

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RSI CORP., dba RESPONSIVE SYSTEMS
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES
CORPORATION, a New York corporation;
and DOE DEFENDANTS 1-20,

Defendants.

Case No. C-08-03414 RMW

**ORDER TENTATIVELY DENYING
MOTION TO SEAL**

[Re Docket No. 258]

The court tentatively denies IBM's motion to seal. Scott Commerson's declaration, Dkt. No. 258-1, is insufficient to establish that the redacted information is "privileged or protectable as a trade secret or otherwise entitled to protection under the law." L.R. 79-5(a). If IBM wishes the information contained in its papers filed in support of its motion to continue the trial date and Commerson's declaration to stay confidential, it must file a new declaration on or before February 6, 2013, setting forth with specificity and with supporting case law how the redacted information constitutes a trade secret or is otherwise entitled to protection under the law.

Dated: January 24, 2013


Ronald M. Whyte
United States District Court Judge