

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED KING FILM DISTRIBUTION LTD, D.B.S. :
SATELLITE SERVICES (1998) LTD, HOT :
COMMUNICATION SYSTEMS LTD, CHARLTON :
LTD, RESHET MEDIA LTD, AND KESHET :
BROADCASTING LTD, :

Case No. 1:21-cv-11024-KPF-RWL

Plaintiffs, :

-- against -- :

DOES 1-10, d/b/a **Israel.tv**, :

Defendants. :

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**DECLARATION OF
BEN BERNER
IN SUPPORT OF PLAINTIFFS’
MOTION FOR CONTEMPT
AGAINST CLOUDFLARE, INC.**

BEN BERNER declares the following, under penalty of perjury:

1. I am the CEO and co-founder of Stream Inc., IL d/b/a Screen IL (“Screen IL”). Plaintiffs United King Film Distribution Ltd, Reshet Media Ltd, and Keshet Broadcasting Ltd provide their content to Screen IL which provides legitimate, authorized access to their content in the United States.

2. I submit this declaration in support of Plaintiffs’ expedited contempt motion for CloudFlare, Inc.’s violation of the Court’s Order for Default Judgment and Permanent Injunction dated April 27, 2022 (the “**Order**”) pursuant to Fed. R. Civ. P. 65(d)(2).

3. CloudFlare is an internet service provider that provides authoritative domain name system servers for its customers as a means of providing content delivery network (“CDN”) and reverse-proxy services.

4. An “authoritative domain name server” is a computer on the Internet that is designated by the domain name owner to report the correct IP address for that domain, which

information is then propagated to other DNS servers worldwide as it is needed.

5. In other words, when someone types a domain name such as “Israel.tv” into a web browser, the Defendants have engaged CloudFlare to convert the domain name into the IP address for the website associated with that domain name so that the user can connect to the website they are trying to reach.

6. Without CloudFlare, a user could still get to “Israel.tv” only if the user had the actual IP address for the website associated with that domain name; alternatively, Defendants could obtain CloudFlare's authoritative domain name system server from another service provider comparable to CloudFlare or Defendants could provide that same service on their own. However, Cloudflare is by far the best service provider of its kind.

7. CDN services are crucial for online streaming of content, because they optimize the delivery of customers' websites from the customers' origin server to visitors' browsers. This gives visitors to a customer's website faster page load times and better performance, while blocking threats and abusive bots and crawlers from attacking the websites (cyber-attacks known as DDoS).

8. If Cloudflare complied with the Court’s Order and ceased providing services to the Defendants, then the infringing service might be prevented from continuing its illegal conduct in the U.S. and other countries

9. Annexed and made **Exhibit A** hereto is a true and correct copy of screenshots showing five (5) new domains associated with the Website that are streamed through Cloudflare. The screenshots are from the monitoring site MX Toolbox located at the following link: <https://mxttoolbox.com/SuperTool.aspx?action=mx%3aizr.to&run=toolpage>.

10. These new domains include the following: Israeltv.hk, Israeltv.se, israeltv.nu, Israeltv.la, and www.israeltv.bz.

11. Each of these newly-discovered domains were created and opened on Cloudflare as recently as May 22, 2022. *See* Ex. A.


12. Upon information and belief, Cloudflare is serving the Website through the above-referenced newly discovered domains.

13. Indeed, as the attached demonstrates, CloudFlare permitted a user (or users) to establish at least five new accounts that configured the Website to use CloudFlare's services through new domains. CloudFlare's authoritative domain name server translates Israel.tv as entered in a search browser into the correct IP address associated with that site, thus allowing users to continue to connect to the Defendant's Website.

14. CloudFlare's content delivery network (CDN) services facilitates if not enhances the streaming of Defendant's pirated video content through the newly discovered domains.

I declare under penalty of perjury of the laws of the United State that the foregoing is true to the best of my knowledge.

Dated: Tel Aviv, Israel
June 7, 2022



Ben Berner
CEO and Co-Founder of Stream Inc., IL
d/b/a Screen IL