the winner from the loser. If consumers can't find this stuff, they don't derive any value. If they don't derive any value, they either downgrade, disconnect or take the box back."

That's why "video search" has become the new buzz phrase and has bubbled up quickly as a crucial issue for the TV business, in all its new and old media manifestations.

Telcos, cable operators, satellite providers, mobile phone companies and broadband channels are all now serving up gobs of content. But the advantage may lie not in volume of content, but rather in a meaningful way to sift through it.

Video search is a wide-open business, a true green field niche in the frantic new world of consumer-controlled TV. Every player has a slightly different approach to search. Among the companies attempting to crack the nut of video search are AOL, Google, Gemstar-TV Guide, Hillcrest Labs and MeeVee. There are others, of course, but their early work represents a good cross-section of approaches.

Here's a look at how a handful of players are approaching this nascent business opportunity.

Hillcrest Labs

Hillcrest came on the scene at the Consumer Electronics Show and has been generating some industry buzz with its intuitive approach to search. Rather than using a standard remote control, Hillcrest's content navigation system necessitates the use of a round, ring-like remote with only two buttons and a scroll wheel to zoom in and out of content options. It operates like a mouse and allows viewers to navigate through a visual interface. This navigation strategy is built on concepts popularized by Web sites such as Amazon and Netflix, which rely on browsing and recommendation.

Hillcrest's system is designed to let users navigate all their content, such as VOD, linear TV or digital photos, in the same fashion. "You find a VOD movie the same way you find a CD or a song you want," Mr. Addis said.

The system is intuitive, so it can guide viewers through content and also help them drill down to other, similar content, such as movies or shows with the same actor. The service, like Amazon.com, can suggest or recommend content. Hillcrest has pursued this visual approach because video search isn't about looking up video content by a keyword, Mr. Addis said. "Consumers will not be inclined to sit back on their couch and lean forward and pick up a keyboard and say, 'I don't know what I want to watch tonight,'" he said.

That's why the browse function is such a critical part of the navigation process, he said. Hillcrest is marketing its product to service providers, consumer electronics companies and PC makers.

AOL Video Search

AOL plans to launch a new version of its video search site this week now that it has integrated its existing search capabilities with those of its newly acquired video search service, Truveo. AOL's approach is built on a pure search paradigm, but also enables browsing in AOL's video library of more than 20,000 video assets.

Truveo's technology searches content visually. While video search is its own animal, it draws comparisons with

text search, because that's the gold standard for consumers, said Kevin Conroy, executive VP for AOL Media Networks.

"There is an expectation in the marketplace of what people expect to get when they type in a search query. The bar has been set and it's our challenge to deliver as good a result for video search as people have come to expect for text search," he said.

Google Video

The company that defines traditional search on the Internet aims to play a leading role in video search as well. That work will come largely through its Google Video service.

Rather than search for video on the main Google page, where video results would turn up with other results or not at all, Google wants users to look for video specifically at Google Video. Once there, searching isn't the only way around. The service is browse-based, too, and enables random discovery of content.

Gemstar-TV Guide

The dominant provider of interactive program guides, which services Comcast's footprint, will release a new version of its guide in the middle of this year in a phased rollout to Comcast homes. This new iteration will include integrated search capabilities.

Today users can search for content on linear TV. But the next version will enable viewers to search for programming from both video-on-demand offerings and traditionally scheduled TV, said Mike McKee, president of interactive program guides for Gemstar-TV Guide.

It's important to offer different search experiences because some viewers will want to use the grid while others will want to search by genre, title or actor, he said: "We want to offer it in multiple ways."

MeeVee

An online TV guide, MeeVee searches through actual TV listings rather than all video on the Web. The approach of MeeVee is to look forward into the next few weeks of scheduled TV programming rather than look back on the Web for past content.

It's also designed to be a personal guide that helps users manage viewing preferences, send them to a friend or be alerted to upcoming content, said Matthew Cullen, VP of sales and business development for MeeVee. "We want to be the place people come to discover video they want to watch, whether through linear TV or Internet TV channels," he said.

List of attachments:

VideoSharingSites.ppt

Video Sharing Sites

Overview

The recent rise in popularity of video sharing sites seems a perfect fit for promoting viral video content. However, upon further research some key themes have arisen that will be important to keep in mind:

- If we are going to distribute this content, we need to ensure that once posted, we can continue to allow free access from the source
 - NBC legally forced YouTube to remove the SNL Lazy Sunday clip & asked users to instead view from the official site. This was looked negatively upon & NBC received negative buzz from many blogs
 - Google's DRM system has annoyed users who want to continue to watch a clip over time
- The best way to garner heavy promotion is to rely on sites that showcase top clips
 - Placing viral content on AOL and/or Google video search engines is unlikely to work, other than by reaching users specifically searching for that content

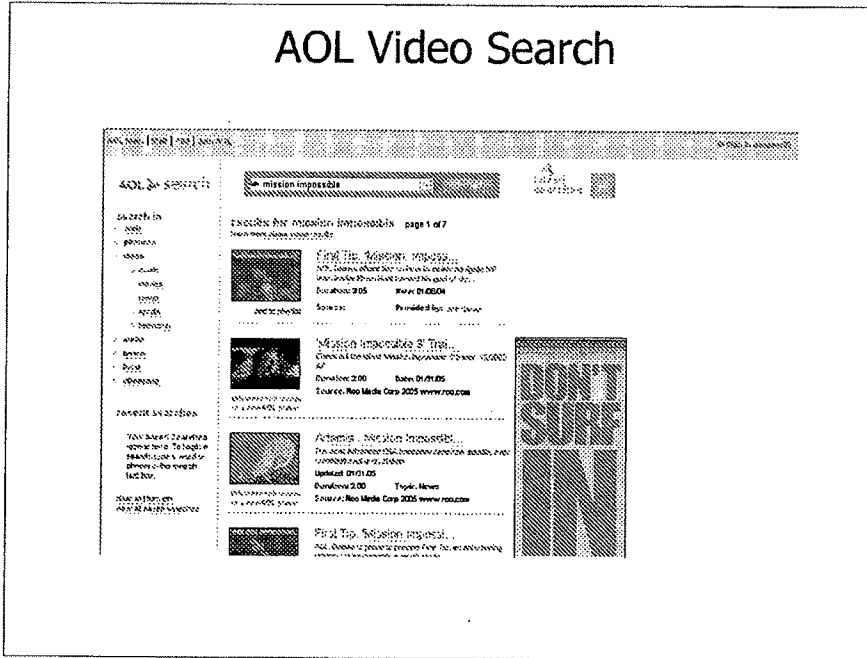
Continued on next slide . . .

Video Sharing Sites

Overview Continued

- Many sites encourage user comments, so we should be aware of the potential for negative feedback
 - Suggest staying away from posting Tom Cruise clip, for instance
- A traditional trailer is not interesting to these users
 - Behind the scenes footage or content that appears to be from the cutting room floor seems much more special & therefore worth sending to friends & coworkers
- Whenever possible we should tag our content with related phrases to capture search audience
- If possible, we should anonymously tip a blog or two to post about the placement (i.e. AdRants, Fark), without sounding like an obvious marketing ploy

AOL Video Search



AOL Video Search

Results pages show screenshot of clip along with length & original source. Lots of content duplication from various sources makes the user experience somewhat frustrating.

- 3.7 M unique users
- 48% M / 52% F
- User base is mostly young adults:
 - Ages 18-24: 12% (441,000)
 - Ages 25-34: 14% (512,000)
 - Ages 35-54: 42% (1,546,000)

Google Video

Google Video

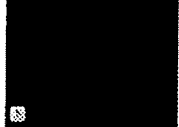
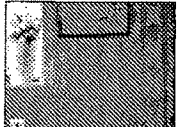
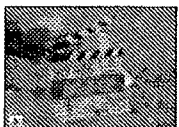


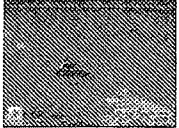
mission impossible

Sort

Videos: 1-15 of about 51,000

Play these videos back to back

Sort by: Relevance Date All

 <p>Mission Impossible 3 - Tom Cruise vs. "Mr. M." 2x Edu. In. Annotations 1:46:30:00 - 1:48:11:00 1:46:30:00 - 1:48:11:00</p>	 <p>Mission Impossible 2 (trick) Pete Dinklage 1:00:14:00 - 1:01:00:00</p>	 <p>Mission Impossible 2 Trailer (1999) Paramount Pictures 1:00:22:00 - 1:00:22:00</p>
 <p>Mission Impossible 2 Behind The Scenes</p>	 <p>Mission Impossible 2</p>	 <p>Mission Impossible 2 Behind The Scenes</p>

Google Video

Search engine allows users to search for video assets online. Seems like it doesn't have that many sites included in database.

In researching this site, I uncovered backlash on this feature as not being a user driven initiative, but rather a corporate DRM mess.

- Media Builder shows 170,000 monthly uniques

Vimeo

vimeo

Home Uploads My Videos My Liked Clips

Welcome to Vimeo, megancc!

View your home page.

Search:

Want to get more out of Vimeo? Get the Vimeo app on your phone.

Here's what you've watched recently about your contacts on this page. However, you don't have any yet. Try searching for contacts you've seen off video, or take a look at these popular ones.



Clips people are digging



Random people who have uploaded at least 5 clips

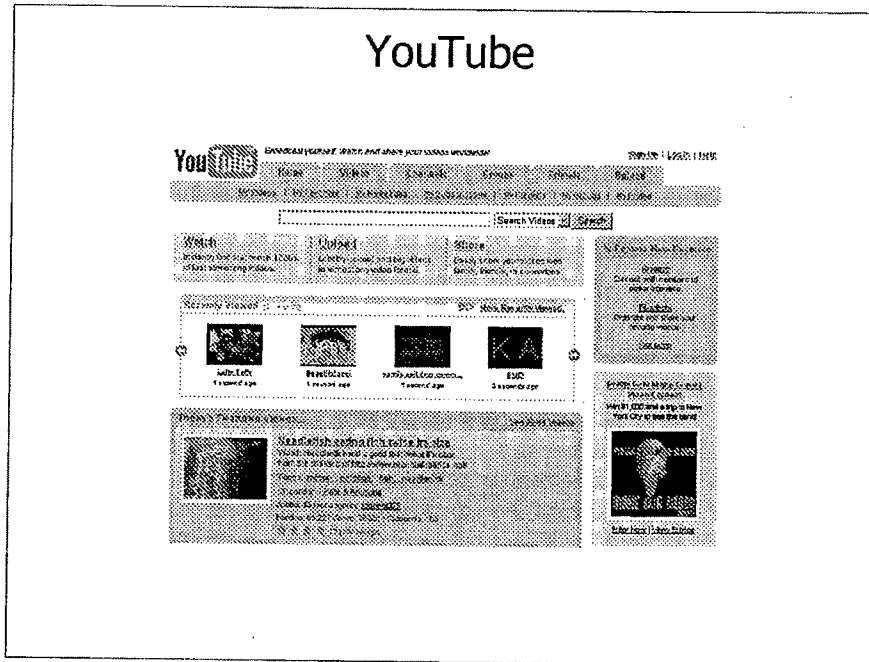
Vimeo

Part of Connected Ventures (CollegeHumor.com). Homepage shows top clips, newest clips, & users who have uploaded multiple clips. Users also have a profile, so it seems to attract a younger & more social audience.

Message boards are displayed under clip so users can comment. Clips can also be tagged with keywords to help with searching. A large majority of the content is pornographic. Must sign in to view any clips.

- Does not appear in Media Metrix

YouTube



YouTube

Free video uploading service. Lots of video blogging. Restrictions include nudity & also "video must be appropriate for all ages". Great formatting – clips are organized into several categories (top viewed, most discussed) and numerous channels (arts, people, blogging, etc.).

- 2,741,000 unique users
- 53% M / 47% F
- User base is growing at all age levels:
 - Ages 18-24: 8% (222,000)
 - Ages 25-34: 7% (186,000)
 - Ages 35-54: 17% (478,000)

Other Sites of Interest

- VideoBomb (the more users interact with the content, the more promotion it garners)
- MetaFilter.com (community weblog)
- Yashi.com (similar to YouTube)
- Vidilife.com (compatible with MySpace & Friendster)

Schapiro Exhibit 381

Subject: Fw: IFILM - Clip of the Day
From: "Amy Powell" <>
To: Kristina Tipton; Bryan Warman
Cc: Date: Mon, 10 Apr 2006 21:11:00 +0000

This is GREAT.

Can you get on youtube, etc?

Sent from my BlackBerry Wireless Handheld

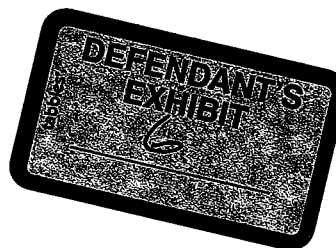
----- Original Message -----
From: ClipOfTheDay
Sent: 04/10/2006 02:00 PM
To: undisclosed-recipients:
Subject: IFILM - Clip of the Day

IFILM - Clip of the Day
<<http://dyn.ifilm.com/resize/image/stills/films/resize/istd/2717741.jpg?width=100&height=56>>
Mission: Impossible III: Laugh Reel <<http://www.ifilm.com/ifilmdetail/2717741?refsite=7114&c=clod&cid=471>>
Tom Cruise and J.J. Abrams get the giggles while doing publicity for Mission: Impossible III in this IFILM Exclusive.

<http://www.ifilm.com/ifilmdetail/2717741>

Clip of the Day brought to you by IFILM.com

Cancel <<http://www.ifilm.com/subscriptions/clod>> Clip of the Day.



Schapiro Exhibit 382

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From: Phil Lines
Sent: Wednesday, July 18, 2007 6:00 PM
To: Oliver Weingarten
Subject: FW: meeting

Would you be free Friday at either 11 or 1400ish?

-----Original Message-----
From: Patrick Walker [mailto:pjwalker@google.com]
Sent: 18 July 2007 16:52
To: Phil Lines; Patrick Walker
Cc: Tammy Knox; Jessica Green; Adam Coates
Subject: Re: meeting

Hi Phil,

Thanks for your response. We'd be happy to come in and provide a demonstration of our latest tools, and also discuss the possibility of your participation in an upcoming trial of more advanced technology. I'll be in Tokyo from the weekend until Aug 1, but is there any chance we could see you this Friday for an hour? Would be best to meet before I take off.

Best,
Patrick

Patrick Walker
Head of Video Partnerships
Google/YouTube EMEA
[REDACTED]

----- Original Message -----
From: Phil Lines <PLines@premierleague.com>
To: Patrick Walker
Cc: Tammy Knox <TKnox@premierleague.com>
Sent: Wed Jul 18 06:58:08 2007
Subject: meeting

Patrick

Thank you for your email of 13th July. We remain willing to see what technology Google is prepared to make available to content providers such as the Premier League. Given the ongoing litigation between our two companies, I think it best if this meeting is attended by our in-house counsel, Oliver Weingarten, as well. I am available for most of next Monday or Tuesday. Let me know when would suit you and we'll try to arrange.

Rgds

Phil

Phil Lines
Head of International Broadcasting & Media Operations

T +44 (0) 20 7864 9000
D +44 (0) 20 7864 9113
F +44 (0) 20 7864 9213
M [REDACTED]

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

The Football Association Premier League Limited.
Registered Office: 30 Gloucester Place, London W1U 8PL. No. 2719699 England

Schapiro Exhibit 383

To: "chris@youtube.com" <chris@youtube.com>
From: "Adam Farrell" <[REDACTED]>
Cc:
Bcc:
Sent Date: 2006-02-28 12:55:58 CST
Subject: FW: YouTube Content Licensing Ideas

Hey man,

Good response....from everyone important. Especially the top dog Simon.

Let me get the people I need and we'll set up a call, but below are all the issues we foresee.

I'll be in touch in a day or so....we wanna be first!

-@

----- Forwarded Message

From: Simon Wheeler <[REDACTED]>
Reply-To: Simon Wheeler <[REDACTED]>
Date: 28 Feb 2006 12:48:45 +0000
To: Adam Farrell <[REDACTED]>, Lesley Bleakley <[REDACTED]>, Dick Huey <[REDACTED]>, Patrick Amory <[REDACTED]>, Rupert Skellett <[REDACTED]>
Cc: Matt Harmon <[REDACTED]>
Subject: Re: YouTube Content Licensing Ideas

this looks well worth pursuing, subject to details being worked out, like publishing...

It would also be useful to be able to issue take downs for our videos that have been uploaded by users and ensure that only official video is live

In theory we can provide a weekly xml feed, depending on what that would consist of, youtube would have to be set up at CI for sure, lets get an xml spec from them asap

I'm really keen to get on this, good stuff adam !

S

On Monday, February 27, 2006 21:31, Patrick Amory

<[REDACTED]> wrote:

>Re: Fwd: YouTube Content Licensing Ideas
>Very very interesting. Will need to be 2 separate (but
>identical deals) - one for Matador, one for Beggars. Matador
>video will need to have a Matador, not a Beggars, logo next to
>it.

>

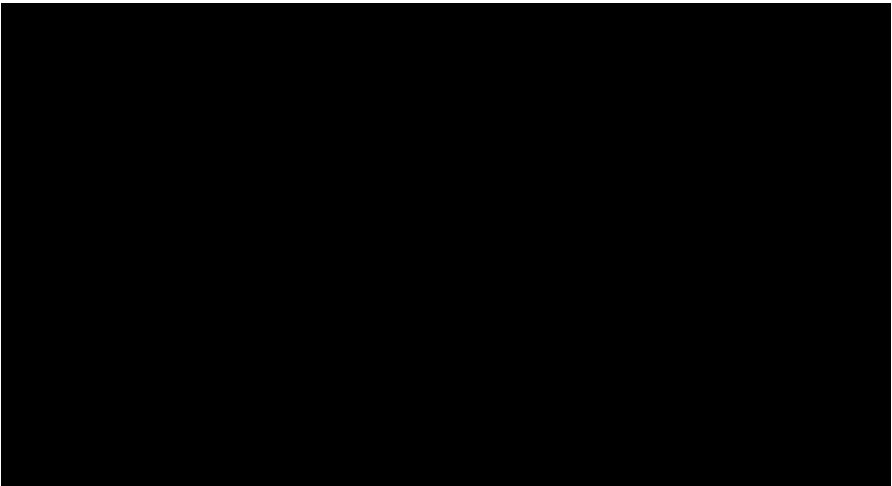
>

>Are capable of doing a weekly XML feed? Simon, wouldn't Youtube
>have to be set up as a customer at CI?

>

>

>Reporting - for royalty purposes, we'd like quarterly reporting
>in a digital format (preferably an Excel spreadsheet emailed to
>us) showing all the data we need in order to pay rights holders
>properly
>
>
>Otherwise this sounds like a great way to get in bed with one
>of the MAJOR up and coming sites in the country, and to
>continue to get more exposure for doing so
>
>
>One potential snag: there is no statutory (or compulsory)
>publishing right or rate for video in the US. How does YouTube
>propose to deal with this?
>
>
>PA
>
>
>At 4:21 PM -0500 2/27/06, Adam Farrell (Beggars) wrote:
>Hey guys,
>Check this out.
>Chris is the head of business development at YouTube and the
>guy that I worked with on the Pretty Girls contest. We've
>talked about this a couple of times and he's eager to get a video
licensing
deal with us.
>Basically, he has outlined a video licensing deal for Beggars
>Group (and Matador) for a revenue share on advertising sold
>either as pre-roll to our videos (like how ABCNews.com does it)
>or adjacent to the YouTube video player.
>We'd be the first label to license our videos to them in such a
>way and get some extra love in our being branded a lot on these
>pages and on the video player. Plus, we'd get the PR....
>They are ramping a very large advertising sales staff and
>advertising will be their #1 revenue stream. So, if we are
>first...this would be a huge sales asset for them right out of the gate.
>Most important, this is a means of allowing us to make money
>from our videos that other portals (e.g. Yahoo) just aren't accommodating
with
us.
>Obviously, I understand a lot of thought would need to go into
>this, but let me know your thoughts.
>-@
>
>Begin forwarded message:
>From: "Chris Maxcy" <chris@youtube.com>
>Date: February 27, 2006 4:02:58 PM EST
>To: "Adam Farrell" [REDACTED]
>Subject: YouTube Content Licensing Ideas
>Reply-To: <chris@youtube.com>
>Hey Adam,
>Hope you had a good time at the Music 2.0 conference. I wanted
>to sketch out some ideas for a broader content partnership between
Beggars &
YouTube:
[REDACTED]




>Let me know if you have any comments/suggestions. Look forward to catching up with you.

>Best,
>Chris

>

>Chris Maxcy
>VP, Business Development
>YouTube, Inc.
>chris@youtube.com

>
>www.youtube.com

>

>

>--

>Adam Farrell, Head of New Media
>The Beggars Group & Matador Records
>625 Broadway, 12th Floor | New York, NY 10012



>XL * Wiiiija * Too Pure * Mo'Wax * Matador * Mantra * Beggars
>Banquet * 4AD * Playlouderrecordings

>

>Pretty Girls Make Our Video on YouTube.com

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

>Film School - Album sampler

><http://www.beggars.com/features/filmschool/player>

><http://www.beggars.com/features/filmschool/player/filmschoolwidget.dmg>

>New Cat Power web site: www.catpowerthegreatest.com

>Too Pure - Album Sampler

><http://www.beggars.com/us/quicktime>

>

>\ // Upcoming: Stereolab * Rogers Sisters * Mogwai * Young

>People * McClusky * Cocteau Twins * Natacha Atlas

>

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>Patrick Amory

> General Manager
> Matador Records
> 625 Broadway, 12th Floor
> New York, NY 10012
>
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>
> 
> <http://www.matadorrecords.com>
>

----- End of Forwarded Message

Schapiro Exhibit 384

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 TAMAR TEIFELD
 PALO ALTO, CALIFORNIA
 WEDNESDAY, FEBRUARY 18, 2009

JOB NO. 16515

DAVID FELDMAN WORLDWIDE, INC.
805 Third Avenue, New York, New York 10022 (212)705-8585

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FEBRUARY 18, 2009

9:12 a.m.

VIDEOTAPED DEPOSITION OF TAMAR TEIFELD,
WILSON SONSINI GOODRICH & ROSATI, LLP,
601 California Ave., Palo Alto, California,
pursuant to notice, and before me,
ANDREA M. IGNACIO HOWARD, CLR, RPR, CSR
License No. 9830.

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

2

3 FOR THE PLAINTIFFS VIACOM INTERNATIONAL INC.:

4 SHEARMAN & STERLING LLP

5 By: KIRSTEN NELSON CUNHA, Esq.

6 599 Lexington Avenue

7 New York, New York 10022-6069

8 (212) 848-4000 kirsten.cunha@shearman.com

9

10 FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and

11 GOOGLE, INC.:

12 WILSON SONSINI GOODRICH & ROSATI, LLP

13 By: MICHAEL H. RUBIN, Esq.

14 CAROLINE WILSON, Esq.

15 650 Page Mill Road

16 Palo alto, California 94304

17 (650) 493-9300 mrubin@wsgr.com

18

19 ALSO PRESENT:

20 PARAMOUNT PICTURES

21 By: PAUL KOENIG, Esq.

22 5555 Melrose Avenue

23 Hollywood, California 90038-3197

24 (323) 956-5882 paul_koenig@paramount.com

25

 DAVID FELDMAN WORLDWIDE, INC.
805 Third Avenue, New York, New York 10022 (212)705-8585

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

2

3 ALSO PRESENT: Lou Meadows, Videographer.

4

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DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212)705-8585

1 TEIFELD

14:04:53 2 Q What other films have you been involved --
14:04:59 3 let me start that again.

14:05:00 4 For what other films have you been involved
14:05:02 5 with the online marketing other than those we've
14:05:05 6 talked about today?

14:05:06 7 MS. CUNHA: While employed at Paramount?

14:05:09 8 MR. RUBIN: Q. My understanding was that you
14:05:11 9 weren't involved with it at MGM, so yeah, it would be,
14:05:14 10 based on your testimony, limited to Paramount.

14:05:16 11 A Yes. There's too many to name.

14:05:21 12 Q Okay. So --

14:05:22 13 A We released about 20 films a year, and I've
14:05:26 14 been there for three years, so --

14:05:28 15 Q Is it -- and is it fair to say that online
14:05:30 16 marketing is a component for the promotional aspect of
14:05:34 17 every film?

14:05:34 18 A Yes.

14:05:34 19 Q Just to one degree or the other?

14:05:37 20 A Yes.

14:05:37 21 Q And the online marketing that you do, your
14:05:43 22 role, your team in fact that you testified earlier, is
14:05:47 23 intended to benefit the film; is that right?

14:05:55 24 A Yes.

14:05:55 25 Q And you select the websites and the

DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212)705-8585

1 TEIFELD

14:06:01 2 webmasters and the viral video websites that you work
14:06:05 3 with and to which you upload video content because you
14:06:08 4 believe it will provide a promotional benefit to the
14:06:12 5 film you're working on; is that right?

14:06:14 6 A We -- yeah, we select people that we send
14:06:17 7 content to.

14:06:18 8 Q How about when you upload videos directly?
14:06:23 9 Do you do so in connection with sites and viral video
14:06:29 10 websites that you believe will provide a promotional
14:06:32 11 benefit to the film?

14:06:36 12 A Yes.

14:06:43 13 Q Has it ever occurred that a video uploaded by
14:06:50 14 your team or authorized to be uploaded by your team
14:06:55 15 but uploaded by a third party in connection with a
14:06:57 16 promotion has been taken down by Viacom for
14:07:03 17 allegations of copyright infringement?

14:07:06 18 A What was the original question? Sorry. Am I
14:07:08 19 aware of it?

14:07:09 20 Q It was a long one.

14:07:11 21 Do you know whether that's ever occurred,
14:07:13 22 whether it's ever happened that your team, in the
14:07:15 23 context of marketing, works -- sorry -- marketing
14:07:19 24 movies have uploaded a video clip to YouTube, for
14:07:24 25 example, and then some other component of Viacom had

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1 TEIFELD

14:07:29 2 sent a takedown notice to remove the video?

14:07:32 3 A I don't recall.

14:07:35 4 Q Has it ever occurred with any website where
14:07:40 5 there's been confusion around the authorization of the
14:07:45 6 video clip that's been posted by the site?

14:07:47 7 A Yes.

14:07:47 8 MS. CUNHA: Objection to form.

14:07:49 9 MR. RUBIN: You're allowed to answer when she
14:07:52 10 objects. You didn't do anything wrong.

14:07:54 11 MS. CUNHA: She already had answered before I
14:07:57 12 objected.

14:07:57 13 THE WITNESS: Sorry.

14:07:58 14 MR. RUBIN: She'll tell you she wants you to
14:07:59 15 wait before you answer. It's a hard thing to do.

14:08:01 16 Q What websites has that happened in connection
14:08:05 17 with?

14:08:05 18 A There's a lot of websites where that's
14:08:08 19 happened.

14:08:08 20 Q Can you name any?

14:08:09 21 A Yes. IESB, LatinoReview, MovieWeb.

14:08:16 22 Q And it may have happened on YouTube. You
14:08:18 23 just can't recall a specific incident?

14:08:24 24 A What may have happened?

14:08:25 25 Q That you've uploaded -- that someone has

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1 TEIFELD

14:08:27 2 uploaded material for promotional purposes that has
14:08:30 3 then been taken down by the company?

14:08:32 4 MS. CUNHA: Objection to form. That's not
14:08:33 5 what she just identified.

14:08:35 6 MR. RUBIN: Q. What were you identifying?

14:08:36 7 A I was identifying unauthorized content being
14:08:38 8 posted on these sites.

14:08:39 9 Q Okay. Then keep -- keep going with that
14:08:41 10 list, then.

14:08:43 11 A The list of websites?

14:08:44 12 Q To which you -- to which you believe
14:08:46 13 unauthorized content had been posted.

14:08:52 14 A Those are the main sites.

14:08:53 15 Q So just to get clear here. I think that we
14:09:03 16 mangled that a little bit.

14:09:05 17 A Yeah.

14:09:05 18 Q You identified three sites, IESB,
14:09:09 19 LatinoReview and MovieWeb, as being sites that you can
14:09:14 20 recall unauthorized content being posted to?

14:09:16 21 A Yes.

14:09:17 22 Q Can you recall others?

14:09:20 23 A Yes. Do you want me to --

14:09:21 24 Q Sure.

14:09:22 25 A -- keep naming?

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Schapiro Exhibit 385

From: "Apmann, Todd" <Todd.Apmann@mtvstaff.com>
Date: Wed, 9 Aug 2006 15:55:00 -0400
To: "Exarhos, Tina" <Tina.Exarhos@mtvstaff.com>
Cc: "Armenia, Joe" <Joe.Armenia@mtvstaff.com>
Subject: Human Giant

Hi Tina-

Attached is a list of sites to which I recommend leaking the Human Giant clips. Would love to get 1 or more clips from Tony DiSanto with "The Human Giant" and/or www.thehumangiant.com stamped on them.

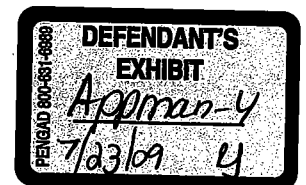
This can get started as soon as we receive the clips. Please look over and let me know what you think--Damon and Julie sending me their recommendations as well, but I wanted to get this to you quickly.

Thanks,

Todd

Todd Apmann
Director, Program Promotion
MTV: Music Television
212.846.6942
todd.apmann@mtvstaff.com

List of attachments:
Human Giant Online Video Seeding.doc



"HUMAN GIANT" ONLINE VIDEO SEEDING

I. iFilm "Clip of the Day"

- Clip homepage placement + "clip of the day" sent out to email database.

II. User-Generated Content Sites

www.ifilm.com
www.youtube.com
www.dailymotionvideo.com
www.buzznet.com
www.bolt.com
www.video.google.com
www.putfile.com
www.freevideoblog.com
www.grouper.com
www.vsocial.com
www.zippyvideos.com
www.veoh.com
www.clipshack.com
www.lulu.tv
www.tagworld.com
www.imeem.com
www.bofunk.com
www.aol.com
www.castpost.com
www.devilducky.com
www.revver.com
www.sharkie.com
www.thatvideosite.com
www.stupidvideo.com

III. Comedy Sites & Communities

www.collegumor.com
www.ebaumsworld.com
www.heavy.com
www.netfunny.com
www.comedyzone.net

IV. Human Giant Online Assets

www.thehumangiant.com
www.myspace.com/humangiant

V. MTVN Assets

Tease on Overdrive
www.comedycentral.com
Placement on VMA microsite: www.vmanyc2006.com

Schapiro Exhibit 386

Subject: FW: JAMIE
From: "Exarhos, Tina" <EX:/O=VIACOM/OU=MTVUSA/CN=RECIPIENTS/CN=EXAROST
>
To: Armenia, Joe; Apmann, Todd; Burrell, Damon
Cc: Date: Thu, 08 Jun 2006 01:44:21 +0000

let's discuss.

From: DeBenedittis, Paul A. - Programming
Sent: Wed 6/7/2006 7:42 PM
To: Aissa, Rod; Curren, Lois; Exarhos, Tina
Cc: Ireland, Mikey
Subject: RE: JAMIE

Tina - We're totally up for this... you ok, can you execute?

From: Aissa, Rod
Sent: Wednesday, June 07, 2006 7:31 PM
To: DeBenedittis, Paul A. - Programming; Curren, Lois
Cc: Ireland, Mikey
Subject: RE: JAMIE

yes

From: DeBenedittis, Paul A. - Programming
Sent: Wednesday, June 07, 2006 4:30 PM
To: Aissa, Rod; Curren, Lois
Cc: Ireland, Mikey
Subject: RE: JAMIE

I'm totally game... may I include Tina here as well?

From: Aissa, Rod
Sent: Wednesday, June 07, 2006 7:29 PM
To: Curren, Lois; DeBenedittis, Paul A. - Programming
Cc: Ireland, Mikey
Subject: JAMIE

Jamie and Warner Bros just called me to hype how the show and Jamie's music is blowing up on the internet. They are wondering if we would consider leaking the next episode on YouTube. It might help spread word of mouth.

Is this something we would do?