

EXHIBIT A

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7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 Canon, Inc.

12 Plaintiff,

13 v.

14 TCL Electronics Holdings, Ltd., et al.

15 Defendants.

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

BRIEF OF *AMICUS CURIAE*
HULU, LLC

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INTRODUCTION

Hulu, LLC (“Hulu”) is a provider of both live and on-demand streaming video. Hulu is headquartered in Santa Monica, California. Since its initial release to the public in March of 2008, Hulu has offered streaming video-on-demand (“SVOD”) services, and in May of 2017 it launched the Hulu Live service, offering subscribers the ability to have access to the same TV channels provided by traditional cable providers, delivered through Hulu’s streaming Internet platform. Hulu’s SVOD and Live services are subscription-based, with an announced total of over 30 million subscribers as of December 2019.¹ Hulu’s services are available through a web browser-based platform, as well as on the platforms of numerous device makers, including Roku, Inc. (“Roku”).²

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

¹ See Declaration of Cameron W. Westin In Support of Brief of *Amicus Curiae* Hulu, LLC (filed concurrently herewith, hereinafter “Westin Decl.”) Ex. 1 (The 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>).

² See Westin Decl., Ex. 2 (Hulu - Supported Devices, available at https://help.hulu.com/s/article/supported-devices?language=en_US).

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



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