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 14 ENTERTAINMENT, INC., UNIVERSAL CITY STUDIOS  
 PRODUCTIONS LLLP, UNIVERSAL CITY STUDIOS  
 15 LLLP, AND VIACOM, INC.

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 REALNETWORKS, INC., et al.,

19 Plaintiffs,

20 vs.

21 DVD COPY CONTROL  
 22 ASSOCIATION, INC., et al.

23 Defendants.

24  
 25 AND CONSOLIDATED ACTIONS.

CASE NO. C 08-4548-MHP

Consolidated with Case No. C 08-04719-MHP

**APPLICATION TO SEAL (1) MOTION  
 PICTURE STUDIOS' RESPONSE TO REAL'S  
 MOTION TO EXTEND PRELIMINARY  
 INJUNCTION SCHEDULE OR EXCLUDE  
 TOPICS, AND (2) DECLARATION OF ROHIT  
 SINGLA IN SUPPORT OF MOTION  
 PICTURES STUDIOS' RESPONSE TO REAL'S  
 MOTION TO EXTEND PRELIMINARY  
 INJUNCTION SCHEDULE OR EXCLUDE  
 TOPICS**

Lodged concurrently herewith:

- 1) [Proposed] Order Granting Application
- 2) Documents Requested To Be Filed Under Seal

1 Pursuant to Civil Local Rule 7-11 and 79-5, Columbia Pictures Industries, Inc.,  
2 Disney Enterprises, Inc., NBC Universal, Inc., Paramount Pictures Corporation, Sony Pictures  
3 Entertainment, Inc., Sony Pictures Television, Inc., Twentieth Century Fox Film Corporation,  
4 Universal City Studios LLLP, Universal City Studios Productions LLLP, Viacom, Inc., Walt  
5 Disney Pictures, and Warner Bros. Entertainment, Inc. (collectively, "Studios") respectfully apply  
6 for an order sealing the following documents:

7 (1) Highly Confidential Version of Motion Picture Studios' Response to Real's  
8 Motion to Extend Preliminary Injunction Schedule or Exclude Topics; and

9 (2) Highly Confidential Version of Declaration of Rohit Singla In Support Of  
10 Studios' Response to Real's Motion to Extend Preliminary Injunction Schedule or Exclude  
11 Topics.

12 A "compelling reason" exists to seal these documents. *See Kamakana v. City and*  
13 *County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (holding that "[a] party seeking to seal a  
14 judicial record . . . bears the burden of overcoming the 'compelling reasons' standard"); *Foltz v.*  
15 *State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135-36 (9th Cir. 2003). The confidential  
16 material at issue divulges aspects of Real's proprietary business, technical and trade secret  
17 information regarding RealDVD and its new platform. This material has been designated by Real  
18 as "confidential" or "highly confidential" pursuant to the protective order governing this  
19 litigation, and is thus being manually filed under seal.

20 This Application to Seal is narrowly tailored to protect the public's interest in  
21 access to judicial records and the public policies favoring disclosure. *Kamakana*, 447 F.3d at  
22 1178. Defendants have filed with the Court identical public redacted versions of the Motion  
23 Picture Studios' Response to Real's Motion to Extend Preliminary Injunction Schedule or Exclude  
24 Topics, as well as the Singla Declaration in support thereof.

25 For these reasons, the Court should grant the Application to Seal.  
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DATED: January 30, 2009

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