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Attorneys for Plaintiff and
Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

APPLE INC., a California corporation,	Case No. 11-cv-01846-LHK
Plaintiff,	**APPLE'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL RE APPLE'S OPPOSITION TO SAMSUNG'S MOTION FOR SUMMARY JUDGMENT**
v.	
SAMSUNG ELECTRONICS CO., LTD., a Korean corporation; SAMSUNG ELECTRONICS AMERICA, INC., a New York corporation; and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company,	
Defendants.	

1   In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62, Apple Inc.

2   ("Apple") submits this motion for an order to seal the following documents or portions thereof:

3   1.   The confidential, unredacted version of the Declaration of Peter W. Bressler in

4   Support of Apple's Opposition to Samsung's Motion for Summary Judgment ("Bressler

5   Declaration"); and

6   2.   Exhibits 21, 22, 25-58, 67-82, and 94-95 to the Bressler Declaration.

7   Exhibits 42-59, 73-82, and 95 to the Bressler Declaration contain information that is

8   highly confidential as set out in the Declaration of Cyndi Wheeler in Support of Apple's

9   Administrative Motion to File Documents Under Seal ("Wheeler Declaration") (Dkt. No. 998). It

10   is Apple's policy not to disclose or describe to third parties its confidential financial, design, trade

11   secrets, or product development information. (Wheeler Declaration ¶ 11.) The Apple-

12   confidential material in these exhibits relate to such confidential information, as detailed in the

13   Wheeler Declaration. (*Id.* ¶ 1-10.) This information is highly confidential to Apple and could be

14   used by Apple's competitors to Apple's disadvantage if disclosed publicly. (*Id.*) The relief

15   requested in this motion is necessary and is narrowly tailored to protect confidential information,

16   focusing only on specific portions of the documents at issue. (*Id.* ¶ 14.)

17   Exhibits 21, 22, 25-41, 67-72, and 94 to the Bressler Declaration contain materials that

18   Samsung has designated as confidential under the protective order entered in this case. Apple

19   expects that, pursuant to Civil Local Rule 79-5(d), Samsung will file a declaration seeking to

20   establish good cause to permit the sealing of these materials.

21   Finally, to the extent the Bressler Declaration refers to or discusses the above-referenced

22   confidential materials, it could be used to Apple's disadvantage by competitors if they were not

23   filed under seal, for the same reasons. (*Id.* ¶ 13.)

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1   Pursuant to Civil Local Rule 79-(c), Apple will lodge with the Clerk the documents at

2   issue with the sealable portions highlighted.

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5   Dated: May 31, 2012   MORRISON & FOERSTER LLP

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7   By: /s/ Michael A. Jacobs
            MICHAEL A. JACOBS

8   Attorneys for Plaintiff
          APPLE INC.
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