

HIGHLY CONFIDENTIAL -- OUTSIDE  
COUNSEL'S EYES ONLY

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. )

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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. )

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

JOB NO. 18544

1000-100-0000-0000  
Figueira Decl. Tab  
54  
Redacted Pursuant to  
Protective Order at  
Request of Defendants

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1/8/2010 Kacholia, Varun

1 09:59:15 A Okay. I'm just -- I'll have to ask you to  
2 repeat. I'm sorry. It was a long question.

3 Q Sure. What factors does the algorithm take  
4 into account when it's deciding if a result matches a  
5 search term?

6 MR. RUBIN: Objection, vague.

7 MS. MAGUIRE: Mr. Kacholia, we --

8 THE WITNESS: It takes -- I'm sorry.

9 MS. MAGUIRE: I'm sorry. Go ahead.

10 THE WITNESS: It takes into account the terms  
11 that the user entered and the text that was present in  
12 the metadata for each video.

13 MS. MAGUIRE:

14 Q And how does that matching take place?

15 10:00:28 MR. RUBIN: Objection, vague.

16 THE WITNESS: Can you clarify more on what do  
17 you mean by "how does that matching"?

18 MS. MAGUIRE: Sure.

19 Q Is there an index?

20 A (Nods head).

21 Q Okay.

22 MR. RUBIN: Objection, vague.

23 THE WITNESS: So --

24 MR. RUBIN: Is there a question?

25 THE WITNESS: Is --

1 10:01:06

MR. RUBIN: Pending? 54-0003

2 MS. MAGUIRE: "Is there an index".

3 MR. RUBIN: Okay.

4 THE WITNESS: All videos the -- metadata for  
5 all videos is indexed.

6 MS. MAGUIRE:

7 Q Okay. What metadata is indexed?

8 [REDACTED]  
9 [REDACTED]

10 Q Is there anything else?

11 A Those are some of the metadata that are --  
12 indexed.

13 Q Those are some. Are there -- are more metadata  
14 indexed?

15 10:01:57 A [REDACTED]

16 Q [REDACTED]

17 A [REDACTED]

18 Q Do you mean -- I'm sorry, what do you mean by  
19 [REDACTED]?

20 A [REDACTED]

21 [REDACTED]

22 Q Okay.

23 A Yes.

24 Q And what [REDACTED]

25 A [REDACTED]

1 10:02:39

54-0004

2 Q Who do you mean, who's "we" in that sentence?

3 A Sorry. [REDACTED]

4

5 Q And how do -- how does the [REDACTED]

6

7 A [REDACTED]

8

9 Q I see. Just to make sure I understand, is this

10

trying to ensure that the [REDACTED]

11

[REDACTED]?

12

MR. RUBIN: Objection, vague and beyond the  
13 scope of the deposition. Mr. Kacholia is not here to  
14 testify about the purpose of any system. He's here to  
15 talk about the functionality of the system.

16 10:03:59

17

MS. MAGUIRE: I guess I'm still fuzzy on the  
18 functionality, how the --

19

MR. RUBIN: Well, you're more than welcome to  
20 ask him questions about how it works.

21

MS. MAGUIRE: Okay.

22

Q What -- when the algorithm is looking for

23

[REDACTED] can you  
24 give me an example of what it's looking for?

25

A It's looking for how [REDACTED]

[REDACTED]