1 2 3 4 5 6 7	JAMES A. DiBOISE, State Bar No. 083296 ELIZABETH M. SAUNDERS, State Bar No. 138249 WILSON SONSINI GOODRICH & ROSATI Professional Corporation 650 Page Mill Road Palo Alto, CA 94304-1050 Telephone: (650) 493-9300 Facsimile: (650) 565-5100 Attorneys for Plaintiffs GROUPE CANAL+ S.A., CANAL+ TECHNOLOGIES, S.A. and CANAL+ TECHNOLOGIES, INC.
8	UNITED STATES DISTRICT COURT
9	NORTHERN DISTRICT OF CALIFORNIA
10	SAN FRANCISCO DIVISION
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12 13 14 15	GROUPE CANAL+ S.A., CANAL+ TECHNOLOGIES, S.A., CANAL+ TECHNOLOGIES, INC., DECLARATION OF JAN SAGGIORI IN SUPPORT OF Plaintiffs, PLAINTIFFS' MOTION FOR EXPEDITED DISCOVERY AND TO
16	v.) PRESERVE DOCUMENTS AND THINGS NDS GROUP PLC, NDS AMERICAS, INC.,)
17 18 19	Defendants.) Date: April 18, 2002) Time: 2:00 p.m.) Place: Courtroom 6, 17 th Floor)
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22	I, Jan Saggiori, declare as follows:
23	1. I am employed by SSS LLC, based in Geneva, Switzerland. SSS Llc is
24	engaged in providing consulting services to Canal+ in the area of conditional access systems for
25	digital TV.
26	2. I have known Chris Tarnovsky since the mid-1990s and have had various
27	email exchanges with him concerning digital television and security measures used to protect
28	those signals. I met Chris via the internet and a user group called TV-Crypt Group. TV-Crypt
	Saggiori Declaration No. C02-01178 VRW

Group was managed by Markus Kuhn when Markus was a student at the University of Erlangen in Germany. While Chris was living in Germany, he and I exchanged email messages and exchanged software concerning D2MAC-Eurocrypt (Canal+/TV1000) and Videocrypt (Sky/Filmnet) systems. Chris went back to the United States but we continued our email correspondence. Chris began to study the Videoguard system (version P1) utilized by DirecTV in the United States to protect its satellite TV signals. Chris asked me for some source code I had written concerning the DES encryption algorithm and associated tables.

- 3. In 1997 Chris contacted me and requested that I put him in contact with people who were able to analyze smart cards. I introduced Chris to Vesselin Ivanov Nedeltchev ("Vesco") and gave Vesco's phone number to Chris. Vesco is an engineer I had met in Geneva who had studied smart cards and their associated security systems. I also met Vesco in mid-2001 in Geneva when he came to see me specifically to discuss questions related to the security encryption of access control systems and at that time I understood Vesco was working directly for Reuven Hasak of NDS.
- 4. Very shortly after its publication on the DR7 website, I became aware that the Canal+ smart card code was available for downloading from the DR7 website. I downloaded that smart card code from the DR7 website and examined that binary code and the text files included with it. The text document indicated that the code associated with the EEPROM had been lost during the extraction process but indicated that the rest of the data from the user-ROM was included in the file. I examined that binary code and determined that the code present at the 2000 address was missing.
- 5. Knowing that Chris Tarnovsky knew Al Menart because I had introduced the two of them in 1996 and knowing that Al Menart was the Webmaster of DR7, I asked Chris Tarnovsky if he could obtain the [missing] code present at the 2000 address from Al Menart. By an email exchange from Chris Tarnovsky, Chris sent me an 8kb binary file that he claimed contained the requested code extracted from the Canal+ smart card. Attached as Exhibit A to this declaration is a copy of the email I received from Chris Tarnovsky (using the alias of Arthur

1	von Neumann or "Von") and attached as Exhibit B is the binary code that Chris sent me with the
2	email.
3	6. Later in 1999, after Chris had visited me in Geneva, we discussed the
4	possibility of obtaining additional information regarding the Thomson chip used by Canal+ in its
5	smart cards. Chris sent me a PDF by email that contained the user manual for the Thomson chip.
6	The first page of the document I received from Chris is attached as Exhibit C to this declaration.
7	The received document is a copy of the Thomson confidential user manual which is only
8	possible to obtain from Thomson under a strict nondisclosure agreement.
9	I declare under penalty of perjury under the laws of the United States of America that the
10	foregoing is true and correct.
11	Executed on April 8, 2002 at Paris, France.
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14	Jan Saggion
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