

# EXHIBIT A

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8 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN FRANCISCO DIVISION**

10 Canon, Inc.

11 Plaintiff,

12 v.

13 TCL Electronics Holdings, Ltd., et al.

14 Defendants.  
15

Case No. 3:20-mc-80079-JCS

**BRIEF OF *AMICUS CURIAE***  
**HULU, LLC**

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## INTRODUCTION

1  
2 Hulu, LLC (“Hulu”) is a provider of both live and on-demand streaming  
3 video. Hulu is headquartered in Santa Monica, California. Since its initial release  
4 to the public in March of 2008, Hulu has offered streaming video-on-demand  
5 (“SVOD”) services, and in May of 2017 it launched the Hulu Live service, offering  
6 subscribers the ability to have access to the same TV channels provided by  
7 traditional cable providers, delivered through Hulu’s streaming Internet platform.  
8 Hulu’s SVOD and Live services are subscription-based, with an announced total of  
9 over 30 million subscribers as of December 2019.<sup>1</sup> Hulu’s services are available  
10 through a web browser-based platform, as well as on the platforms of numerous  
11 device makers, including Roku, Inc. (“Roku”).<sup>2</sup>

12 Hulu is not a party to the underlying litigation brought by Canon, Inc.  
13 (“Canon”) in the Eastern District of Texas.<sup>3</sup> Nor is Hulu’s source code the subject  
14 of discovery in that litigation or the subject of Roku’s Motion To Modify And/Or  
15 Quash Plaintiff Canon Inc.’s Subpoena and For A Protective Order To Prevent  
16 Remote Source Code Review (ECF No. 1) (hereinafter “Roku’s Motion”). As  
17 Roku’s Motion correctly notes, however, the potential exposure of Roku’s source  
18 code to malicious actors poses a threat to Hulu’s own efforts to secure its streaming  
19 content and services. ECF No. 1 at 15 (“[A]ny breach could also compromise the  
20 intellectual property of Roku’s content partners, such as Netflix and Hulu.”). In  
21 addition, Hulu, like numerous other California-based technology companies

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22  
23 <sup>1</sup> See Declaration of Cameron W. Westin In Support of Brief of *Amicus Curiae*  
24 Hulu, LLC (filed concurrently herewith, hereinafter “Westin Decl.”) Ex. 1 (The  
25 Walt Disney Company, First Quarter Earnings for Fiscal 2020 (Feb. 4, 2020),  
available at <https://thewaltdisneycompany.com/app/uploads/2020/02/q1-fy20-earnings.pdf>).

26 <sup>2</sup> See Westin Decl., Ex. 2 (Hulu - Supported Devices, available at  
27 [https://help.hulu.com/s/article/supported-devices?language=en\\_US](https://help.hulu.com/s/article/supported-devices?language=en_US)).

28 <sup>3</sup> *Canon Inc. v. TCL Elecs. Holdings Ltd.*, Case No. 2:18-cv-00546-JRG (E.D. Tex. Dec. 27, 2018).

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