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 10 REALNETWORKS, INC. and  
 REALNETWORKS HOME  
 11 ENTERTAINMENT, INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 REALNETWORKS, INC., a Washington  
 15 Corporation; and REALNETWORKS HOME  
 ENTERTAINMENT, INC., a Delaware  
 16 corporation,

17 Plaintiffs,

18 v.

19 DVD COPY CONTROL ASSOCIATION, INC., a  
 Delaware nonprofit corporation, DISNEY  
 20 ENTERPRISES, INC., a Delaware corporation;  
 PARAMOUNT PICTURES CORP., a Delaware  
 21 corporation; SONY PICTURES ENTER., INC., a  
 Delaware corporation; TWENTIETH CENTURY  
 22 FOX FILM CORP., a Delaware corporation; NBC  
 UNIVERSAL, INC., a Delaware corporation;  
 23 WARNER BROS. ENTER. INC., a Delaware  
 corporation; and VIACOM, Inc., a Delaware  
 24 Corporation,

25 Defendants.

Case Nos. C08 04548 MHP;  
 C08 04719 MHP

**ADMINISTRATIVE MOTION FOR  
 FILING UNDER SEAL (1)  
 UNREDACTED VERSION OF  
 REALNETWORKS' MOTION TO  
 PRECLUDE CLAIMS BASED ON NON-  
 CSS TECHNOLOGIES OR,  
 ALTERNATIVELY, TO CONTINUE THE  
 PRELIMINARY INJUNCTION  
 HEARING, AND FOR THE  
 APPOINTMENT OF A DISCOVERY  
 REFEREE; AND (2) EXHIBITS E-H,  
 INCLUSIVE TO THE DECLARATION  
 OF TRACY TOSH LANE IN SUPPORT  
 OF PLAINTIFFS' AND  
 COUNTERCLAIM DEFENDANTS  
 MOTION TO SHORTEN TIME AND  
 MOTION TO PRECLUDE OR  
 CONTINUE**

26  
 27 AND RELATED CASES  
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**ADMINISTRATIVE MOTION FOR FILING UNDER SEAL**

Pursuant to Civil Local Rules 7-11 and 79-5(b) and (c), RealNetworks, Inc. and RealNetworks Home Entertainment, Inc. (collectively “RealNetworks”) request an order to file under seal the following documents:

(1) The unredacted version of RealNetworks’ Motion to Preclude Claims Based on Non-CSS Technologies or, Alternatively, to Continue the Preliminary Injunction Hearing, and for the Appointment of a Discovery Referee (“Motion to Preclude or Continue”); and

(2) Exhibits E, F, G, and H inclusive, to the Declaration of Tracy Tosh Lane in Support of Plaintiffs’ and Counterclaim Defendants’ Motion to Shorten Time and Motion to Preclude or Continue. More specifically, the exhibits are excerpts from the deposition transcripts of Phillip Barrett (Exhibit E), Jeffrey Chasen (Exhibit F), Jeffrey Buzzard (Exhibit G), and James Brennan (Exhibit H).

A “compelling reason” exists to seal these documents. *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (holding that aside from grand jury transcripts and warrant materials, “[a] party seeking to seal a judicial [] bears the burden of overcoming the ‘compelling reasons’ standard”). The information contained in the documents is RealNetworks’ propriety business, technical and trade secret information regarding RealDVD and the New Platform, and because of those facts, the parties have previously agreed that the deposition transcripts are designated as highly confidential, pursuant to the protective order in this action.

Because the redactions in the Motion to Preclude or Continue are quotes from, and paraphrases of, propriety business, technical and trade secret information, as agreed by counsel in this action, there is no need to seek an additional stipulation, pursuant to Civil Local Rule 7-11(a). Therefore, the Court should grant this administrative motion.

As required by Civil Local Rule 79-5(b), RealNetworks has lodged with the Clerk copies of Exhibits E-H. Further, as required by Civil Local Rule 79-5(c), Real Networks has lodged a redacted version of the Motion to Preclude or Continue that can be filed in the public record if the Court grants the sealing order.”

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**SUPPORTING DECLARATION OF TRACY TOSH LANE**

I, Tracy Tosh Lane, declare as follows:

1. I am an attorney with the law firm of Wilson Sonsini Goodrich & Rosati, counsel for RealNetworks. I have personal knowledge of the following facts and if called as a witness, I would testify to them.

2. The representations made in the above administrative motion are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on February 5, 2009, in San Francisco, California.

/s/ \_\_\_\_\_  
Tracy Tosh Lane