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12	BE IN, INC., a New York corporation	
13	IN THE UNITED STATES DISTRICT COURT	
14	THE NORTHERN DISTRICT OF CALIFORNIA	
15	SAN JOSE DIVISION	
16	BE IN, INC.,) Case No. CV12-03373-LHK
17	Plaintiff,) [PUBLIC REDACTED VERSION) PURSUANT TO JUDGE LUCY H. KOH'S
18	V.	DEC. 1, 2011 STANDING ORDER]
19	GOOGLE, INC., a California corporation, RICHARD ROBINSON, and DOES 1 through	DECLARATION OF RONI E. BERGOFFEN IN SUPPORT OF
20	3, inclusive,) ADMINISTRATIVE MOTION TO FILE) DOCUMENT UNDER SEAL
21	Defendants.) Hearing Date: January 3, 2013
22		Hearing Time: 1:30 p.m. Courtroom: 8, 4 th Floor
23		Judge: Hon. Lucy H. Koh
24	DECLADATION OF DONLE DEDCOFFEN	
25	DECLARATION OF RONI E. BERGOFFEN	
26	I, Roni E. Bergoffen, declare as follows:	
27	1. I am a Counsel with the law firm Clifford Chance US LLP. I have personal	
28	knowledge of the facts stated in this declaration and, if called upon to do so, I would and could	

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competently testify thereto. I make this Declaration in support of Be In Inc.'s Administrative Motion to File Document Under Seal.

- 2. Attached as Exhibit A hereto is a true and correct copy of Exhibit A to the Declaration of Ha-Thanh Nguyen in Support of Plaintiff Be In's Opposition to Defendant's Motion to Dismiss. This exhibit is a copy of Be In, Inc.'s June 22, 2012 deposit submitted to the United States Copyright Office as part of Be In, Inc.'s application for a copyright registration.
- 3. Be In seeks to file Exhibit A under seal pursuant to Local Rule 79-5 because the deposit contains confidential information entitled to protection under the law. The Copyright Office keeps deposits submitted in connection with copyright registrations confidential, and will not release copies to third parties, other than parties to a litigation involving the application or pursuant to a court order.
- 4. Pursuant to Local Rule 7-11(a), Be In contacted Defendant Google and obtained a stipulation to file Exhibit A under seal.
- 5. Pursuant to Judge Lucy H. Koh's December 1, 2011 Standing Order, Be in has publicly e-filed as an exhibit hereto and to the Thanh Declaration a proposed public redacted version of Exhibit A.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of September 2012 at Washington, D.C..

/s/ Roni E. Bergoffen

Roni E. Bergoffen

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