

United States District Court
For the Northern District of California

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

LINEX TECHNOLOGIES, INC.,
Plaintiff,
v.
HEWLETT-PACKARD, et al.,
Defendants,

No. C 13-00159 CW

ORDER GRANTING
DEFENDANT HEWLETT-
PACKARD'S MOTION
TO STAY AND FOR
LEAVE TO FILE A
DECLARATION IN
SUPPORT OF MOTION
TO SEAL (Docket
No. 257) AND
ADDRESSING MOTION
TO SEAL (Docket
No. 197)

AND ALL RELATED CLAIMS,
COUNTERCLAIMS AND THIRD-PARTY
CLAIMS

On August 2, 2013, Plaintiff Linex Technologies, Inc. filed an administrative motion to file under seal Exhibits 11-15, 17-21, 23-26, 28-31, 33-41, 43-47, 49-52, 54-57, and 59-67 attached to the Declaration of Robert McCauley in support of its motion for leave to amend infringement contentions. Docket No. 197. Linex stated that these exhibits contained information designated by Defendants and third-party chip suppliers Marvell and Qualcomm-Atheros as confidential business information pursuant to a protective order.

1 On November 21, 2013, the Court entered an order which, among
2 other things, denied Plaintiff's motion to seal because no party
3 filed a declaration in support of the motion as required by Civil
4 Local Rule 79-5(e).¹ The Court directed Plaintiff to file the
5 exhibits to the declarations in the public record within four days
6 of the date of the order. On November 25, 2013, Third Parties
7 Marvell Semiconductor, Inc. (Marvell) and Qualcomm Atheros, Inc.
8 (Qualcomm) and Defendant Hewlett-Packard filed unopposed
9 administrative motions to stay the Court's November 21, 2013 order
10 and for leave to file a declaration in support of Plaintiff's
11 motion to seal. Docket Nos. 255, 257. On December 4, 2013, the
12 Court granted Third Parties Marvells' and Qualcomm's motion to
13 stay and for leave to file their declarations. Docket No. 260.
14 The Court now GRANTS Defendant Hewlett-Packard's motion to stay
15 and for leave to file its declarations. Docket No. 257.

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18 In addition, the Court now revisits the motion to seal,
19 taking into account the additional declarations filed in support
20 thereof and the order on the substantive motions to which the
21 motions to seal relate. The Court finds that it did not rely on
22 the documents that are the subject of the motion to seal when it
23 granted Plaintiff's motion for leave to amend its infringement
24 contents and denied Defendants' cross-motion to strike.
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26 ¹ The Court's November 21, 2013 order also addressed two
27 other motions to seal. The Court's orders with respect to those
28 motions are not at issue, and the Court's November 21, 2013 order
remains in effect as to those motions (Docket Nos. 201 & 208).

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Accordingly, the motion to seal is DENIED as moot. Docket No. 197. Plaintiff need not file the documents discussed in that motion in the public record.

IT IS SO ORDERED.

Dated: 12/10/2013


CLAUDIA WILKEN
United States District Judge