

1 JAMES A. DiBOISE, State Bar No. 83296
 Email: jdiboise@wsgr.com
 2 LEO CUNNINGHAM, State Bar No. 121605
 Email: lcunningham@wsgr.com
 3 COLLEEN BAL, State Bar No. 167637
 Email: cbal@wsgr.com
 4 MICHAEL A. BERTA, State Bar No. 194650
 Email: mberta@wsgr.com
 5 TRACY TOSH LANE, State Bar No. 184666
 Email: ttosh@wsgr.com
 6 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation
 7 One Market Street
 Spear Tower, Suite 3300
 8 San Francisco, CA 94105

9 Attorneys for Plaintiffs and
 Counterclaim Defendants
 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.

26
 27 AND RELATED CASES
 28

Case Nos. C08 04548 MHP;
 C08 04719 MHP

**ADMINISTRATIVE MOTION FOR
 FILING UNDER SEAL (I) THE
 UNREDACTED VERSION OF
 REALNETWORKS, INC. AND
 REALNETWORKS HOME
 ENTERTAINMENT, INC.'S
 OPPOSITION TO MOTION FOR
 PRELIMINARY INJUNCTION; (II) THE
 UNREDACTED VERSIONS OF THE
 DECLARATIONS OF PHIL BARRET,
 JAMES BRENNAN, JEFFREY
 BUZZARD, AND JEFFREY CHASEN;
 AND (III) VARIOUS EXHIBITS TO
 DECLARTIONS IN SUPPORT OF THE
 OPPOSITION**

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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”) respectfully request an order to file under seal the following documents:

- (1) The unredacted version of RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.’s Opposition to Motion for Preliminary Injunction (“Opposition”);
- (2) The unredacted version of the Declaration of Phil Barrett in Support of RealNetworks, Inc. and RealNetworks Home Entertainment Inc.’s Opposition to Motion for Preliminary Injunction (“Declaration of Barrett”);
- (3) The unredacted version of the Declaration of James Brennan in Support of RealNetworks, Inc. and RealNetworks Home Entertainment Inc.’s Opposition to Motion for Preliminary Injunction (“Declaration of Brennan”);
- (4) The unredacted version of the Declaration of Jeffrey Buzzard in Support of RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.’s Opposition to Motion for Preliminary Injunction (“Declaration of Buzzard”);
- (5) The unredacted version of the Declaration of Jeff Chasen in Support of RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.’s Opposition to Motion for Preliminary Injunction (“Declaration of Chasen”);
- (6) Exhibits 1-62 to the Declaration of Christopher Nelson in Support of Plaintiffs RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.’s Opposition to Motion for Preliminary Injunction;
- (7) Exhibit 5 to Larry Gerbrandt Declaration in Support of RealNetworks’ Opposition to Preliminary Injunction Motion;
- (8) Exhibit A to Declaration of Matthew A. Bishop, Ph.D. in Support of RealNetworks, Inc. and RealNetworks Home Entertaint, Inc.’s Opposition to Motion for Preliminary Injunction;

1 (9) Exhibit B to Declaration of Matthew A. Bishop, Ph.D. in Support of
2 RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.'s Opposition to Motion for
3 Preliminary Injunction;

4 (10) Exhibit A to Declaration of Edward W. Felten in Support of RealNetworks, Inc.
5 and RealNetworks Home Entertainment, Inc.'s Opposition to Motion for Preliminary Injunction;

6 (11) Exhibit B to Declaration of Edward W. Felten in Support of RealNetworks, Inc.
7 and RealNetworks Home Entertainment, Inc.'s Opposition to Motion for Preliminary Injunction;

8 (12) Exhibit A to Declaration of Douglas Dixon in Support of RealNetworks, Inc. and
9 RealNetworks Home Entertainment, Inc.'s Opposition to Motion for Preliminary Injunction; and

10 (13) Exhibit B to Declaration of Douglas Dixon in Support of RealNetworks, Inc. and
11 RealNetworks Home Entertainment, Inc.'s Opposition to Motion for Preliminary Injunction.

12 A "compelling reason" exists to seal these documents. *Kamakana v. City and County of*
13 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (holding that aside from grand jury transcripts
14 and warrant materials, "[a] party seeking to seal a judicial record. . . bears the burden of
15 overcoming the 'compelling reasons' standard"). Trade secrets and other confidential research,
16 development, or commercial information may properly be protected by the court. *See*
17 *Fed.R.Civ.P. 26(c)*.

18 Here, the redacted portions of the documents and the exhibits filed under seal contain
19 RealNetworks' propriety business, technical and trade secret information relating to RealDVD
20 and the New Platform. Further, they contain propriety business, technical and trade secret
21 information of the defendants and third parties. Additionally, much of the material has been
22 designated "confidential" or "highly confidential" under the stipulated protective order
23 governing this action.

24 RealNetworks has made conscientious efforts to redact and seal only the confidential or
25 highly confidential material necessary to protect its sensitive business, technical or personal
26 information, as well as the sensitive information of the other parties. Thus, this Administrative
27 Motion to Seal is narrowly tailored to preserve the public's interest in accessing judicial records.
28 *Kamakana*, 447 F.3d at 1178. Redacted versions of the Opposition and supporting materials

1 have been publicly filed with the Court. Therefore, the Court should grant this administrative
2 motion.

3 As required by Civil Local Rule 79-5(b), RealNetworks has lodged with the Clerk copies
4 of above-mentioned exhibits. Further, as required by Civil Local Rule 79-5(c), RealNetworks
5 has provided redacted versions of the Opposition, and the Declarations of Barrett, Brennan,
6 Buzzard, and Chasen that can be in the public record if the Court grants the sealing order.

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8 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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10 By: /s/ Leo Cunningham

11 Attorneys for Plaintiffs and Counterclaim
12 Defendants REAL NETWORKS, INC. and
13 REALNETWORKS HOME
14 ENTERTAINMENT, INC.
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