

## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 1 6 9 MISC

In re DIGITAL MILLENNIUM COPYRIGHT SUBPOENA TO GITHUB, INC.

Case No.

## DECLARATION OF KEVIN M. BOVARD

I, Kevin M. Bovard, declare as follows:

- 1. I am a Partner at Baker & Hostetler, LLP. I am over the age of 21 years old and competent to testify to the matters in the declaration. I am admitted to practice law in the State of California, including the Northern District of California. I am also admitted to practice in the Commonwealth of Pennsylvania.
- 2. I represent Shanghai Kuanyu Digital Technology Co., Ltd. (d/b/a Bilibili) ("Bilibili") and am authorized to act on its behalf.
- I seek a Digital Millennium Copyright Act subpoena pursuant to 17 U.S.C. §
   512(h) on behalf of Bilibili for the purpose of obtaining the identity of an alleged infringer of Bilibili's copyright.

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- 4. Bilibili's counsel sent the attached DMCA takedown notice to GitHub.com to have it take down infringing content containing Bilibili's source code. GitHub.com has complied to take down the infringing content requested in the takedown notice.
- 5. The information sought pursuant to the subpoena will only be used for the purpose of protecting rights under 17 U.S.C. § 101 et seq.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 25th day of June, 2019.

Kevin M. Bovard