

AFFIDAVIT OF FACT

Introductory Certification

_____, the Undersigned Affiant,
hereinafter "Affiant," does hereby solemnly swear, declare, and state as follows:

1. Affiant is competent to state the matters set forth herewith.
2. Affiant has personal knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete in accordance with Affiant's best firsthand knowledge and understanding, and if called upon to testify as a witness Affiant shall so state.

Plain Statement of Facts

1. The two artists VEVO alleges to have committed fraudulent activity are Axl Hazarika and Elektrokore Music.
2. VEVO saw a huge drop off in views of the above videos when they switched their tracking software from superbeacon to comScore. When they investigated further, they found that for these two artists, the vast majority of the extremely high traffic their videos were seeing was coming from an embeddable Facebook player (which they have not to date been able to find or recreate). In addition, the ratio between the amount of views coming from this one source and those coming from youtube for the videos in question was completely incongruous with the norm. Across the board, any given VEVO video will see the vast majority of its total views coming from youtube, but for these two artists, the traffic coming from this one suspect source was unrealistically in excess of the views the same videos obtained on youtube during the months in question.
3. VEVO has determined that the player being utilized for these videos generated robotic views that somehow managed to game superbeacon into counting them as real, human traffic. As noted, it is clear these gamed views were not picked up by comScore, given the significant drop-off VEVO saw when they made the switch at the beginning of this year (a drop off not seen on any other videos on the VEVO service, which is what tipped them off in the first place). The precise reason these views were also not picked up by VEVO's ad server is a technical reason that relates to the tracking technology it utilizes. FreeWheel, the VEVO ad server, tracks views separately, as its algorithm for determining when to serve an ad runs in real time as videos are viewed. VEVO went back and compared the FreeWheel numbers for these videos against those counted by superbeacon and by comScore during the months in question; the freewheel numbers were in line with what comScore showed, while superbeacon was showing views in excess of those numbers by a factor of a few million (ie: ~15k calculated by FreeWheel and comScore

for one video was showing up as ~8million by superbeacon). Thus, the apparently fraudulent player generating the huge amount of non-human views for the two artists in question was programmed in a manner that manages to trick superbeacon, disrupting the information being sent by superbeacon to VEVO's server, but doesn't fool comScore or the view-tracking software used by FreeWheel in the same manner. To be clear, under the deduction VEVO has suggested, VEVO is still paying out on views which they view as legitimate, as reported by FreeWheel and comScore (which were views they ran ads against). The money VEVO wishes to reclaim is money paid out for views which were apparently fraudulent and, as explained above, not monetized by VEVO.

4. We understand that VEVO does not utilize any software specifically intended to detect fraudulent activity or views. In this instance, this activity was caught by their analytics, data and finance teams because of the evidence as above, and was thereafter investigated further. VEVO tell me they have spent weeks diving into this data and have taken care with coming to this conclusion; they emphasise this is not action they have taken lightly.
5. VEVO have told me there was no counting error, and they say they have never had such an error, and there is no possibility of this being the result of an error in Vevo's accounting system. As described above, it is not an error causing a difference in numbers; it is a difference in numbers between different tracking systems due to one being "gamed". VEVO have emphasised that (a) the difference between what comScore and FreeWheel reported and what SuperBeacon reported was in the magnitude of multiple millions of views; (b) that such a difference was not found for other videos, but only in respect of those of the artists in question as above; (c) that the numbers SuperBeacon reported were completely out of whack with the youtube views for the same videos; and (d) that all of this excess traffic was coming from one source, a Facebook player, which VEVO has been unable to find or otherwise recreate.

Verification

The Undersigned Affiant, _____, does herewith swear, declare, and affirm that Affiant issues this Affidavit of Fact with sincere intent, that Affiant is competent to state the matters set forth herein, that the contents are true, correct, complete, and certain, admissible as evidence, and reasonable and just in accordance with Affiant's best firsthand knowledge and understanding.

This Affidavit of Fact is dated the Seventeenth Day of the Sixth Month in the Year of our Lord Two Thousand Fifteen.

NOTARY PUBLIC