

AMENDED Exhibit 1076

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

PRD: YouTube Managed Restricted Mode

Status: *Approved, working to resolve open questions*

Last updated 2/5/2014

YT Product Review deck: [HYPERLINK

"https://docs.google.com

\h]

Background: [HYPERLINK

\h]

Design doc: [HYPERLINK

"https://docs.google.com

\h]

Mocks: [HYPERLINK

This proposal was approved at YouTube Product Review on 12/2/14 ([HYPERLINK

"https://docs.google.com

\h]). Notes:

- *Approval granted to move forward with "Edu Mode." This will replace YouTube for Schools by offering a baseline safe experience for schools, with the ability for Google Apps for Education users to whitelist additional content.*
- *[REDACTED] team will handle short-term, tactical work for Edu Mode. [REDACTED] and [REDACTED] will own Edu mode long term.*
- *This plan is a short term fix for a pressing issue. We'll use feedback from Edu Mode to inform future product direction and staffing.*

Goals

1) Offer **basic YouTube filtering** for schools (including Apps for Education domains) so admins *don't* block YouTube at network level.

2) Launch this **before YouTube's rollout of enforced SSL** and [HYPERLINK

"http://en.wikipedia.org/wiki/HTTP_Strict_Transport_Security" \h] (summer 2015), at which point the existing YouTube filtering tools in use by schools globally (including YT4S) will no longer work.

Background

Today, a huge number of schools in the US and around the world have network restrictions that **block** YouTube ([HYPERLINK

"https://docs.google.com [REDACTED]

[REDACTED] \h] of

K12 schools in the US). This filtering prevents tens of millions of students and teachers users from accessing YouTube's huge corpus of educational content.

YT4S has been the answer to this problem since Oct 2011, and now has ~3M 7-day active users -- even with broken signup flow and lots of outages. Using YT4S, schools configure their network to send all traffic to YT with an HTTP header or URL parameter that identifies their school. They then can designate an "admin," and any video on an admin-created playlist becomes watchable by users on the network (caveat: as long as you're watching on a playlist). There's also a global whitelist of 1800 edu channels that is accessible to all users.

When YouTube moves to HTTPS-only in Summer 2015 (hard deadline), YT4S will no longer work (routers will no longer be able to inject headers into HTTP requests), other cleartext filtering tools will no longer work, and the only filtering alternative will rely on device-level certs (a PITA for schools to manage). Even today, YT4S is an unsupported 20% project, and the YouTube team has been seeking alternative, robust solutions to meet the needs of school users.

To address this, the YouTube team has built a Safety Mode VIP ([HYPERLINK [REDACTED]]) that identifies requests that are coming from a school and restricts VIP users to only watch PG and less videos. Unfortunately, feedback from pilot schools so far has *not* been positive ([HYPERLINK

"https://docs.google.com [REDACTED]

[REDACTED] \h], [HYPERLINK

[REDACTED] \h]):

- Issue #1: Schools want the ability to whitelist additional educational content.
 - *Without a way to identify which school is making the request, YouTube can't do any school-specific whitelisting, or allow for new videos that don't yet have a content score (eg: a video the teacher just uploaded).*

- Issue #2: Given limited effectiveness of the content ratings -- and different perceptions of appropriateness -- schools are concerned about the availability of inappropriate, non-educational content still surfacing in Safety Mode VIP.
 - *PG content could include video game walkthroughs or music videos, or anything mis-categorized as PG. There is no scalable way to re-categorize today.*

The Search team is also moving towards enforced SSL on all traffic, and has built a VIP that forces users on school networks into SafeSearch mode ([[HYPERLINK "http://googleonlinesecurity.blogspot.com/2014/10/an-update-to-safesearch-options-for.html"](http://googleonlinesecurity.blogspot.com/2014/10/an-update-to-safesearch-options-for.html) \h]).

Focus on the user and all else will follow

Here's what we know school users need...

School admins need:

- Easy setup! The average school admin should not have to do much work at all to get filtering setup. Ideally, it should be easier to set up filtering for YouTube than it is to set up their network configuration to block YouTube.
- Reliable, stable solution. This can't be a 20% project that fails frequently.
- Method to identify trusted educators who can view unfiltered YouTube and contribute to whitelist. Admins should not be responsible for curating the entire whitelist.
- Ability to disable comments (to curtail inappropriate interactions between students and strangers).
- Assurances that pre-approved EDU content is actually educational
- A solution that fits into the Google Apps cPanel (not a separate place to manage YouTube configuration)
- Large districts / power-users:
 - Ability to have different settings / whitelists for different user populations (eg: high school vs elementary school)
 - Ability to delegate administration access

Teachers need:

- Access to unfiltered YouTube so they can find videos to whitelist
- Method to whitelist videos they want to share with their students. Any videos they upload should be auto-whitelisted.

Students need:

- In-product indication when content is blocked.

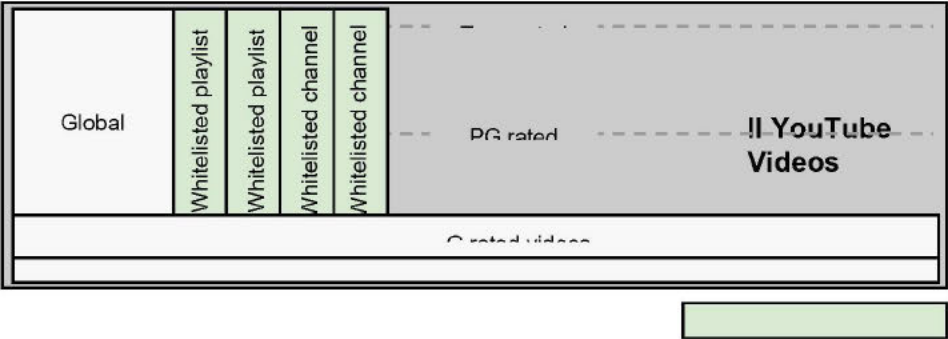
Note: Any solution needs to work on the web *and* on YouTube mobile apps. A solution that allows students to still use YouTube apps on mobile will invariably [[HYPERLINK](#)

[REDACTED]
[REDACTED]h].

Proposal

Overview:

- Admin configures EDU Mode:
 - At network level via EDU Mode VIP (repurposed "Safety VIP"); OR using HTTP header (could be configured via Chrome user management)
- Logged-out user gets basic EDU mode (Y/G + edu content)
 - This can be enabled by an admin configuring their network to use the EDU Mode VIP or HTTP header
- Logged-in Apps EDU user on VIP / header gets basic EDU mode + custom domain whitelist
 - When user attempts to watch a YouTube video that's not included in EDU Mode, send RPC to GAFE whitelisting service to determine playability



Part I: YouTube requirements
Enabling EDU mode

From YouTube's perspective, EDU mode can be enabled by either the VIP or HTTP header. EDU mode must work in desktop and mobile web, and we should follow fast on our native apps.

Note: If a user is set up to get full access to YouTube (via cPanel settings), then they should have no restrictions *even* if they are on the edu VIP or HTTP header.

Using the VIP

- We will re-purpose the existing [HYPERLINK "https://docs.google.com [REDACTED] (216.239.38.120) shared by Search and YT for EDU mode. Forced Safety Mode may continue to exist via HTTP header, but not via VIP.
- To use the VIP, school admins will CNAME [HYPERLINK "http://www.youtube.com" \h] and [REDACTED] to a new domain: [REDACTED] which maps to the Edu VIP. Schools already do this for web search and are familiar with how to set this up.
- Our client apps for mobile and living room will have to transition to a new sub-domain, [REDACTED] to avoid impacting other Google apps/APIs. See [HYPERLINK [REDACTED]] for more.

Using the HTTP header

- For client-side filtering software (e.g. managed Chrome extensions), we'll also have a new HTTP header for client-side filtering software, to be named something like "YouTube-Restrict: Active"
- It should be easy for Chrome admins in particular to enable edu mode. Currently, Chrome has a policy to enable Google Safe Search, YouTube Safety Mode, or both. Once Edu mode is broadly launched, the YouTube Safety Mode policy should transition to enabling edu mode by sending the updated HTTP header. (b[HYPERLINK [REDACTED] \h])
 - Under the hood, this may involve creating a *new* setting for YouTube Edu Mode and removing the old setting in versions of Chrome past XX.

Commented [1]: add new policy, then deprecating existing one

Search and discovery

For V1, the search and discovery experience is limited to Y and G content labels. Where possible (i.e. in What to Watch and Search) we'd like to also restrict to educational content via Legos (specific Legos tbd).

- Y / G represents 18% of watch time and 10% of active videos ([HYPERLINK ██████████\h])
- Although this is highly restrictive, it is a "base" set of content that provides a lowest common denominator for schools. In an ideal world, we'd have multiple VIPs with varying degrees of restrictions (i.e. one for GAFE, or one that's less restrictive for high schools)
- In the far future, we'd like to have custom search and discovery for each domain's whitelisted corpus of videos.

Video playability

In addition to Y and G content, all users should be able to play all videos in the edu corpus. This is currently a set of 1800 globally whitelisted channels, reviewed by educators, but mostly limited to EN/US content. (See [HYPERLINK ██████████ for whitelisting process.]

For logged-in GAFE users, YouTube will make an RPC to D3 to ultimately decide video playability. See the [HYPERLINK ██████████ for GAFE domain admin settings and requirements.

Logged-in admins and video "approvers" should see a bar on the desktop watch page for every video that allows them to approve or disapprove a video.

- We explored other whitelisting options, but ultimately there's no "one single whitelist" that works for schools. Schools need the ability to whitelist additional content that they find appropriate.
- If a video cannot be played, we need an appropriate error message. Ideally we would prompt logged-out users to log in, e.g. with a message like "This video is not available in EDU Mode. You may be able to view this video if you log in to YouTube with your Google Apps for Education account."
- Off-site embeds should have the same requirements as on-site playbacks.

Comments

Commented [2]: Should this be "additionally include"? The intersection of these will be pretty limited.

Commented [3]: ██████████ from some digging, it looks like it's relatively straightforward to restrict YT Search API to only EDU content. If it's possible with a few parameters in the search API, can we investigate why it's so much more difficult to support this in in-product Search?

Example:
██████████

Commented [4]: good call; we should look into this. added to open questions below (I will follow up with YT eng)

Commented [5]: Thanks sir. If we could (without too much work), it'd hugely help the in-product YT experience for these users.

Commented [6]: agreed

Commented [7]: dug into this more and early feedback is optimistic on this idea! stay tuned...

Commented [8]: _Marked as resolved_

Commented [9]: Nice! This would be huge.

Commented [10]: ██████████ from some digging, it looks like it's relatively straightforward to restrict YT Search API to only EDU content. If it's possible with a few parameters in the search API, can we investigate why it's so much more difficult to support this in in-product Search?

Example:
██████████

Commented [11]: good call; we should look into this. added to open questions below (I will follow up with YT eng)

Commented [12]: Thanks sir. If we could (without too much work), it'd hugely help the in-product YT experience for these users.

Commented [13]: agreed

Commented [14]: dug into this more and early feedback is optimistic on this idea! stay tuned...

Commented [15]: _Marked as resolved_

Commented [16]: Nice! This would be huge.

Commented [17]: We need a better name for this corpus :)

Commented [18]: heh, yes. "whitelisted edu channels" is clear but a mouthful. ██████████ says ...

Commented [19]: Yes, Our legal team is looking into it further. Will follow up!

Commented [20]: ██████████ can you replace this with the name of the service we're ...

Comments must be disabled -- no way to create or view. There should not be a "backdoor" to viewing comments in EDU mode, i.e. by visiting the /all_comments page.

Ads

For V1, interest-based ads (IBA) and remarketing should be disabled. This is already the case for all logged-in GAFE users, but we need to apply this policy to logged-out EDU Mode users as well.

- As we update our ads policy for restricted mode to be even safer (e.g. through blocking entire ads verticals), these changes will apply to EDU mode as well

Channel pages

Channels can also be whitelisted at domain level. Unwhitelisted channel pages will be restricted to max_safe_content_label (i.e. Y / G rated videos only) or blocked entirely if their "channel rating" is too high. Whitelisted channels should have all of their videos available on their channel page.

Live

We are blocking livestreams for all MRM users. If an admin wants to whitelist a livestream, they can do so by visiting the watch page and whitelisting it after the livestream started.

This decision is supported by legal and policy.

Playlists

TBD whether playlists can be whitelisted. A few options:

- Flatten the list of videos on playlist when playlist is whitelisted
- Listen to playlist goops feed and keep the set of videos on whitelist in sync with playlist

Migrating data out of the existing YT4S

The legacy YouTube for Schools product contains a lot of data that we'll want to migrate to the new Edu mode.

- Globally-whitelisted house channels*: use for discovery in new edu mode but do not whitelist (i.e. crop to Y/G)
- Globally-whitelisted user channels*: migrate to new edu mode (b/19426559)
- School whitelists*: Allow schools to download their whitelists and consider providing "import" tool in GAFE whitelisting interface (b/19417578)

Commented [21]:

- could you confirm that this is a necessary requirement for YouTube.

Commented [22]: Yes, it is required.

Commented [23]:

... I added a live section in after the PO that happened last week.

Commented [24]: cc

Commented [25]: LGTM, thanks for adding.

REDACTED - PRIV

See [HYPERLINK

"https://docs.google.com

h] for more detail about this data and our plans for it.

Interaction with Restricted Mode, Pegasus, and Unicorn

- There are currently no plans to support Unicorn accounts in main YT
- Users should NOT be able to turn on restricted mode when in EDU mode. That is, restricted mode controls should be disabled.
- Pegasus (aka the YouTube kids app) will behave as normal when on the EDU VIP

Other

Other parts of the site will not be changed. Channel pages remain the same, though playability checks still apply. Users can still log in and like, share, and upload videos.

Open questions (for [REDACTED] to follow up)

- Do students need a way to enable Edu mode outside of the VIP / header?
- How do we notify users that they are in Edu mode?
- Can we use Legos/House Channels to restrict search and browse?
 - If we go with Legos, what's the overlap with the channel whitelist? (is this moot if we also restrict to Y/G?)

Part 2: GAFE requirements

Admin experience ([HYPERLINK [REDACTED] h])

GAFE admins, as well as delegated admins (eg: teachers) can set YouTube policies at org unit level. This requires new cPanel settings for YouTube (see below)

This will only be available to GAFE domains initially, not Apps for Business or other editions.

Admins can set:

- Approvers: groups of users who can add/remove videos to/from whitelist
 - Classroom teachers group should be an option here*
- Exempt group: group of users who can get unrestricted YT experience, even when on EDU Mode VIP

* Classroom teacher group

added this section based on our email thread.

Commented [28]: Question, if I have understood this statement correctly : if the teacher is registered within a school domain, and is accessing YT from the classroom link, is it not possible to skip the verification stage, as the school would have verified them as a teacher by having them on the list. This step seems as if it would be giving the IT dep at a school much more work - eg: staff of 40 teachers all asking to be verified to use the new YT version would be lots of work.

- Proposal is to re-use the Classroom teacher group. It doesn't require the domain to use Classroom, but it's an established mechanism for teachers to self-declare that they're teachers and for an admin to verify them. We'd only support verified teachers, not self-declared teachers.

Approvers (admins and approved teachers) can whitelist individual videos, channels, and maybe playlists (see above). Approvers are exempt by default.

For more detail on user types and their capabilities, refer to this [HYPERLINK "https://docs.google.com [REDACTED] h].

Video management

Admins can also view a *whitelist management page* showing all videos that have been whitelisted for their domain, including:

- Video name
- Channel name
- Who approved the video and when

From the whitelist management page, users can:

- Easily add more videos or channels to the whitelist
 - P2 feature: bulk upload via csv?
- Search for videos and channels (by name or id) to see whether or not things have been whitelisted

Commented [29]: [REDACTED] food for thought

Commented [30]: This would be great. alternatively importing from existing YT4S would be huge. (existing YT4S is channels only I believe)

Part 3: Classroom requirements

Whenever an "approver" teacher shares a YT videos to their class, ask them whether they want to approve it (add to the whitelist)

Also investigate creating class playlists:

- Add all YT videos which teacher shares to the class to this playlist (similar to [HYPERLINK [REDACTED]])
- [HYPERLINK "https://developers.google.com/youtube/v3/docs/playlists" h]

Future opportunities

Richer cPanel settings

- Auto-approve:
 - Automatically whitelist videos uploaded by approvers
 - Automatically whitelist videos uploaded by users in this domain
 - Automatically whitelist channels and playlists created by users in this domain

Improvements discoverability of EDU content

- How might we include established edu channels in search/discover/recommendations for these users? Search, what to [HYPERLINK "https://developers.google.com/youtube/v3/docs/playlists" \h Jatch, etc.
- EDU W2W could be based on what videos are being shared in Classroom, viewed by GAFE users, etc.

Commented [31]: note that we have some ideas here and have a shot at getting this into V1

Commented [32]: Awesome. Keep us posted.

Risks

- As part of YT Identity Merge project, users in schools with G+ disabled (which is the default) will not be able to create playlists or channels, severely limiting the efficacy of this solution.
 - Teachers could still create playlists on their consumer account
- Customization requires GAFE domain, but only half of existing YT4S usage is GAFE
- The proposed integration with Classroom isn't great. We could do much better.
- It might be a lot of work for each school to do so much curation on their own.
- Will removing PG content cause other problems?
 - PG includes lots of non-EDU content, which could upset many schools. It's possible that only the most vocal, conservative schools are complaining about this, but that this is actually fine for most.
 - OTOH, removing PG would require more work from schools to whitelist content. Including PG would create a bigger default corpus.
 - Non-GAFE schools will have a highly limited corpus; excluding PG could make this unusable for them. (Every single school that tried the Safety VIP complained that Y/G/PG was too restrictive -- because of new, misclassified videos and missing Teen-rated content)
 - Factors to consider:
 - Current whitelist of EDU videos is composed of 23% PG and 3% Teen+ content ratings
 - Community standards vary hugely even across the US, let alone

internationally

- Logged-out users might think they don't have access to a video, when they would have access if they just logged in.
 - Could prompt users to log in on "no access" page when they are logged out and on EDU VIP
- Creating a new EDU mode (in addition to the existing Safety Mode) adds additional complexity to the core YouTube experience, which other teams will need to be aware of.

Appendix

Current Video Whitelisting Process for inclusion in YouTube EDU corpus

1. Channels are submitted through a [HYPERLINK ██████████] posted in the Help Center and Help Forum. The form is localized in 19 languages.
2. Submissions are placed in a [HYPERLINK ██████████] "https://docs.google.com ██████████ \h] for review by CUE (Computer Using Educators) who we contract to review channel submissions based on these [HYPERLINK ██████████] "https://docs.google.com ██████████ \h].
3. CUE completes preliminary review of channel in red fields and rates on scale of 1-5
4. If a channel meets the guidelines, it is approved for inclusion
5. YT Rep reviews channels approved by CUE and if they agree with approval they visit [HYPERLINK ██████████ \h] to manually add the approved channel to the whitelist.
 - a. There are 5 categories a channel can be placed in:
 - i. Preschool Education
 - ii. Primary + Secondary
 - iii. University
 - iv. Lifelong Learning
 - v. Misc

Commented [33]: so if I went to a school that was using the VIP, and I logged in with my personal account (no restrictions) then I would get access to all videos, or just the EDU mode ones?

Commented [34]: Just EDU mode videos. Will be interesting to see if kids are logging in with the "wrong" accounts -- may change some of our UX assumptions.

Commented [35]: Here's the doc where we outline proposed user states: <https://docs.google.com/██████████>

Commented [36]: ██████████ not sure you have seen this. Wondering if this is another signal we could use for our classification. It says we have 1800 channels already whitelisted.

Commented [37]: [minor] Can we also look at videos that were whitelisted by some school? and see if it is widely useful?

Commented [38]: This would be great if possible. It would also help speed up the initiative I have to expand the whitelist rapidly over 2015.