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United States District Court
Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SYMANTEC CORPORATION,

Plaintiff,

v.

ACRONIS CORPORATION, et al.,

Defendants.

Case No.: 11-5310 EMC (JSC)

**ORDER RE: ADMINISTRATIVE
MOTIONS TO SEAL (Dkt. Nos. 245 &
254)**

On September 16, 2013, the Court issued an Order granting in part and denying part the parties’ administrative motions to seal filings related to Defendants Acronis Corporation, et al., (collectively “Acronis”) Motion to Amend/Correct Invalidity Contentions (Dkt. Nos. 245 & 254). (Dkt. No. 259.) The Court hereby addresses certain outstanding issues with respect to the motions to seal.

1. Although Acronis initially sought to file under seal an entire deposition transcript (Dkt. No. 254-5, Exhibit B) at the request of Plaintiff Symantec Corporation (“Symantec”), Symantec has since withdrawn this request and instead seeks to file selected portions of the transcript under seal. Symantec has shown good cause for its request for sealing

1 the limited portions of the transcript and the Court GRANTS the request to file Docket
2 No. 264-1 under seal.

- 3 2. Symantec has likewise shown good cause for filing a narrowly tailored redacted
4 version of what was previously filed as Exhibit E to the Declaration of Kate Cassidy in
5 support of Symantec's Opposition to Acronis's Motion (Dkt. No. 254-8).

6 Accordingly, the Court GRANTS the request to file Docket No. 264-2 under seal.

- 7 3. The Court previously denied Symantec's request to file Exhibit A to the Declaration of
8 Kate Cassidy in support of Symantec's Opposition to Acronis's Motion (Dkt. No. 254-
9 4) under seal because the one-line email was predominately in Russian and no
10 translation was provided. Symantec has since filed a certification stating that no
11 translation could be provided because the document is unreadable in Russian. (Dkt.
12 No. 262-1.) As a week has passed with no response from Acronis, the Court hereby
13 Orders that Symantec file Exhibit A on the public docket as there is no good cause for
14 sealing an unreadable document.

- 15 4. Symantec has failed to comply with the portions of the Court's Order (Dkt. No. 259)
16 which granted the motion to seal with respect to Exhibits D, K, and L to the
17 Declaration of Kate Cassidy in support of Symantec's Opposition to Acronis's Motion
18 (Dkt. Nos. 254-7, 254-10, 254-11) and ordered these documents to be electronically
19 filed under seal within three days. To date, the documents have not been electronically
20 filed, and are thus, not part of the record. Symantec shall electronically file these
21 documents under seal by the close of business September 26, 2013 or the Court will
22 have to amend its Order denying Acronis's motion to amend to eliminate any reliance
23 on this evidence.

24
25 **IT IS SO ORDERED.**

26 Dated: September 25, 2013

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JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE