

1 YITAI HU (SBN 248085)
 yitai.hu@alston.com
 2 SEAN P. DEBRUINE (SBN 168071)
 sean.debrune@alston.com
 3 ELIZABETH H. RADER (SBN 184963)
 elizabeth.rader@alston.com
 4 JANE HAN BU (SBN 240081)
 jane.bu@alston.com
 5 JENNIFER LIU (SBN 268990)
 celine.liu@alston.com
 6 PALANI P. RATHINASAMY (SBN 269852)
 palani.rathinasamy@alston.com
 7 **ALSTON & BIRD LLP**
 275 Middlefield Road, Suite 150
 8 Menlo Park, CA 94025-4008
 Telephone: 650-838-2000
 9 Facsimile: 650-838-2001

10 Attorneys for Plaintiff and Counterdefendant
 ELAN MICROELECTRONICS
 11 CORPORATION

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION
 16

17 ELAN MICROELECTRONICS
 18 CORPORATION,
 19 Plaintiff and Counterdefendant,
 20 v.
 21 APPLE, INC.,
 22 Defendant and Counterplaintiff.

Case No. 09-cv-01531 RS (PSG)
**PLAINTIFF ELAN
 MICROELECTRONICS
 CORPORATION'S ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL ITS
 REPLY TO APPLE, INC.'S
 OPPOSITION TO ELAN'S MOTION
 FOR PARTIAL SUMMARY
 JUDGMENT OF INFRINGEMENT AND
 SUPPORTING DOCUMENTS**

23
 24 AND RELATED COUNTERCLAIMS
 25
 26
 27
 28

1 Pursuant to Civil Local Rules 7-11 and 79-5, Plaintiff Elan Microelectronics Corporation
2 (“Elan”) hereby requests leave of Court to file under seal portions or the entirety of the following
3 documents which have been lodged with the Clerk:

- 4 1. Elan’s Reply to Apple Inc.’s (“Apple’s”) Opposition to Elan’s Motion for Partial
5 Summary Judgment of Infringement of U.S. Patent 5,825,352 (“the 352 patent”) (**partially sealed**);
- 6 2. Declaration of Robert Dezmelyk in Support of Elan’s Reply to Apple’s Opposition
7 to Elan’s Motion for Partial Summary Judgment of Infringement (**partially sealed**);
- 8 3. Exhibit I to the Declaration of Jennifer Liu in Support of Elan’s Reply to Apple’s
9 Opposition to Elan’s Motion for Partial Summary Judgment of Infringement (**filed under seal**);
- 10 4. Exhibit J to the Declaration of Jennifer Liu in Support of Elan’s Reply to Apple’s
11 Opposition to Elan’s Motion for Partial Summary Judgment of Infringement (**filed under seal**);
- 12 5. Exhibit K to the Declaration of Jennifer Liu in Support of Elan’s Reply to Apple’s
13 Opposition to Elan’s Motion for Partial Summary Judgment of Infringement (**filed under seal**);
- 14 6. Exhibit L to the Declaration of Jennifer Liu in Support of Elan’s Reply to Apple’s
15 Opposition to Elan’s Motion for Partial Summary Judgment of Infringement (**filed under seal**);
- 16 7. Exhibit M to the Declaration of Jennifer Liu in Support of Elan’s Reply to Apple’s
17 Opposition to Elan’s Motion for Partial Summary Judgment of Infringement (**filed under seal**).

18 As grounds for this motion, Elan states that the redacted portions of Elan’s Reply and the
19 Dezmelyk Declaration in Support of Elan’s Reply disclose information derived from documents
20 that Apple has marked as “Confidential – Attorney Eyes Only” or “Confidential – Attorneys’ Eyes
21 Only – Source Code” pursuant to the Amended Protective Order in this matter and confidential
22 communications between Elan and Apple regarding Apple’s infringement of the 352 patent. *See*
23 Declaration of Jennifer Liu in Support of Plaintiff Elan Microelectronics Corporation’s
24 Administrative Motion to File Under Seal filed concurrently herewith. In accordance with Civil
25 Local Rule 79-5, for these partially redacted documents, only minimum and necessary redactions
26 are made to protect sealable information.

27 Elan further states that Exhibits I-M to the Liu Declaration in Support of Elan’s Reply
28 constitute documents designated by Apple as “Confidential – Attorney Eyes Only” pursuant to the

