EXHIBIT D

<pre>
 1   IN THE UNITED STATES DISTRICT

 2   SOUTHERN DISTRICT OF NEW YORK

 3

 4   NETWORK-1 TECHNOLOGIES, INC.,   )
)
 5   Plaintiff,   )
)
 6   vs.   ) Case Nos.
) 14 Civ. 2396 (PGG)
 7   GOOGLE, INC., and YOUTUBE LLC,   ) 14 Civ. 9558 (PGG)
)
 8   Defendants.   )

 9

10   London, United Kingdom,

                Wednesday, October 30th, 2019
11

12   **Highly Confidential - Outside Counsels' Eyes Only**

13   **Prosecution/Acquisition Bar Materials**

14

15   Videotaped deposition of MATTHIAS KONRAD, in

16   the above-entitled action, by and before, AUDREY

17   SHIRLEY, Qualified Real-time Reporter, Accredited,

18   Court Reporter and Member of the British Institute

19   of Verbatim Reporters, at the offices of Wilmer

20   Hale, 49 Park Lane, London, W1K 1PS, United

21   Kingdom, commencing at 9:08 a.m.

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that need to be able to utilize this capacity. For

some teams, it's important to have their services

run in certain locales, other teams just need the

resources. I would say ContentID is a team that

just needs the resources, so we don't put too many

constraints.

There are maybe considerations to not

have everything in just one data center because of

the potential of power outages and other things and

having higher redundancy to be able to have better

reliability. But I don't believe we ever had

a conversation as to it should be all in the US or

not in the US as part of any such consideration for

reliability.

Q.   Do you have any understanding of what

would be required to, for example, not have any in

the US?

A.   I believe that would be -- the first

thing that we would be doing is we would contact

the resource planners, Christine Moor's team, to

make sure we have enough provisioning in other data

centers. I guess there would be other teams that

could be locating their services out of non-US data

centers into US data centers and we could get those

resources there and, once we would have that, it

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1 would be as simple ████████████████████

2 ██ █████████████ to bring it up in non-US data

3 centers, yes.

4   Q.   Have there been any discussions about

10:55 5 whether that's feasible and under what

6 circumstances Google would be able to do that?

7   A.   I have been in conversations about

8 this yesterday as part of the preparation to this

9 meeting. We have never otherwise discussed this.

10:55 10   Q.   And when you say you were in

11 conversations yesterday, what do you mean? What

12 are you referring to?

13   A.   As part of the preparation of this

14 deposition we discussed whether it would be

10:55 15 difficult to operate ContentID just in data centers

16 exclusively outside of the United States.

17   Q.   And that was the first time any

18 analysis had been done of that type to your

19 knowledge?

10:55 20   A.   I do not recollect that otherwise we

21 have ever done any analysis, like other people

22 might have. And I wouldn't say we did very

23 specific analysis but, like, the experts on that --

24 like, this would be Oleg again on the team --

10:56 25 sounded very solid that it would be a ██████

1　██████████████████████████████████████

2　　　　　　Q.　　Why hasn't Google done it already?

3　　　　　　　　MR. HARDY:　Objection to form.

4　　　　　　　　THE WITNESS:　I mean, yeah, so going

10:56　5　back to my previous answer, I don't -- I could

6　neither tell you why Google hasn't moved ContentID

7　fully to the US versus fully to the non-US.

8　BY MR. LEDAHL:

9　　　　　　Q.　　You mentioned that it would require

10:56　10　adjustment or re-provisioning of some services to

11　different data centers.　What other services would

12　have to move to make that accommodation?

13　　　　　　A.　　So the -- I mean, this would be one

14　solution how -- like, if you look at, like, what

10:57　15　our resource use is compared to YouTube's total

16　resource usage or Google's total resource usage,

17　it's a very, very small fraction.　So, I would

18　believe that, even without moving any services, we

19　could -- we could operate all of ContentID, I'm

10:57　20　sure we could operate all of ContentID with today's

21　resources outside of the US.

22　　　　　　　　In general, the more flexibility you

23　have, the higher utilization can be for these kinds

24　of systems.　So, whenever a service can run

10:57　25　everywhere, there is some advantages in overall

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