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 11 Attorneys for Plaintiff and  
 Counterclaim-Defendant APPLE INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

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 16  
 17 APPLE INC., a California corporation,  
 18 Plaintiff,  
 19 v.  
 20 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean corporation; SAMSUNG  
 21 ELECTRONICS AMERICA, INC., a New  
 York corporation; and SAMSUNG  
 22 TELECOMMUNICATIONS AMERICA,  
 LLC, a Delaware limited liability company,  
 23 Defendants.  
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Case No. 11-cv-01846-LHK  
**APPLE'S ADMINISTRATIVE  
 MOTION TO FILE DOCUMENTS  
 UNDER SEAL RE APPLE'S  
 OPPOSITION TO SAMSUNG'S  
 MOTION FOR SUMMARY  
 JUDGMENT**

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 Ravin Balakrishnan,  
4 Ph.D. in Support of Apple’s Opposition to Samsung’s Motion for Summary Judgment;

5 2. The confidential, unredacted version of the Declaration of Dr. Karan Singh, Ph.D.  
6 in Support of Apple’s Opposition to Samsung’s Motion for Summary Judgment (“Singh  
7 Declaration”) and Exhibits 1, 2, and 8 thereto; and

8 3. The Declaration of Terry L. Musika in Support of Apple’s Opposition to  
9 Samsung’s Motion for Summary Judgment (“Musika Declaration”) and Exhibits A through L  
10 thereto.

11 Exhibit 1 to the Singh Declaration and Exhibits A-E, H, and I to the Musika Declaration  
12 contain information that is highly confidential as set out in the Declaration of Cyndi Wheeler in  
13 Support of Apple’s Administrative Motion to File Documents Under Seal (“Wheeler  
14 Declaration”) (Dkt. No. 998). It is Apple’s policy not to disclose or describe to third parties its  
15 confidential financial, design, trade secrets, or product development information. (Wheeler  
16 Declaration ¶ 11.) The Apple-confidential material in these exhibits relate to such confidential  
17 information, as detailed in the Wheeler Declaration. (*Id.* ¶ 1-10.) This information is highly  
18 confidential to Apple and could be used by Apple’s competitors to Apple’s disadvantage if  
19 disclosed publicly. (*Id.* ) The relief requested in this motion is necessary and is narrowly tailored  
20 to protect confidential information, focusing only on specific portions of the documents at issue.  
21 (*Id.* ¶ 14.)

22 Exhibits 1, 2, and 8 to the Singh Declaration and Exhibits B, C, F-H and J-L to the Musika  
23 Declaration contain materials that Samsung has designated as confidential under the protective  
24 order entered in this case. Apple expects that, pursuant to Civil Local Rule 79-5(d), Samsung will  
25 file a declaration seeking to establish good cause to permit the sealing of these materials. In  
26 addition, the Musika Declaration and Exhibits A-L thereto contain highly confidential damages-

1 related expert materials, which the parties have stipulated should be submitted to the Court under  
2 seal and not placed on the public record. (Wheeler Decl. ¶ 12.)

3 Finally, to the extent the above-referenced Declarations refer to or discuss the above-  
4 referenced confidential materials, or the confidential materials identified in the Wheeler  
5 Declaration, they could be used to Apple's disadvantage by competitors if they were not filed  
6 under seal, for the same reasons. (*Id.* ¶ 13.)

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8 Pursuant to Civil Local Rule 79-(c), Apple will lodge with the Clerk the documents at  
9 issue with the sealable portions highlighted.

10 Dated: May 31, 2012

MORRISON & FOERSTER LLP

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

14 Attorneys for Plaintiff  
15 APPLE INC.