

NO. 23-13156

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

**ATHOS OVERSEAS LIMITED CORP.,
Plaintiff/Appellant,**

v.

**YOUTUBE, INC., YOUTUBE, LLC, and
GOOGLE, LLC,
Defendants/Appellees.**

**On Appeal from the United States District Court
for the Southern District of Florida
Case No. 1:21-cv-21698-DPG**

APPELLEES' BRIEF

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**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE
DISCLOSURE STATEMENT**

Under Federal Rule of Appellate Procedure 26.1 and Eleventh Circuit Rule 26.1, counsel for Google LLC and YouTube, LLC hereby certifies that, to the best of its knowledge, information, and belief, the following is an alphabetical list of trial judges, attorneys, persons, associations of persons, firms, partnerships, and corporations, including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to a party known to have an actual or potential interest in the outcome of this appeal:

Alphabet Inc., publicly held company (NASDAQ: GOOG, GOOGL), has more than 10% ownership of Google Inc. No publicly held company owns 10% or more of Alphabet Inc.'s stock.

Anaba, Ariel C. Green, Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Athos Overseas, Ltd., former Plaintiff-Appellant.

Athos Overseas Limited Corp., Plaintiff-Appellant.

Byrd, Dylan J., Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Coulter, David T., Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Dorta & Ortega, P.A., Counsel for Plaintiff-Appellant Athos Overseas Limited Corp.

Dorta, Rey J., Counsel for Plaintiff-Appellant Athos Overseas Limited Corp.

Ferral, Natalie A., Counsel for Plaintiff-Appellant Athos Overseas Limited Corp.

Gayles, Darrin P., United States District Court Judge.

Google LLC, Defendant-Appellee. Google LLC is a wholly owned subsidiary of Alphabet Inc., a publicly held corporation.

Gorman, Nathalie M., Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Hartman, Catherine R., Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Li, Luis, Counsel for Defendant-Appellees Google LLC and YouTube, LLC.

Ortega, Omar, Counsel for Plaintiff-Appellant Athos Overseas Limited Corp.

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Tuttle, Eric, Counsel for Defendant-Appellees Google LLC and
YouTube, LLC.

Torres, Edwin G., United States Magistrate Judge.

Wakefield, Thomas R., Counsel for Defendant-Appellees Google
LLC and YouTube, LLC.

Willen, Brian M., Counsel for Defendant-Appellees Google LLC and
YouTube, LLC.

Wilson Sonsini Goodrich & Rosati, P.C., Counsel for Defendant-
Appellees Google LLC and YouTube, LLC.

Yen, Lucy, Counsel for Defendant-Appellees Google LLC and
YouTube, LLC.

YouTube, LLC, Defendant-Appellee. YouTube, LLC is a wholly
owned subsidiary of Google LLC.

STATEMENT REGARDING ORAL ARGUMENT

YouTube requests oral argument. Appellant’s arguments on appeal seek to upend the safe harbor provided by the Digital Millennium Copyright Act (“DMCA”) as the statute is written and as it has been uniformly interpreted by other courts of appeal. Like other platforms that host content created by users, YouTube’s core operations are enabled by—and have been structured around—the settled understanding of the DMCA safe harbors. Given the importance of the issues presented, YouTube respectfully submits that oral argument would aid this Court’s consideration of this appeal.

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