

1/8/2010 Kacholia, Varun

HIGHLY CONFIDENTIAL -- OUTSIDE  
COUNSEL'S EYES ONLY

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

4 VIACOM INTERNATIONAL INC., COMEDY )  
5 PARTNERS, COUNTRY MUSIC )  
6 TELEVISION, INC., PARAMOUNT )  
7 PICTURES CORPORATION, and BLACK )  
8 ENTERTAINMENT TELEVISION, LLC, )  
9 Plaintiffs, )

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Figueira Decl. Tab  
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7 vs. )  
8 YOUTUBE, INC., YOUTUBE, LLC, )  
9 and GOOGLE, INC., )  
10 Defendants. )

Case No 1:07CV02103

Redacted Pursuant to  
Protective Order at  
Request of Defendants

11 \_\_\_\_\_ )  
12 THE FOOTBALL ASSOCIATION PREMIER )  
13 LEAGUE LIMITED, BOURNE CO., et al. )  
14 on behalf of themselves and all )  
15 others similarly situated, )  
16 Plaintiffs, )

17 vs. )  
18 YOUTUBE, INC., YOUTUBE LLC, and )  
19 GOOGLE, INC., )  
20 Defendants. )

Case No. 07CV03582

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

24 JOB NO. 18544  
25

1 11:02:47

MS. MAGUIRE: I understand this is complicated which is why I'm having a little bit of trouble.

2  
3 Q Can you talk me through a little bit more about  
4 how relative weights are assigned to certain metadata  
5 fields?

6 MR. RUBIN: Objection. Vague, calls for  
7 speculation, incomplete hypothetical, calls for a  
8 narrative.

9 THE WITNESS: Because the search algorithm, it  
10 uses all these different fields: [REDACTED]  
11 [REDACTED] and others that you have and  
12 identifies how well they match the query that the user  
13 entered in order to produce the most relevant results.

14 MS. MAGUIRE: Okay.

15 11:03:40 THE WITNESS: It's a complex algorithm, and I  
16 cannot just assign weights to each of those in  
17 abstract.

18 MS. MAGUIRE: Okay. What about -- maybe  
19 something like this would work:

20 This result in front of us, the word "dog". If  
21 I typed in the word "dog," can you give me an example of  
22 what would happen behind the scenes in terms of that  
23 matching?

24 MR. RUBIN: Objection, calls for speculation,  
25 incomplete hypothetical, vague.

1 11:04:22

THE WITNESS: So, the first step would be identifying videos which contain that term "dog".

2  
3 MS. MAGUIRE: Mm-hmm.

4 THE WITNESS: And the second step would be identifying the pieces of metadata for each video that -- to contain the word dog, that -- the query dog.

5  
6  
7  
8 MS. MAGUIRE: Okay.

9 THE WITNESS: And then using all these as the input to determine the overall relevance of the first video versus the second or tenth.

10  
11  
12 MS. MAGUIRE: You said the overall importance?

13  
14 THE WITNESS: Yes.

15 11:05:00 MS. MAGUIRE: Okay.

16 THE WITNESS: Relevance.

17 MS. MAGUIRE: Are there pieces of metadata that are more important than other pieces of metadata?

18  
19 MR. RUBIN: Objection, vague and asked and answered.

20  
21 THE WITNESS: It really depends on the query and the video.

22  
23 MS. MAGUIRE: Okay.

24 THE WITNESS: For the algorithm to make that judgment.

1 16:00:00 refine their search.

2 Q Is it fair to say it's a way to filter the  
3 results to the original query?

4 A No.

5 Q So if, for example, I select the -- on the far  
6 right-hand corner where it says partner's video --  
7 partner videos. If I selected that option what -- what  
8 would the search functionality do?

9 MR. RUBIN: Objection, vague.

10 THE WITNESS: It would limit the results to  
11 only those that are [REDACTED]

12 MR. GALDSTON:

13 Q And how would the search functionality  
14 determine which videos were partner videos?

15 16:00:00 MR. RUBIN: Objection, vague.

16 THE WITNESS: This is -- it's [REDACTED]  
17 [REDACTED] I  
18 do not have a definitive answer on how a video is marked  
19 as partner video by YouTube, but I believe it is by the  
20 users that upload it, if they have been approved by  
21 YouTube in some way.

22 MR. GALDSTON:

23 Q So is it fair to say then that [REDACTED]  
24 is one of the metadata that the search functionality  
25 considers when returning search results?

1 16:00:00

MR. RUBIN: Objection, vague, calls for speculation.

2

THE WITNESS: Considers when?

3

MR. GALDSTON: When responding to a user query.

4

THE WITNESS: With the filter? With the

5

6 [REDACTED] ?

6

MR. GALDSTON: Well, let's start [REDACTED]

7

8 [REDACTED]

THE WITNESS: [REDACTED]

9

MR. GALDSTON: Okay.

10

11 Q So with the [REDACTED] is that a metadata  
12 field that the search functionality can consider in  
13 response to a user query?

11

12

13

14 A If --

14

15 16:00:00

MR. RUBIN: Objection.

15

THE WITNESS: If the features option is  
17 returning [REDACTED]

16

17

18 MR. GALDSTON: Okay. Turning your attention to  
19 Exhibit 18. Let me know when you're ready.

18

19

THE WITNESS: Yes.

20

21 MR. GALDSTON: Okay. So you see I've selected  
22 the selected search options on the upper left-hand  
23 corner, and it appears to have dropped down a menu. And  
24 among the options is "refine your search by location".

21

22

23

24

THE WITNESS: Yes, it didn't print out, but I

25