

1/8/2010 Kacholia, Varun

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
ATTORNEYS EYES ONLY

VIACOM INTERNATIONAL INC., COMEDY)
PARTNERS, COUNTRY MUSIC)
TELEVISION, INC., PARAMOUNT)
PICTURES CORPORATION, and BLACK)
ENTERTAINMENT TELEVISION, LLC,)
Plaintiffs,)

vs.)
YOUTUBE, INC., YOUTUBE, LLC,)
and GOOGLE, INC.,)
Defendants.)

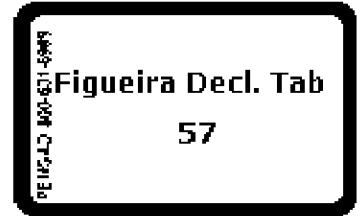
_____)
THE FOOTBALL ASSOCIATION PREMIER)
LEAGUE LIMITED, BOURNE CO., et al.)
on behalf of themselves and all)
others similarly situated,)
Plaintiffs,)

vs.)
YOUTUBE, INC., YOUTUBE LLC, and)
GOOGLE, INC.,)
Defendants.)

_____)

Deposition of VARUN KACHOLIA
Palo Alto, California
Friday, January 8, 2010

JOB NO. 18544



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1 16:00:00

correct?

57-0002

2 A Yes.

3 Q Okay. Would you explain then in lay terms how
4 it is that the search functionality determines which
5 among the duplicates to display in response to a
6 query?

7 A Search functionality only displays one video.
8 It filters out all the rest of the duplicates. And the
9 video which is selected to be displayed is the
10 highest-ranking video based on how this search
11 function -- the algorithms that had ordered them.

12 Q Okay. So what is the -- can you tell me what
13 the most important factor is?

14 MR. RUBIN: Objection, vague, lacks foundation,
15 16:00:00 incomplete hypothetical.

16 THE WITNESS: The most important factor for
17 what?

18 MR. GALDSTON: Sure. So in this scenario where
19 you have a query that returns multiple duplicates. The
20 algorithm determines that it will display one, and it's
21 the most relevant one.

22 Q Among the various factors that it's
23 considering, is there one factor that is most important
24 among all of the others?

25 MR. RUBIN: Objection, vague, calls for