

9/4/2008 Grach, Michel



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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

Plaintiffs,)

vs.) Case No. 07CV3582

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

Defendants.)

_____)

VIDEOTAPE DEPOSITION OF MICHEL GRACH

NEW YORK, NEW YORK

THURSDAY, SEPTEMBER 4, 2008

JOB NO. 15645

1 M. GRACH

2 Q. -- high finance everywhere?

3 A. Yeah.

4 MS. MAZUR: I have nothing
5 further. Thank you.

6 MR. GITTERMAN: I actually have
7 a very short series of questions,
8 which will take a couple of minutes
9 and hopefully clear up a couple of
10 things.

11 EXAMINATION BY

12 MR. GITTERMAN:

13 Q. Mr. Grach, to your knowledge,
14 has anyone at FFT ever posted Roland
15 Garros content to YouTube?

16 Do you want me to repeat the
17 question?

18 A. No. No.

19 Q. Have you ever authorized anyone
20 or any entity at FFT or anywhere else to
21 post Roland Garros content on YouTube?

22 A. No.

23 Q. Have you ever authorized anyone
24 at FFT or anywhere else to post Roland
25 Garros content on any websites similar to

1 M. GRACH

2 YouTube?

3 A. No.

4 Q. Do you have an opinion on
5 whether the unauthorized posting of Roland
6 Garros on YouTube has created licensing
7 opportunities for YouTube?

8 MS. MAZUR: For YouTube?

9 Q. Has created licensing
10 opportunities for FFT?

11 A. No. We missed opportunities.
12 And one of the opportunity is to close a
13 deal with companies like YouTube or
14 others.

15 MR. GITTERMAN: That's it for
16 me.

17 MS. MAZUR: Hold on. I have a
18 question.

19 Sorry.

20 BY MS. MAZUR:

21 Q. You just testified that as a
22 result of the unauthorized posting of
23 Roland Garros material on YouTube, that
24 FFT has missed opportunities; is that
25 correct?