

DOC 4

Third Affidavit of Yves Rémillard (December 2, 2019)

FEDERAL COURT

B E T W E E N:

**BELL MEDIA INC.
GROUPE TVA INC.
ROGERS MEDIA INC.**

Plaintiffs

- and -

**JOHN DOE 1 dba GOLDTV.BIZ
JOHN DOE 2 dba GOLDTV.CA**

Defendants

THIRD AFFIDAVIT OF YVES RÉMILLARD

I, Yves Rémillard, having a professional residence in Dorval, in the Province of Quebec, Canada, SOLEMNLY AFFIRM THAT:

1. I am an investigator for the province of Quebec in the Corporate Security department of BCE Inc. (“**BCE**”), the parent of the Plaintiff Bell Media Inc. (“**Bell Media**”), a position I have held since January 5, 2009.
2. My experience and credentials in investigating instances of television content piracy are set out in the first affidavit I have sworn in this proceeding, dated July 15, 2019.
3. My first affidavit was filed on July 18, 2019, in the context of motions by the Plaintiffs for an interim and interlocutory injunction against the Defendants, which I understand were respectively presented before Mr. Justice LeBlanc of the Federal Court on July 25, 2019, and Madame Justice Kane of the Federal Court on August 7, 2019.
4. I have also sworn a second affidavit in this proceeding, dated September 3, 2019, in the context of a motion by the Plaintiffs for an interlocutory injunction against the Third Party Respondents, a group of Internet service providers who provide residential Internet

services to the majority of Canadian Internet users. I understand that this motion was granted by Order of Mr. Justice Gleeson dated November 15, 2019 (the “**Order**”).

5. I have personal knowledge of all the facts stated in this Affidavit, unless indicated otherwise.

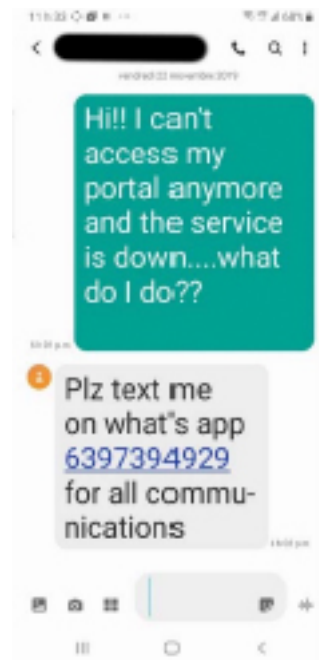
CONTEXT

6. The present affidavit pertains to one of two subscription-based Internet streaming services that distribute unauthorized live broadcasts of television stations and on-demand television and motion picture content, both operating under the name “GoldTV”. As of the issuance of the Order, one of these services operated from the domains goldtv.biz and edge.tm (the “**GoldTV.biz Service**”) and the other had previously operated from the domains www.goldtv.ca, www.goldtv.info and www.hostcenter.ca (the “**GoldTV.ca Service**”, together, the “**GoldTV Services**”).
7. The GoldTV Services provide unauthorized, immediate and unlimited access to a vast amount of live television and video-on-demand content through user-friendly interfaces, including television stations operated by the Plaintiffs and television content for which the copyright is owned by the Plaintiffs.

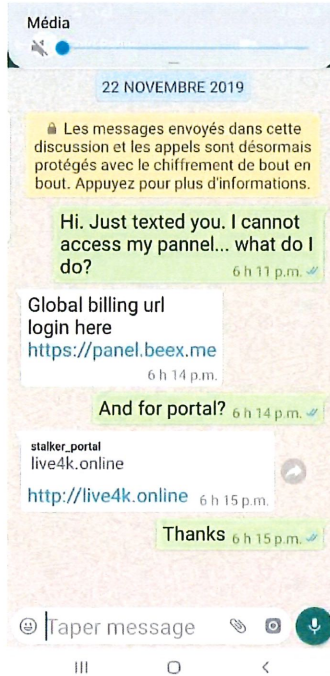
I. NEW DOMAINS AND SUBDOMAINS FOR THE GOLDTV.BIZ SERVICE

8. As explained at paragraph 26 of my first affidavit, in the course of my investigation, I contacted a reseller of the GoldTV.biz Service whom I identified through online searches on the classified advertising website Kijiji, and successfully purchased access to a “control panel” interface in order to obtain information as to the operation of the GoldTV.biz Service from a reseller’s perspective. Once a reseller has purchased access to the control panel, it can manage subscriptions to the GoldTV.biz Service.
9. The process of accessing and using the control panel is outlined at paragraphs 28 to 30 of my first affidavit.

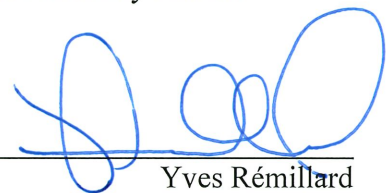
10. On November 22, 2019, after the issuance of the Order, I sent a text message to the reseller of the GoldTV.biz Service mentioning that I could no longer access the control panel for the GoldTV.biz Service. Very soon thereafter, the reseller asked me to contact him through the messaging application WhatsApp at a different phone number. Our text exchange is reproduced directly below:



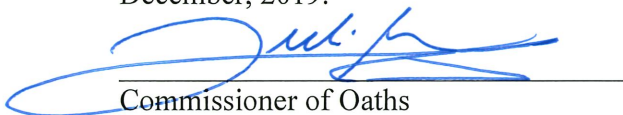
11. I then sent a message to the reseller on WhatsApp, reiterating that I could no longer access the control panel for the GoldTV.biz Service. Following a brief exchange, the reseller mentioned that the control panel was now located at the address panel.beex.me and that the portal for the GoldTV.biz Service was now located at the address live4k.online. Our exchange on WhatsApp is reproduced directly below:



12. Later that day, I conveyed this information to my colleague Mr. Anthony Martin.


Yves Rémillard

SOLEMNLY AFFIRMED BEFORE ME
at the City of Montreal in the Province of
Quebec, Canada, this 2nd day of
December, 2019.


Commissioner of Oaths

