UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

APPLE INC., a California Corporation, Plaintiff, v. 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.	Case No. 5:12-cv-00630-LHK-PSG **ORDER GRANTING-IN-PART MOTION FOR RECONSIDERATION** **(Re: Docket No. 1478)**

On March 26, 2014, the parties appeared before the undersigned for a hearing on Samsung Electronics Co., Ltd.'s motion for partial reconsideration of the court's recent sealing order. In its motion for leave to file a motion for reconsideration, Samsung indicated that the motion would address source code that had been unsealed due to the parties' failure to narrowly tailor their initial request. However, in reviewing the more than 5,000 pages submitted for reconsideration, it

became clear that the parties were attempting to seal not only source code but also any general descriptions of how source code functions and any indication that the operations of one device may be similar to those in another device.

As discussed at the hearing, the court now GRANTS the motion for reconsideration, but only IN-PART. Any actual source code appearing in the exhibits submitted for reconsideration shall be sealed, as shall any verbal descriptions of the way in which the source code functions. However, simple statements that one product or version functions like another do not constitute confidential business information and on that basis, statements and sentences beginning with "The infringing functionality outlined in this document does not vary across any accused version . . ." "All accused versions of ____ have similar hardware, software, and functionality . . ." or their equivalents will not be sealed.

IT IS SO ORDERED.

Dated: March 27, 2014

PAUL S. GREWAL
United States Magistrate Judge