

8/26/2008 Hurley, Brent



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-2203

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 VIDEOTAPED DEPOSITION OF BRENT HURLEY
24 SAN FRANCISCO, CALIFORNIA
25 TUESDAY, AUGUST 26, 2008

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR
CSR LICENSE NO. 9830
JOB NO. 15688

1 HURLEY

2 of the television show would have been blocked;
3 wouldn't it?

4 THE WITNESS: No.

5 MR. INGBER: Objection to form.

6 THE WITNESS: That's exactly what I said
7 wouldn't happen. That's what I was outlining the
8 fundamental limitations of this MD5 hash, that it
9 needed to be the exact same video.

10 MR. VERRILLI: Q. So it didn't really block
11 very many uploads; did it?

12 MR. INGBER: Objection; vague.

13 THE WITNESS: Yeah, I -- I don't have that
14 information, but again, it was a best tool that we had
15 at the time. We were trying to rapidly come up
16 with -- with tools to address this.

17 MR. VERRILLI: Q. You think that was the
18 best available technology at the time, to prevent the
19 unauthorized upload of copyrighted works?

20 MR. INGBER: Objection to form.

21 THE WITNESS: To my knowledge.

22 MR. VERRILLI: Q. You never heard of Audible
23 Magic at that time?

24 A I can't recall.

25 Q Did you ever here of Audible Magic?