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10 Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

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

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1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,
2 Apple Inc. (“Apple”) submits this motion for an order to seal the following documents or portions
3 thereof:

- 4 1. The confidential, unredacted version of Apple’s Motion to Strike Portions of Samsung’s
5 Expert Reports (“Motion”);
- 6 2. The confidential, unredacted version of Apple’s [Proposed] Order to Strike Portions of
7 Samsung’s Expert Reports (“Proposed Order”); and
- 8 3. Exhibits to the Declaration of Marc J. Pernick in Support of Apple’s Motion to Strike
9 Portions of Samsung’s Expert Reports (“Pernick Decl.”) that have been designated
10 confidential.

11 Exhibits 2, 12, 13, 18, 19, 27, 31, 34, and 35 contain information that is highly
12 confidential as set out in the Declaration of Cyndi Wheeler in Support of Apple’s Administrative
13 Motion to File Documents Under Seal (“Wheeler Declaration”), filed herewith under seal. It is
14 Apple’s policy not to disclose or describe to third parties its confidential design, trade secrets, or
15 product development. (Wheeler Declaration ¶ 4.) The Apple-confidential material in Exhibits 2,
16 12, 13, 18, 19, 27, 31, 34, and 35 to the Pernick Declaration relates to such trade secret
17 information, as detailed in the Wheeler Declaration. (*Id.* ¶ 2.) This information is highly
18 confidential to Apple. (*Id.* ¶¶ 2-3.) The information described above could be used by Apple’s
19 competitors to Apple’s disadvantage if disclosed publicly. (*Id.* ¶ 3) The relief requested in this
20 motion is necessary and is narrowly tailored to protect confidential information, focusing only on
21 specific portions of the documents at issue. (*Id.* ¶ 5.)

22 Exhibits 21-24 contain information that is highly confidential as set out in the
23 Declaration of Erica Tierney in Support of Apple’s Administrative Motion to File Documents
24 Under Seal (“Tierney Declaration”), filed herewith under seal. It is Apple’s policy not to disclose
25 or describe to third parties its confidential design, trade secrets, or product development. (Tierney
26 Declaration ¶ 3.) The Apple-confidential material in Exhibits 23-24 to the Pernick Declaration
27 relates to such trade secret information, as detailed in the Tierney Declaration. (*Id.* ¶ 2.) This
28 information is highly confidential to Apple. (*Id.* ¶ 3.) The information described above could be

1 used by Apple's competitors to Apple's disadvantage if disclosed publicly. (*Id.*) The relief
2 requested in this motion is necessary and is narrowly tailored to protect confidential information,
3 focusing only on specific portions of the documents at issue. (*Id.* ¶ 4.)

4 Exhibits 2-13, 16-31, 34-35, and 38 contain materials that Samsung has designated as
5 confidential under the protective order entered in this case. Apple expects that, pursuant to Civil
6 Local Rule 79-5(d), Samsung will file a declaration seeking to establish good cause to permit the
7 sealing of these materials.¹

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

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11 Dated: May 17, 2012

MORRISON & FOERSTER LLP

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13 By: /s/ Alison M. Tucher
14 ALISON M. TUCHER

15 Attorneys for Plaintiff
16 APPLE INC.

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26 _____
27 ¹ By respecting the process, and moving to seal Samsung's expert reports based on
28 Samsung's current designations, Apple does not waive any challenge to those designations under
the Protective Order.