

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	Case No.: 12-CV-00630-LHK
)	
Plaintiff and Counterdefendant,)	ORDER DENYING SAMSUNG’S
)	MOTION FOR RELIEF FROM
v.)	NONDISPOSITIVE PRETRIAL ORDER
)	OF MAGISTRATE JUDGE
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 and Counterclaimants.)	
)	

Defendants Samsung Electronics Co.; Samsung Electronics America, Inc.; and Samsung Telecommunications America, LLC (collectively “Samsung”) seek relief from Magistrate Judge Grewal’s January 9, 2014 Order Re: Motions to Strike (Dkt. 1127). Samsung contends that Judge Grewal improperly struck an opinion of Samsung’s expert Dr. Schonfeld relating to Plaintiff Apple, Inc.’s (“Apple”) alleged infringement of U.S. Patent No. 7,577,757 (the “’757 Patent”). *See* Dkt. 1157-4 (motion for relief).

The Court has invalidated the asserted claims of the ’757 Patent. *See* Dkt. 1150 at 44 (Summary Judgment Order). Samsung acknowledges as much and states that it has filed the

1 present motion merely for preservation purposes “should the Court revise its [invalidity] decision
2 or should the Court’s decision be reversed in the future.” Mot. at 1 n.1. Accordingly, the Court
3 DENIES without prejudice Samsung’s motion for relief.

4 Samsung has also filed an administrative motion to seal (Dkt. 1157), seeking to keep
5 confidential certain information included in its motion for relief related to Apple’s software
6 architecture. Samsung’s administrative motion to seal is GRANTED. *See Apple Inc. v. Samsung*
7 *Elects. Co.*, 727 F.3d 1214, 1226 (Fed. Cir. 2013) (sealing targeted portions of court filings
8 appropriate where information not “essential to the district court’s rulings”).

9 Finally, Samsung has filed a motion (Dkt. 1165) to remove a document it mistakenly filed
10 publicly as part of its motion to seal.¹ That motion is GRANTED. The Clerk is directed to remove
11 Docket No. 1157-3 from the public docket.

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13 **IT IS SO ORDERED.**

14 Dated: January 27, 2014

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17 LUCY H. KOH
18 United States District Judge

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28 ¹ Samsung’s motion asks the Court to remove Docket No. 1173-3. *See* Dkt. 1165. The Court
assumes that reference is a mistake. Docket No. 1173-3 is part of an unrelated, later-filed motion.
The Court assumes that Samsung meant to seek removal of Docket No. 1157-3, the unredacted
version of Samsung’s motion for relief that Samsung filed publicly.