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Attorneys for Plaintiff and  
 Counterclaim-Defendant Apple Inc.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION**

13 APPLE INC., a California corporation,  
 14 Plaintiff,  
 15 vs.  
 16 SAMSUNG ELECTRONICS CO., LTD., a  
 17 Korean business entity, SAMSUNG  
 18 ELECTRONICS AMERICA, INC., a New  
 19 York corporation, and SAMSUNG  
 TELECOMMUNICATIONS AMERICA,  
 20 LLC, a Delaware limited liability company,  
 Defendants.

Civil Action No. 11-CV-01846-LHK

**APPLE INC.'S ADMINISTRATIVE  
 MOTION TO FILE DOCUMENTS  
 UNDER SEAL**

21 SAMSUNG ELECTRONICS CO., LTD., a  
 22 Korean business entity, SAMSUNG  
 23 ELECTRONICS AMERICA, INC., a New  
 24 York corporation, and SAMSUNG  
 TELECOMMUNICATIONS AMERICA,  
 25 LLC, a Delaware limited liability company,  
 Counterclaim-Plaintiffs,  
 26 v.  
 27 APPLE INC., a California corporation,  
 Counterclaim-Defendant.  
 28

1 In accordance with Civil L.R. 7-11 and 79-5, and General Order No. 62, Apple Inc.  
2 (“Apple”) moves for an order to seal the following documents:

- 3 1. Confidential portions of Apple’s Notice of Motion and Motion for Partial  
4 Summary Judgment, filed herewith.
- 5 2. Exhibits 24 and 46 – 48 to the Declaration of Joseph J. Mueller in Support of  
6 Apple’s Motion for Partial Summary Judgment, filed herewith.
- 7 3. Confidential portions of the Declaration of Saku Hieta, filed herewith.
- 8 4. Exhibits 1 – 4<sup>1</sup> to the Declaration of Saku Hieta, filed herewith.

9 Items 1 and 2 of the above documents contain information that Samsung has designated  
10 as confidential under the interim protective order. Apple expects that pursuant to Civil Local  
11 Rule 79-5(d), Samsung will file a declaration, and accompanying Proposed Order, attempting to  
12 establish good cause to permit the sealing of these materials.

13 Items 1, 3 and 4 of the above documents contain information that is Apple-confidential as  
14 set out in the Declaration of Erica Tierney in Support of Apple’s Administrative Motion to File  
15 Documents Under Seal (“Tierney Declaration”), filed herewith. As described in the Tierney  
16 Declaration, this motion requests relief that is necessary and narrowly tailored to protect only  
17 that confidential information. It is Apple’s policy not to disclose or describe to third parties  
18 information regarding the baseband processor chipsets used in Apple’s Products. (Tierney  
19 Declaration ¶ 3.) This information is highly confidential to Apple. (*Id.*) The information  
20 described above could be used by Apple’s competitors to Apple’s disadvantage if disclosed  
21 publicly. (*Id.*) The relief requested in this motion is necessary and is narrowly tailored to protect  
22 confidential information, focusing only on specific portions of the documents at issue. (*Id.* ¶ 4.)

23 Pursuant to the Court’s standing order regarding motions to file under seal, effective  
24 December 1, 2011, attached are the proposed public redacted versions of the documents that

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25 <sup>1</sup> Because these exhibits are submitted only to show the identities of certain baseband  
26 processor chipsets and the seller and purchaser of those chipsets, Apple has redacted other  
27 irrelevant order information.

1 Apple is seeking to file under seal. Pursuant to Civil L.R. 79-(c), Apple will lodge with the Clerk  
2 the documents at issue with the sealable portions highlighted.

3 Pursuant to General Order No. 62, Apple's entire filing will be lodged with the Court for  
4 *in camera* review and served on all parties.

5  
6 Dated: January 25, 2012

7 /s/ Mark. D Selwyn  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on January 25, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/ Mark. D Selwyn  
Mark D. Selwyn