

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

3
4 ADOBE SYSTEMS INCORPORATED,

No. C 10-2769 CW

5 Plaintiff,

ORDER GRANTING

MOTION TO FILE

6 v.

UNDER SEAL

(Docket No. 123)

7 HOOPS ENTERPRISE LLC; and ANTHONY
8 KORNRUMPF,

9 Defendants.

10 _____/
11 AND ALL RELATED CLAIMS
12 _____/

13 On November 16, 2011, Defendants and Counter-claimants Hoops
14 Enterprise LLC and Anthony Kornrumpf filed a motion to file under
15 seal Exhibit Four to their Opposition to Plaintiff Adobe System
16 Incorporated's Motion for Entry of a Preliminary Injunction.
17 Defendants lodged with the Court a copy of Exhibit Four, along
18 with a redacted version of the document.

19 In support of their motion, Defendants submitted a
20 declaration that stated that the portions of Exhibit Four they
21 seek to seal contain proprietary trade secrets, including the
22 names of Defendants' suppliers and the business practices employed
23 by Defendants in dealing with their suppliers. Defendants
24 represented that this information is not generally disclosed to
25 the public or to their competitors. Defendants also refer to a
26 July 25, 2011 order, in which the Magistrate Judge had found that
27 this information constituted trade secrets and was entitled to
28

1 protection from public disclosure, while ordering disclosure to
2 Plaintiff. This Court has also previously ordered that this
3 information be filed under seal.

4 Because the public interest favors filing all court documents
5 in the public record, any party seeking to file a document under
6 seal must demonstrate good cause to do so. Pintos v. Pac.
7 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot
8 be established simply by showing that the document is subject to a
9 protective order or by stating in general terms that the material
10 is considered to be confidential, but rather must be supported by
11 a sworn declaration demonstrating with particularity the need to
12 file each document under seal. See Civil Local Rule 79-5(a).

13 Defendants have provided good cause to seal portions of
14 Exhibit Four. Accordingly, Defendants' motion to seal is GRANTED.

15 Within four days of the date of this Order, Defendants shall
16 file Exhibit Four under seal and the redacted version of Exhibit
17 Four on the public record.

18 IT IS SO ORDERED.

19
20 Dated: 11/22/2011



CLAUDIA WILKEN
United States District Judge