

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NETWORK-1 TECHNOLOGIES, INC.

Plaintiff,

- against -

GOOGLE LLC and YOUTUBE, LLC

Defendants.

14 Civ. 2396 (PGG-SN)

14 Civ. 9558 (PGG-SN)

**DECLARATION OF DEMARRON A. BERKLEY
IN SUPPORT OF DEFENDANTS' LETTER MOTION TO SEAL**

I, Demarron A. Berkley, hereby declare under penalty of perjury under the laws of the United States of America, that the following statements are true and correct to the best of my knowledge.


1. I am currently employed by Google LLC ("Google") as Senior Litigation Counsel. I submit this declaration in support of Google and YouTube, LLC's unopposed letter motion to seal. I know the facts stated herein of my own personal knowledge. If called to testify as a witness about them, I could and would do so competently and under oath.

2. Google uses a particular internal financial measurement unit to track and allocate costs. The conversion rate between that measurement unit and United States dollars is sensitive non-public business information. The measurement unit itself derives from Google's costs of doing business, and the conversion rate would reveal information regarding those costs. Google keeps the conversion rate confidential from third parties, and does not use it in external reporting. Moreover, even within Google, the conversion rate between the internal financial

measurement unit and dollars is not disclosed to many Google employees. Making the measurement unit's conversion rate public would put Google at a competitive disadvantage because competitors would be able to determine confidential information regarding Google's costs of doing business.

3. The revenue figures associated with particular segments of Google's YouTube business also are sensitive non-public business information. In particular, Google does not report or publish (internally or externally) the revenue related to U.S. instances of the Content ID system. Revealing information, such as the implied royalty rates Google proposed to redact, that would allow the public to calculate such figures would put Google at a competitive disadvantage because competitors would be able to determine how much revenue is associated with certain aspects of Google's YouTube business.

Executed April 7, 2021 in Mountain View, California.



Demarron A. Berkley