

United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ACER, INC., ACER AMERICA  
CORPORATION and GATEWAY, INC.,

Case No. 5:08-cv-00877 PSG

Plaintiffs,

v.

TECHNOLOGY PROPERTIES LTD.,  
PATRIOT SCIENTIFIC CORPORATION,  
ALLIACENSE LTD.,

Defendants.

HTC CORPORATION, HTC AMERICA, INC.,

Case No. 5:08-cv-00882 PSG

Plaintiffs,

v.

TECHNOLOGY PROPERTIES LTD.,  
PATRIOT SCIENTIFIC CORPORATION,  
ALLIACENSE LTD.,

Defendants.

**ORDER SETTING HEARING RE: SEALING MOTIONS**

Case No.: 08-0877  
ORDER

1 There lies amid the forest of important summary judgment motions pending in these cases a  
2 thick and expanding underbrush of sealing motions.<sup>1</sup> After consuming the better part of yesterday  
3 afternoon trying to clear this underbrush out, the court is left with the impression that the parties  
4 may misunderstand a variety of basic sealing requirements set forth by our Local Rules and case  
5 law. Basics such as narrowly tailored requests. Or requests being submitted by the party actually  
6 claiming confidentiality. Properly designating documents as “confidential” in the first instance so  
7 as to avoid unnecessary sealing requests. Or explaining how the request fits within *Kamakana's*  
8 “compelling reason” standard for documents associated with dispositive motions. And so on and  
9 so forth.  
10

11 The court wishes to clear up this misunderstanding, without resort to yet another lengthy  
12 written lament on the subject of sealing requests in patent cases.<sup>2</sup> To that end, when the parties  
13 appear on Tuesday, August 13, 2013 at 10:00 a.m.,<sup>3</sup> they should be prepared to justify each of the  
14 sealing requests pending before the court.  
15

16 **IT IS SO ORDERED.**

17 Dated: August 7, 2013  
18

19   
20 PAUL S. GREWAL  
21 United States Magistrate Judge  
22  
23

24 <sup>1</sup> See e.g., Case No. 5:08-cv-00977-PSG: Docket Nos. 456, 465, 474, and 487; Case No. 5:08-cv-00882-PSG: Docket Nos. 460, 465, 468, and 478.

25 <sup>2</sup> See, e.g., *Apple Inc. v. Samsung Electronics Co. Ltd.*, Case No. 11-CV-01846 LHK PSG, 2013  
26 WL 412864 (N.D. Cal. Feb. 1, 2013); *Brocade Communications Systems, Inc. v. A10 Networks, Inc.*, Case No. C 10-3428 PSG, 2013 WL 211115 C 10-3428 PSG (N.D. Cal. Jan 17, 2013);  
27 *Dynetix Design Solutions Inc. v. Synopsys Inc.*, Case No. C 11-CV-05973 PSG, 2013 WL 1366046 (N.D. Cal. Apr. 3, 2013).

28 <sup>3</sup> See Docket No. 444.