

1 ROBERT D. FRAM (State Bar No. 126750)
 rfram@cov.com
 2 SONYA D. WINNER (State Bar No. 200348)
 swinner@cov.com
 3 COVINGTON & BURLING LLP
 One Front Street, 35th Floor
 4 San Francisco, California 94111
 Telephone: (415) 591-6000
 5 Facsimile: (415) 591-6091

6 ANDREW C. BYRNES (State Bar No. 191516)
 abyernes@cov.com
 7 COVINGTON & BURLING LLP
 333 Twin Dolphin Drive, Suite 700
 8 Redwood Shores, CA 94065
 Telephone: (650) 632-4701
 9 Facsimile: (650) 632-4801

10 Attorneys for Defendants
 TREND MICRO INCORPORATED, a California corporation,
 11 TREND MICRO INCORPORATED, a Japanese corporation, and
 TREND MICRO INCORPORATED, a Taiwanese corporation.
 12

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 FORTINET, INC., a Delaware corporation,
 17 Plaintiff,
 18 v.
 19 TREND MICRO INCORPORATED, et al.,
 20 Defendants.
 21
 22
 23
 24
 25
 26
 27
 28

Civil Case No.: CV 10-0048 MMC

**[PROPOSED] ORDER GRANTING
 DEFENDANTS' ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL (1)
 PORTIONS OF REPLY
 MEMORANDUM IN SUPPORT OF
 MOTION TO DISMISS AND (2)
 EXHIBIT B TO SUPPLEMENTAL
 DECLARATION OF ANDREW C.
 BYRNES IN SUPPORT OF MOTION
 TO DISMISS**

*[Submitted in connection with Defendants'
 Reply in Support of Motion to Dismiss
 Complaint Pursuant to Rule 12(b)(1)]*

~~Date: April 9, 2010~~

Time: 9:00 a.m.

Location: Courtroom 7, 19th Floor

Judge: Hon. Maxine M. Chesney

1 Upon consideration of Defendants Trend Micro Incorporated, a California corporation,
2 Trend Micro Incorporated, a Japanese corporation, and Trend Micro Incorporated, a Taiwanese
3 corporation (collectively “Trend Micro”) Administrative Motion for Leave to File Under Seal
4 (1) portions of Trend Micro’s Reply Memorandum in support of Defendants’ Motion to Dismiss
5 Fortinet’s Complaint, and (2) Exhibit B to the Supplemental Declaration of Andrew C. Byrnes
6 in support of Defendants’ Motion to Dismiss Fortinet’s Complaint (“Supplemental Byrnes
7 Declaration”).

8 IT IS HEREBY ORDERED that Defendants’ Administrative Motion is GRANTED.
9 Accordingly, the following portions of Trend Micro’s Reply Memorandum shall be filed under
10 seal:

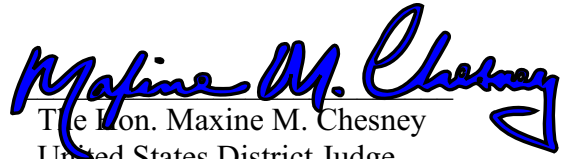
- 11 (a). 8:2 (from “does” through “customers”)
- 12 (b). 8:16-18, second column (from “Trend” through “protected”);
- 13 (c). 8:19-20, second column (from “Trend” to “customers”);
- 14 (d). 8:21-22, second column (from “Trend” to “infringement”);
- 15 (e). 8:23-24, second column (from “By” to “covenant”);
- 16 (f). 9:1-2, second column (from “it” to “business”).

17
18 Exhibit B to the Supplemental Byrnes Declaration shall be filed under seal in its ~~entirety~~
unredacted form.

19 Defendants are DIRECTED to file in the public record, no later than April 5, 2010, a
20 redacted version of Exhibit B to the Supplemental Byrnes Declaration. (See Case No. 08-5371,
Document No. 92.)

21 IT IS SO ORDERED.

22
23 DATED: March 31, 2010


The Hon. Maxine M. Chesney
United States District Judge
Northern District of California