

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

3  
4 DIGITAL REG OF TEXAS, LLC,

No. C 12-1971 CW

5 Plaintiff,

ORDER ON AMENDED  
ADMINISTRATIVE  
MOTION TO SEAL

6 v.

7 ADOBE SYSTEMS, INC., et al.,

(Docket No. 773)

8 Defendants.  
9 \_\_\_\_\_/

10 Before the Court is Adobe Systems Incorporated's amended  
11 administrative motion to seal. Under Civil Local Rule 79-5, a  
12 document may be filed under seal only if a party establishes that  
13 the portions sought to be sealed "are privileged, protectable as a  
14 trade secret or otherwise entitled to protection under the law."  
15 Civ. L.R. 79-5(b). Any sealing request must be narrowly tailored  
16 to cover only sealable material. Id. The request must be  
17 supported by the designating party's declaration establishing that  
18 the information is sealable. Id. subsection (d).

19 "Historically, courts have recognized a 'general right to  
20 inspect and copy public records and documents, including judicial  
21 records and documents.'" Kamakana v. City & Cnty. of Honolulu,  
22 447 F.3d 1172, 1178 (9th Cir. 2006). In considering a sealing  
23 request, the Court begins with "a strong presumption of access  
24 [as] the starting point." Id. The documents sought to be filed  
25 under seal in this case are related to motions for attorneys'  
26 fees, a non-dispositive motion. A party seeking to seal materials  
27 related to non-dispositive motions must show good cause by making  
28 a "particularized showing" that "specific prejudice or harm will

1 result" should the information be disclosed. Id. at 1179-80; Fed.  
2 R. Civ. P. 26(c). "[B]road, conclusory allegations of potential  
3 harm" will not suffice. Foltz v. State Farm Mut. Auto. Ins. Co.,  
4 331 F.3d 1122, 1131 (9th Cir. 2003).

5 Adobe seeks to file under seal portions of the rebuttal  
6 report of its damages expert Stephen D. Prowse. In support of its  
7 motion, Adobe submits a declaration from Anant N. Pradhan. Mr.  
8 Pradhan claims that paragraphs 49-53 must be redacted because they  
9 contain confidential information regarding previously undisclosed  
10 license agreements and settlement agreements, the release of which  
11 could harm Adobe by impairing Adobe's ability to negotiate future  
12 license agreements and settlement agreements. The Court finds  
13 good cause to grant the motion. Adobe's request is narrowly  
14 tailored and the redactions contain information falling within the  
15 class of materials that may be filed under seal. Accordingly, the  
16 motion (Docket No. 773) is GRANTED.

17 CONCLUSION

18 For the reasons set forth above, Adobe's amended  
19 administrative motion to seal (Docket No. 773) is GRANTED.

20 IT IS SO ORDERED.

21 Dated: December 19, 2014

22   
23 CLAUDIA WILKEN  
24 United States District Judge  
25  
26  
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