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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IO GROUP, INC., a California)
Corporation,)
)
Plaintiff,)
)
vs.)Case No. C-06-3926(HRL)
)
Veoh NETWORKS, Inc., a)
California Corporation,)
)
Defendant.)
_____)

HIGHLY CONFIDENTIAL
DEPOSITION OF JOSEPH PAPA
VOLUME I
SAN DIEGO, CALIFORNIA
MAY 21, 2007

REPORTED BY: NICOLE R. HARNISH, CSR No. 13101

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Plaintiff,)
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vs.)Case No. C-06-3926(HRL)
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Veeh NETWORKS, Inc., a)
California Corporation,)
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Defendant.)
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DEPOSITION OF JOSEPH PAPA,

taken by the Plaintiff, commencing at the hour of
9:00 a.m., on Monday, May 21, 2007, at
530 B Street, Suite 350, San Diego, California,
before Nicole R. Harnish, Certified Shorthand
Reporter in and for the State of California.

1 APPEARANCES:

2

3 For the Plaintiff:

4 GILL SPERLEIN
5 GENERAL COUNSEL
6 TITAN MEDIA.COM
7 BY: GILL SPERLEIN, ESQ.
8 584 Castro Street, Suite 849
9 San Francisco, California 94114

10 For the Defendant:

11 WINSTON & STRAWN
12 BY: JENNIFER A. GOLINVEAUX, ESQ.
13 101 California Street
14 San Francisco, California 94111

15 Also Present: Keith Ruoff

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1 expectation.

2 Q. Have you ever, when you have been looking
3 at files on most recently published page -- actually,
4 strike that.

5 You said earlier that you cannot see the
6 description in that view; is that correct, in the
7 most popular --

8 A. On the thumbnails view you do not get the
9 description.

10 Q. Okay. At any other time when you were
11 navigating through the Veoh Web site, have you seen
12 an inaccurately described video file and gone in and
13 changed the information so that it was more accurate?

14 A. Yes.

15 Q. And why did you do that?

16 A. The description contained a variety of
17 sexually explicit terms, but the video itself was not
18 sexually explicit in any way. And I simply removed
19 all the sexually explicit terms from the discription.

20 Q. Was that a violation of Veoh's terms of
21 use?

22 A. I probably could have argued that it was.
23 We don't have an automatic policy for general terms
24 of use violations, only for DMCA issues. I
25 determined that it was not significant enough for me

1 to take action against the user.

2 Q. Is that the only time you recall changing
3 descriptive information in a video file?

4 A. There is another -- I have changed in the
5 same way in other places, which is we found, if a
6 user copies and pastes from Microsoft Excel into the
7 description field, you get some very strange
8 characterers in there. I have probably half a dozen
9 times just removed those odd characters from the
10 description.

11 Q. And why did you make those changes?

12 A. Aesthetics.

13 Q. And would those characters affect users'
14 abilities to locate video files with a search
15 function?

16 A. No, it would not impact that?

17 MS. GOLINVEAUX: What time is it?

18 MR. SPERLEIN: It is 12:30.

19 MS. GOLINVEAUX: Could we take a short
20 break and then talk about how the rest of the day
21 goes?

22 MR. SPERLEIN: Okay.

23 (Recess.)

24 BY MR. SPERLEIN:

25 Q. Mr. Papa, are there any written policies

1 I, NICOLE R. HARNISH, Certified Shorthand Reporter
2 for the State of California, do hereby certify:

3
4 That the witness in the foregoing deposition was by
5 me first duly sworn to testify to the truth, the
6 whole truth and nothing but the truth in the
7 foregoing cause; that the deposition was taken by me
8 in machine shorthand and later transcribed into
9 typewriting, under my direction, and that the
10 foregoing contains a true record of the testimony of
11 the witness.

12

13 Dated: This 9th day of June 2007
14 at San Diego, California.

15

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NRH

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NICOLE R. HARNISH

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C.S.R. NO. 13101

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