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CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

21 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
22 ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
23 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

24 Defendants.
25

CASE NO. 11-cv-01846-LHK

**SAMSUNG'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL**

1 Pursuant to Civil L.R. 7-11 and 79-5, and General Order No. 62, Defendants Samsung
2 Electronics Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications
3 America, LLC (collectively, "Samsung") hereby bring this administrative motion for an order to
4 seal:

- 5 1. The confidential, unredacted Declaration of Mark Tung In Support of Samsung's
6 Conditional Motion For Relief From Nondispositive Order of Magistrate Judge
7 ("Tung Declaration"); and
- 8 2. Exhibits 3 – 9 and 11 – 15 to the Tung Declaration.

9 Samsung has established good cause to permit filing these documents under seal through
10 the appended Declaration of Joby Martin in Support of Samsung's Administrative Motion to File
11 Documents Under Seal. In short, the above documents discuss, refer to, or comprise
12 interrogatory objections that were properly designated as HIGHLY CONFIDENTIAL —
13 ATTORNEYS' EYES ONLY.

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

16
17 DATED: May 18, 2012

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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20 By /s/ Victoria Maroulis

Charles K. Verhoeven

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Victoria F. Maroulis

Michael T. Zeller

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LTD., SAMSUNG ELECTRONICS AMERICA,

INC., and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

1 code. This information is confidential and proprietary to Samsung, and could be used to its
2 disadvantage by competitors if it were not filed under seal.

3 6. Exhibit 6 to the Tung Declaration consists of excerpts from the January 12, 2012
4 deposition transcript of Woogyun Kho, which is designated as HIGHLY CONFIDENTIAL —
5 ATTORNEY'S EYES ONLY. This document contains highly sensitive commercial information
6 concerning the design and development of Samsung products and technology, including source
7 code. This information is confidential and proprietary to Samsung, and could be used to its
8 disadvantage by competitors if it were not filed under seal.

9 7. Exhibit 7 to the Tung Declaration consists of excerpts from the March 8, 2012
10 deposition transcript of Ioi Lam, which is designated as HIGHLY CONFIDENTIAL —
11 ATTORNEY'S EYES ONLY. This document contains highly sensitive commercial information
12 concerning the design and development of Samsung products and technology, including source
13 code. This information is confidential and proprietary to Samsung, and could be used to its
14 disadvantage by competitors if it were not filed under seal.

15 8. Exhibit 8 to the Tung Declaration consists of excerpts from the January 27, 2012
16 deposition transcript of Jaegwan Shin, which is designated as HIGHLY CONFIDENTIAL —
17 ATTORNEY'S EYES ONLY. This document contains highly sensitive commercial information
18 concerning the design and development of Samsung products and technology, including source
19 code. This information is confidential and proprietary to Samsung, and could be used to its
20 disadvantage by competitors if it were not filed under seal.

21 9. Exhibit 9 to the Tung Declaration consists of excerpts from the April 26, 2012
22 deposition transcript of Jeffrey Johnson, which is designated as HIGHLY CONFIDENTIAL —
23 ATTORNEY'S EYES ONLY. This document contains highly sensitive commercial information
24 concerning the design and development of Samsung products and technology, including source
25 code. This information is confidential and proprietary to Samsung, disclosed to Dr. Johnson
26 under the protective order in this action, and could be used to Samsung's disadvantage by
27 competitors if it were not filed under seal.

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1 10. Exhibit 11 to the Tung Declaration consists of excerpts from the August 16, 2011
2 deposition transcript of Apple's infringement expert, Dr. Ravin Balakrishnan, which is designated
3 as HIGHLY CONFIDENTIAL — ATTORNEY'S EYES ONLY. This document contains
4 confidential business information regarding the operation of the accused Samsung devices. This
5 information is confidential and proprietary to Samsung, and could be used to its disadvantage by
6 competitors if it were not filed under seal.

7 11. Exhibit 12 to the Tung Declaration consists of excerpts from the Expert Report of
8 Ravin Balakrishnan, Ph.D. Regarding Infringement of U.S. Patent No. 7,469,381, which is
9 designated as HIGHLY CONFIDENTIAL — ATTORNEY'S EYES ONLY. This document
10 contains references to both Apple and Samsung source code, confidential information regarding
11 the conception of Apple's patents, and excerpts of confidential deposition testimony from Apple
12 and Samsung employees regarding the asserted patents and the accused Samsung devices. This
13 information, as it relates to Samsung, is confidential and proprietary to Samsung, and could be
14 used to its disadvantage by competitors if it were not filed under seal.

15 12. Exhibit 13 to the Tung Declaration consists of excerpts from the April 20, 2012
16 deposition transcript of Apple's infringement expert, Dr. Ravin Balakrishnan, which is designated
17 as HIGHLY CONFIDENTIAL — ATTORNEY'S EYES ONLY. This document contains
18 discussion of Samsung source code, as well as confidential business information regarding the
19 operation of the accused Samsung devices. This information is confidential and proprietary to
20 Samsung, and could be used to its disadvantage by competitors if it were not filed under seal.

21 13. Exhibit 14 to the Tung Declaration consists of excerpts from the April 26, 2012
22 deposition transcript of Apple's infringement expert, Dr. Karan Singh , which is designated as
23 HIGHLY CONFIDENTIAL — ATTORNEY'S EYES ONLY. This document contains
24 discussion of Samsung source code, as well as confidential business information regarding the
25 operation of the accused Samsung devices. This information is confidential and proprietary to
26 Samsung, and could be used to its disadvantage by competitors if it were not filed under seal.

27 14. Exhibit 15 to the Tung Declaration consists of excerpts from the Expert Report of
28 Karan Singh, Ph.D., Regarding Infringement of U.S. Patents Nos. 7,864,163, 7,844,915 and

1 7,853,891. This document contains references to both Apple and Samsung source code,
2 confidential information regarding the conception of Apple's patents, and excerpts of confidential
3 deposition testimony from Apple and Samsung employees regarding the asserted patents and the
4 accused Samsung devices. This information, as it relates to Samsung, is confidential and
5 proprietary to Samsung, and could be used to its disadvantage by competitors if it were not filed
6 under seal.

7 15. The confidential, unredacted version of the Tung Declaration discusses, references,
8 or cites to the documents mentioned in paragraphs 3 – 14. The Tung Declaration is therefore
9 sealable for all of the reasons discussed above.

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11 I declare under penalty of perjury that the foregoing is true and correct. Executed in San
12 Francisco, California on May 18, 2012.

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/s/ Joby Martin

Joby Martin

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