

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.)

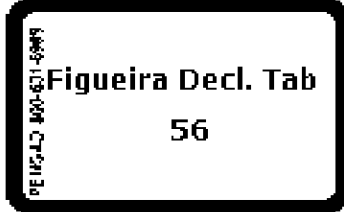
_____)
THE FOOTBALL ASSOCIATION PREMIER)
LEAGUE LIMITED, BOURNE CO., et al.)
on behalf of themselves and all)
others similarly situated,)
Plaintiffs,)

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 help you understand my question 56-0002 Is there any
2 technical limitation within the search
3 functionality as it exists today with why
4 youtube do not exclude the videos that include
5 these kinds of information?)

6 MR. RUBIN: I'll repeat my objections about
7 scope, and add one about vagueness.

8 THE WITNESS: Search is a complex system and as
9 it stands today I am not confident in answering this
10 question.

11 MR. GALDSTON:

12 Q Okay. But the search functionality does not
13 contain any function that omits videos that contain
14 language like I don't own this music, correct?

15 16:00:00 A Correct.

16 Q Okay. But the functionality does omit
17 duplicate copies of videos that are returned in response
18 to a query; is that correct?

19 A That's correct.

20 Q And if you turn to the second page of Exhibit 4
21 at the bottom of the exhibit you'll see that the
22 statement that some search results have been omitted
23 that contain duplicates.

24 How does the search functionality determine
25 which of the duplicate videos to omit?