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Attorneys for Defendant
VEOH NETWORKS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

IO GROUP, INC.

Plaintiff,

vs.

VEOH NETWORKS, INC.

Defendant.

Case No. C 06-3926 HRL

DEFENDANT VEOH NETWORKS, INC.'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

Date: September 4, 2007
Time: 10:00 a.m.
Place: Courtroom 2

Pursuant to Federal Rule of Evidence 201, Defendant Veoh Networks, Inc. requests that the Court take judicial notice of the facts contained in the definition of "IP address" from the Wikipedia encyclopedia, a true and correct copy of which is attached to this request as Exhibit A.

Judicial notice of a fact is appropriate when the fact is "not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). Judicial notice of facts in encyclopedia entries is proper. *Singh v. Ashcroft*, 393 F.3d 903, 905 (9th Cir. 2004) (indicating World Book Encyclopedia entry could be subject to judicial notice); *Quinn v. Robinson*, 783 F.2d 776, 813 (9th Cir. 1986) (same).

As such, the Court should take judicial notice of the facts contained in the "IP address" entry in the Wikipedia encyclopedia.

Dated: August 21, 2007

WINSTON & STRAWN, LLP

By: /s/
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EXHIBIT A

IP address

From Wikipedia, the free encyclopedia
(Redirected from IP Address)

Editing of this article by unregistered or newly registered users is currently disabled due to vandalism. If you are prevented from editing this article, and you wish to make a change, please discuss changes on the talk page, request unprotection, log in, or create an account (http://en.wikipedia.org/w/index.php?title=Special:Userlogin&type=signup).

An **IP address** (**Internet Protocol address**) is a unique address that certain electronic devices use in order to identify and communicate with each other on a computer network utilizing the Internet Protocol standard (**IP**)—in simpler terms, a computer address. Any participating network device—including routers, computers, time-servers, printers, Internet fax machines, and some telephones—can have their own unique address.

An IP address can also be thought of as the equivalent of a street address or a phone number (compare: VoIP (voice over (the) internet protocol)) for a computer or other network device on the Internet. Just as each street address and phone number uniquely identifies a building or telephone, an IP address can uniquely identify a specific computer or other network device on a network. An IP address differs from other contact information, however, because the linkage of a user's IP address to his/her name is not publicly available information.

IP addresses can appear to be shared by multiple client devices either because they are part of a shared hosting web server environment or because a network address translator (NAT) or proxy server acts as an intermediary agent on behalf of its customers, in which case the real originating IP addresses might be hidden from the server receiving a request. A common practice is to have a NAT hide a large number of IP addresses, in the private address space defined by RFC 1918 (http://tools.ietf.org/html/rfc1918), an address block that cannot be routed on the public Internet. Only the "outside" interface(s) of the NAT need to have Internet-routable addresses.

The five-layer TCP/IP model

5. Application layer

DHCP • DNS • FTP • Gopher • HTTP • IMAP4 • IRC • NNTP • XMPP • POP3 • SIP • SMTP • SNMP • SSH • TELNET • RPC • RTP • RTCP • RTSP • TLS/SSL • SDP • SOAP • BGP • PPTP • L2TP • GTP • STUN • NTP • …

4. Transport layer

TCP • UDP • DCCP • SCTP • RSVP • …

3. Internet Layer

IP (IPv4 • IPv6) • IGMP • ICMP • OSPF • ISIS • IPsec • ARP • RARP • RIP • …

2. Data link layer

802.11 • ATM • DTM • Token Ring • Ethernet • FDDI • Frame Relay • GPRS • EVDO • HSPA • HDLC • PPP • …

1. Physical layer

Ethernet physical layer • ISDN • Modems • PLC •

Most commonly, the NAT device maps TCP or UDP port numbers on the outside to individual private addresses on the inside. Just as there may be site-specific extensions on a telephone number, the port numbers are site-specific extensions to an IP address.

SONET/SDH • G.709 • Optical Fiber • WiFi • WiMAX • Coaxial Cable • Twisted Pair • …

IP addresses are managed and created by the Internet Assigned Numbers Authority (IANA). The IANA generally allocates super-blocks to Regional Internet Registries, who in turn allocate smaller blocks to Internet service providers and enterprises.

Contents

IP versions

The Internet Protocol has two versions currently in use (see IP version history for details). Each version has its own definition of an IP address. Because of its prevalence, "IP address" typically refers to those defined by IPv4.

IP version 4

IPv4 only uses 32-bit (4 byte) addresses, which limits the address space to 4,294,967,296 (2^{32}) possible unique addresses. However, many are reserved for special purposes, such as private networks (~18 million addresses) or multicast addresses (~270 million addresses). This reduces the number of addresses that can be allocated as public Internet addresses, and as the number of addresses available is consumed, an IPv4 address shortage appears to be inevitable in the long run. This limitation has helped stimulate the push towards IPv6, which is currently in the early stages of deployment and is currently the only contender to replace IPv4.