1   MICHAEL A. LADRA, State Bar No. 64307
        Email: mladra@wsgr.com
2   STEFANI E. SHANBERG, State Bar No. 206717
        Email: sshanberg@wsgr.com
3   ROBIN L. BREWER, State Bar No. 253686
        Email: rbrewer@wsgr.com
4   WILSON SONSINI GOODRICH & ROSATI
    Professional Corporation
5   650 Page Mill Road
    Palo Alto, California 94304-1050
6   Telephone: (650) 493-9300
    Facsimile: (650) 565-5100
7
    Attorneys for Plaintiff
8   FORTINET, INC.

9

10   **UNITED STATES DISTRICT COURT**

11   **NORTHERN DISTRICT OF CALIFORNIA**

12   **SAN FRANCISCO DIVISION**

13   FORTINET, INC., a Delaware corporation,   ) CASE NO.: CV 08-05371 MMC
)
14   Plaintiff,   ) ~~[PROPOSED]~~ **ORDER GRANTING**
) **ADMINISTRATIVE MOTION**
15   v.   ) **REQUESTING LEAVE TO FILE**
) **UNDER SEAL PORTIONS OF**
16   TREND MICRO INCORPORATED, a   ) **PLAINTIFF FORTINET, INC.'S**
     California corporation,   ) **OPPOSITION TO DEFENDANT**
) **TREND MICRO INCORPORATED'S**
17   Defendant.   ) **MOTION TO DISMISS FIRST**
) **AMENDED COMPLAINT**
18   )
)
19   )
     _____)

20

21

22

23

24

25

26

27

28

1   Having considered Plaintiff Fortinet, Inc.'s Administrative Motion Requesting Leave to

2 File Under Seal Portions of Plaintiff Fortinet, Inc.'s Opposition to Defendant Trend Micro

3 Incorporated's Motion to Dismiss First Amended Complaint pursuant to Civil Local Rules 7-11

4 and 79-5(c) and good cause appearing:

5   IT IS HEREBY ORDERED that Fortinet's administrative motion is GRANTED.

6   Accordingly, the following portions of Fortinet's Opposition to Motion to Dismiss are

7 filed under seal:

8   a) 1:14-15 (from "general..." through the end of the sentence);

9   b) 2:1 (from "covenanted..." through "...infringement");

10   c) 2:2-3 (from ""covenant"..." through the end of the sentence);

11   d) 3:23-4:7 (from "The License Agreement..." through the end of the paragraph);

12   e) 4:22-23 (from"[or]..." through "...Fortinet,"");

13   f) 7:17 (Section II title);

14   g) 8:9-11 (from "Here,..." through the end of the paragraph);

15   h) 8:13 (Section II.A.1 title);

16   i) 8:14-10:14 (Entire Section II.A.1 including the first sentence of footnote 6 and

17   footnote 7);

18   j) 10:15 (Section II.A.2 title);

19   k) 10:16-18 (from "Contrary..." through "..."or."");

20   l) 11:15-16 (from "Unlike..." through the end of the sentence);

21   m) 12:11-12 (from "Indeed..." through the end of the sentence);

22   n) 12:15-16 (the ten words between "prejudice pursuant" and "as is present here.");

23   o) 12:19 (the seven words following "that Fortinet's claims");

24   p) 20:3 (Section IV title);

25   q) 20:6-7 (from "Trend Micro's..." through "...royalties");

26   r) 20:9-13 (from "Specifically..." through "(emphasis added).");

27   s) 20:16-18 (from "which..." through the end of the sentence);

28   t) 22:1-2 (the eight words between "involves" and "or supports"); and

u) 22:24-25 (the thirteen words between "In contrast to the" and "the covenant").

IT IS SO ORDERED

Dated: March 17, 2009

The Honorable Maxine M. Chesney
United States District Court Judge

Presented by:

WILSON SONSINI GOODRICH & ROSATI

 /s/ Stefani E. Shanberg
Stefani E. Shanberg

Attorneys for Plaintiff
FORTINET, INC.

FORTINET'S ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF FORTINET'S
OPPOSITION TO MOTION TO DISMISS
CASE NO.: CV 08-05371 MMC

-2-

3624711_1.DOC