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 GOOGLE INC.

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

12 OVERTURE SERVICES, INC.,  
 13 Plaintiff and Counterdefendant,  
 14 v.  
 15 GOOGLE INC.,  
 16 Defendant and Counterclaimant.

Case No. C 02-01991 JSW (EDL)

**GOOGLE INC.'S MISCELLANEOUS  
 ADMINISTRATIVE REQUEST;  
 [PROPOSED] ORDER**

**[Local Civil Rule 7-10]**

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1 Pursuant to Civil Local Rules 7-10(b) and 7-3(d), Google hereby seeks leave to file a  
2 supplemental claim construction brief of no more than 2 pages to bring to the Court’s attention  
3 claim construction evidence on the terms” database” and “search result list” that was produced  
4 by Plaintiff Overture Services, Inc. (“Overture”) subsequent to the March 24, 2004 Markman  
5 hearing. See Declaration of Christine P. Sun ISO Google’s Misc. Admin. Request, ¶ 2. The new  
6 evidence consists of testimony from Overture witnesses taken in *Overture v. FindWhat*, which is  
7 currently pending in the Central District of California.

8 Under Google’s proposal, which Overture has stipulated to, Overture would have 7 days  
9 to file a brief of no more than 2 pages limited to responding to the arguments and evidence set  
10 forth in Google’s supplemental brief. See Stipulation re: Supplemental Claim Construction  
11 Briefing (filed May 11, 2004). Google has lodged with the Clerk of Court its proposed  
12 supplemental brief (unredacted version). Google requests that the Court permit the filing of  
13 Google’s brief and order the Clerk to place the brief in the file for this case (under seal), and that  
14 the Court adopt the parties’ stipulated briefing schedule. Within the next court day of the  
15 Court’s order granting Google’s request, Google would publicly file a redacted version of the  
16 supplemental brief.

17 In addition, pursuant to Civil Local Rule 79-5, Google requests that the Court permit the  
18 sealing of the documents set forth below:

- 19 1. Google Inc.’s Supplemental Claim Construction Brief (Unredacted Version)
- 20 2. Declaration of Ravind S. Grewal ISO Google Inc’s Miscellaneous Administrative  
21 Request and exhibits thereto.

22 The above documents contain deposition testimony of Overture witnesses in *Overture v.*  
23 *FindWhat* that has been designated by Plaintiff Overture as either “Confidential” or “Outside  
24 Counsel Only.” Under the terms of the protective order entered in this case, Google cannot file  
25 these materials publicly. In light of the foregoing, Google respectfully submits that its request to  
26 file documents under seal is narrowly tailored within the meaning of Civil Local Rule 79-5.  
27 Google therefore requests that the Court permit the sealing of the documents set forth above, and  
28 order that the Clerk of the Court maintain them in accordance with the provisions of Civil Local

