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

RICHARD A. WILLIAMSON,  
Plaintiff,  
v.  
GOOGLE LLC,  
Defendant.

Case No. 15-cv-00966-BLF

**OMNIBUS ORDER RE SEALING  
REQUESTS**

[Re: ECF 296, 300, 304, 307, 317, 320]

Before the Court are the parties’ respective administrative motions to file under seal portions of Plaintiff’s motion for summary judgment and exhibits, the parties’ opposition briefs and exhibits, and the parties’ reply briefs and exhibits. ECF 296, 300, 304, 307, 317, 320. For the reasons stated below, Defendant’s motions are GRANTED; and Plaintiff’s motions are GRANTED IN PART and DENIED IN PART.

**I. LEGAL STANDARD**

“Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’” *Kamakana v. City & Cty. Of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n. 7 (1978)). Accordingly, when considering a sealing request, “a ‘strong presumption in favor of access’ is the starting point.” *Id.* (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). Parties seeking to seal judicial records relating to motions that are “more than tangentially related to the underlying cause of action” bear the burden of overcoming the presumption with “compelling reasons” that outweigh the general history of access and the public policies favoring disclosure. *Ctr. for Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1099 (9th Cir. 2016); *Kamakana*, 447 F.3d at 1178–79.

However, “while protecting the public’s interest in access to the courts, we must remain

1 mindful of the parties’ right to access those same courts upon terms which will not unduly harm  
 2 their competitive interest.” *Apple Inc. v. Samsung Elecs. Co., Ltd.*, 727 F.3d 1214, 1228–29 (Fed.  
 3 Cir. 2013). Records attached to motions that are “not related, or only tangentially related, to the  
 4 merits of a case” therefore are not subject to the strong presumption of access. *Ctr. for Auto*  
 5 *Safety*, 809 F.3d at 1099; *see also Kamakana*, 447 F.3d at 1179 (“[T]he public has less of a need  
 6 for access to court records attached only to non-dispositive motions because those documents are  
 7 often unrelated, or only tangentially related, to the underlying cause of action.”). Parties moving  
 8 to seal the documents attached to such motions must meet the lower “good cause” standard of  
 9 Rule 26(c). *Kamakana*, 447 F.3d at 1179 (internal quotations and citations omitted). This  
 10 standard requires a “particularized showing,” *id.*, that “specific prejudice or harm will result” if the  
 11 information is disclosed. *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206,  
 12 1210–11 (9th Cir. 2002); *see Fed. R. Civ. P. 26(c)*. “Broad allegations of harm, unsubstantiated by  
 13 specific examples of articulated reasoning” will not suffice. *Beckman Indus., Inc. v. Int’l Ins. Co.*,  
 14 966 F.2d 470, 476 (9th Cir. 1992). A protective order sealing the documents during discovery  
 15 may reflect the court’s previous determination that good cause exists to keep the documents  
 16 sealed, *see Kamakana*, 447 F.3d at 1179–80, but a blanket protective order that allows the parties  
 17 to designate confidential documents does not provide sufficient judicial scrutiny to determine  
 18 whether each particular document should remain sealed. *See Civ. L.R. 79-5(d)(1)(A)* (“Reference  
 19 to a stipulation or protective order that allows a party to designate certain documents as  
 20 confidential is not sufficient to establish that a document, or portions thereof, are sealable.”).

21 In addition to making particularized showings of good cause, parties moving to seal  
 22 documents must comply with the procedures established by Civ. L.R. 79-5. Pursuant to Civ. L.R.  
 23 79-5(b), a sealing order is appropriate only upon a request that establishes the document is  
 24 “sealable,” or “privileged or protectable as a trade secret or otherwise entitled to protection under  
 25 the law.” “The request must be narrowly tailored to seek sealing only of sealable material, and  
 26 must conform with Civil L.R. 79-5(d).” Civ. L.R. 79-5(b). In part, Civ. L.R. 79-5(d) requires the  
 27 submitting party to attach a “proposed order that is narrowly tailored to seal only the sealable  
 28 material” which “lists in table format each document or portion thereof that is sought to be

1 sealed,” Civ. L.R. 79-5(d)(1)(b), and an “unredacted version of the document” that indicates “by  
2 highlighting or other clear method, the portions of the document that have been omitted from the  
3 redacted version.” Civ. L.R. 79-5(d)(1)(d). “Within 4 days of the filing of the Administrative  
4 Motion to File Under Seal, the Designating Party must file a declaration as required by subsection  
5 79-5(d)(1)(A) establishing that all of the designated material is sealable.” Civ. L.R. 79-5(e)(1).

6 **II. DISCUSSION**

7 The Court has reviewed the parties’ sealing motions and the declarations of the designating  
8 parties submitted in support thereof. The Court finds that the parties have articulated compelling  
9 reasons to seal certain portions of the submitted documents. The proposed redactions are  
10 generally narrowly tailored. The Court’s rulings on the sealing requests are set forth in the tables  
11 below.

12 **A. ECF 296 and ECF 300 (Plaintiff’s Motion as to Plaintiff’s MSJ and Exhibits)**

<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
296-4	Plaintiff’s Motion for Summary Judgment	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-1).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 6, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 6.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 6.
300-3 <sup>1</sup>	Excerpts from Report of Plaintiff’s Expert, Dr. Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-2).	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl.

1 This document has replaced ECF 296-5. See Plaintiff’s Motion at ECF 300.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
		DENIED as to remainder.	¶ 7, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 7.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 7.
300-4 <sup>2</sup>	Appendix F to the Report of Plaintiff's Expert, Dr. Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-3).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Mehta Decl. ¶ 8, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 8.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 8.
300-5 <sup>3</sup>	Appendix G to the Report of Plaintiff's Expert, Dr. Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-4).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Mehta Decl. ¶ 9, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 9.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be

<sup>2</sup> This document has replaced ECF 296-6. See Plaintiff's Motion at ECF 300.  
<sup>3</sup> This document has replaced ECF 296-7. See Plaintiff's Motion at ECF 300.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
			sealed. Mehta Decl. ¶ 9.
300-6 <sup>4</sup>	Excerpts from Rebuttal Report of Plaintiff's Expert, Dr. Kevin C. Almeroth, Concerning Validity of U.S. Patent Nos. 6,014,698 and 6,286,045	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-5).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Mehta Decl. ¶ 10, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 10.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 10.
296-9	Ex. 2 to the Rebuttal Report of Plaintiff's Expert, Dr. Kevin C. Almeroth, Concerning Validity of U.S. Patent Nos. 6,014,698 and 6,286,045	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 11.
296-10	Excerpts from the Rebuttal Expert Report of Michael J. Freedman	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-6).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Mehta Decl. ¶ 12, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 12.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 12.
296-11	Excerpts from the Deposition of Michael Freedman	GRANTED as to proposed redacted	The proposed redacted portions contain highly confidential

<sup>4</sup> This document has replaced ECF 296-8. See Plaintiff's Motion at ECF 300.

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		portions submitted by Google, the designating party (ECF 303-7).  DENIED as to remainder.	information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 13, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 13.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 13.
296-12	Excerpts from the Deposition of David Christian	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-8).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 14, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 14.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 14.
296-13	Excerpts from the Deposition of Nathan Lucash	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-9).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 15, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 15.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
			sealed. Mehta Decl. ¶ 15.
296-14	Excerpts from the Deposition of Peter Alexander	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-10).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 16, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 16.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 16.
296-15	Excerpts from Expert Report of Peter Alexander	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-11).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 17, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 17.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 17.
296-16	Document produced by Google bearing Bates numbers GOOG_WAH_00109209- GOOG_WAH_00109211	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 18.
296-17	Document produced by Google bearing Bates numbers GOOG_WAH_00188557- GOOG_WAH_00188568	GRANTED.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
			¶ 19, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 19.
296-18	Document produced by Google bearing Bates numbers GOOG_WAH_SC_10000720, GOOG_WAH_SC_10000783, GOOG_WAH_SC_10000789, and GOOG_WAH_SC_10000799	GRANTED.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 20, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 20.
296-19	Excerpts from the Deposition of Phillip Lindsay	GRANTED.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 21, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 21.
296-20	Document produced by Google bearing Bates numbers GOOG_WAH_00050818- GOOG_WAH_00050826	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 22.
296-21	Document produced by Google bearing Bates numbers GOOG_WAH_00052835- GOOG_WAH_00052842	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 23.
296-22	Document produced by Google bearing Bates numbers GOOG_WAH_00049250- GOOG_WAH_00049257	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 24.
296-23	Document produced by Google bearing Bates numbers	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 25.



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	GOOG_WAH_00049021- GOOG_WAH_00049066		
296-24	Document produced by Google bearing Bates numbers GOOG_WAH_00056617- GOOG_WAH_00056662	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 26.
296-25	Document produced by Google bearing Bates numbers GOOG_WAH_00050368 – GOOG_WAH_00050378	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 27.
296-26	Document produced by Google bearing Bates numbers GOOG_WAH_00049258- GOOG_WAH_00049265	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 28.
296-27	Document produced by Google bearing Bates numbers GOOG_WAH_00055251- GOOG_WAH_00055260	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 29.
296-28	Document produced by Google bearing Bates numbers GOOG_WAH_00050193- GOOG_WAH_00050207	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 30.
296-29	Document produced by Google bearing Bates numbers GOOG_WAH_00048837- GOOG_WAH_00048854	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 31.
296-30	Excerpts from the Deposition Allen Merriman	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-12).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google’s source code. Mehta Decl. ¶ 32, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 32.  The remainder is denied because

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
			Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 32.
296-31	Excerpts from the Deposition of Mehdi Daoudi	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 33.
296-32	Document entitled “DoubleClick, Inc., Confidential Business Plan”	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 34.
296-33	Excerpts from Exhibit E from the Expert Report of Peter Alexander	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 303-13).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google’s source code. Mehta Decl. ¶ 35, ECF 303. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 35.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 35.
296-34	Document produced by Google bearing Bates numbers GOOG_WAH_00070764- GOOG_WAH_00070844	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 36.
296-35	Document produced by Google bearing Bates numbers GOOG_WAH_00138665- GOOG_WAH_00138666	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 37.
296-36	Excerpts from the Deposition of Tom Shields	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 38.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
296-37	Exhibit E to Rebuttal Expert Report of Michael J. Freedman	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 39.
296-38	Excerpts from the Expert Report of Laura B. Stamm	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 40.
296-39	Document produced by Google bearing Bates number GOOG_WAH_00075824	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 41.

**B. ECF 304 (Plaintiff’s Motion as to Plaintiff’s Opposition and Exhibits)**

<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
304-4	Plaintiff’s Opposition and Cross-Motion to Defendant Google LLC’s Motion for Summary Judgment	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 310-1).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 6, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 6.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 6.
304-5	Excerpts from the Deposition Transcript of Aparna Pappu	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 310-2).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 7, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 7.  The remainder is denied because

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
			Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 7.
304-6	Google Patent License, Sale and Assignment Agreement bearing production Bates numbers GOOG_WAH_00134638-GOOG_WAH_00134673	GRANTED.	The proposed redacted portions contain highly confidential financial information relating to a third-party license agreement. Mehta Decl. ¶ 8, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 8.
304-7	Excerpts from the Deposition Transcript of Tom Shields	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 9.
304-8	Excerpts from Appendix F to the Report of Plaintiff's Expert Dr. Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 310-3).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's ad display architecture and infrastructure. Mehta Decl. ¶ 10, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 10.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 10.
304-9	Excerpts from a document entitled: "Company Disclosure Schedule" dated April 13, 2007 and produced by Google bearing production Bates numbers GOOG_WAH_00099914, 00099934-38, 00099946-75, 00100015, and 00100025-26	GRANTED.	The proposed redacted portions contain highly confidential financial information relating to a third-party merger agreement. Mehta Decl. ¶ 11, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 11.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
304-10	Excerpts from a document entitled: "Agreement and Plan of Merger By and Among Google Inc., Whopper Acquisition Corp. and Click Holdings Corp. dated April 13, 2007 and produced by Google bearing production Bates numbers GOOG_WAH_00069938, 00069944, 00069946, 00069955, 00069961-62, 00069965-68, 00069999-00070000	GRANTED.	The proposed redacted portions contain highly confidential financial information relating to a third-party merger agreement. Mehta Decl. ¶ 11, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 11.
304-11	Excerpts from the Deposition Transcript of Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 310-4).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's source code. Mehta Decl. ¶ 12, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 12.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 12.
304-12	Excerpts from the Expert Report of Peter Alexander	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 13.
304-13	Excerpts from the Rebuttal Report of Plaintiff's Expert, Dr. Kevin C. Almeroth	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 14.
304-14	Excerpts from the Deposition Transcript of Peter Alexander	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 15.
304-15	Excerpts from the Report of Plaintiff's Expert, Dr. Kevin C. Almeroth	GRANTED as to proposed redacted portions submitted by	The proposed redacted portions contain highly confidential information relating to Google's ad display architecture and

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
		Google, the designating party (ECF 310-5).  DENIED as to remainder.	infrastructure. Mehta Decl. ¶ 16, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 16.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 16.
304-16	Excerpts from the Deposition Transcript of Dwight Merriman	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 17.
304-17	Excerpts from the Rebuttal Expert Report of Michael J. Freedman	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 310-6).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's ad display architecture and infrastructure. Mehta Decl. ¶ 18, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 18.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 18.
304-18	Excerpts from the Expert Report of Laura B. Stamm	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 19.
304-19	Excerpts from a document entitled: How did DoubleClick get here? Produced by Google bearing production Bates numbers GOOG_WAH_00227661, GOOG_WAH_00227680	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 20.
304-20	Excerpts from the Deposition Transcript of Michael Kleber	GRANTED as to proposed redacted portions submitted by	The proposed redacted portions contain highly confidential information relating to Google's

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
		Google, the designating party (ECF 310-7).  DENIED as to remainder.	ad display architecture and infrastructure. Mehta Decl. ¶ 21, ECF 310. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 21.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 21.

**C. ECF 307 (Defendants’ Motion as to Defendants’ Opposition and Exhibits)**

<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
307-4	Google LLC’s Opposition to Plaintiff’s Motion for Summary Judgment and Motion to Strike	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Dowd Decl. ¶ 6, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 6.
307-6	Exhibit 3 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC’s Opposition to Plaintiff’s Motion for Summary Judgment and Motion to Strike	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Dowd Decl. ¶ 7, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 7.
307-8	Exhibit 4 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC’s Opposition to Plaintiff’s Motion for Summary	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google’s ad display architecture and infrastructure. Dowd Decl. ¶ 8,

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
	Judgment and Motion to Strike		ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 8.
307-10	Exhibit 5 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC's Opposition to Plaintiff's Motion for Summary Judgment and Motion to Strike	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Dowd Decl. ¶ 9, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 9.
307-11	Exhibit 6 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC's Opposition to Plaintiff's Motion for Summary Judgment and Motion to Strike	GRANTED as to the entire document.	The proposed redaction contains highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Dowd Decl. ¶ 10, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 10.
307-13	Exhibit 7 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC's Opposition to Plaintiff's Motion for Summary Judgment and Motion to Strike	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Dowd Decl. ¶ 11, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 11.
307-14	Exhibit 8 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC's Opposition to Plaintiff's Motion for Summary Judgment and Motion to Strike	GRANTED as to the entire document.	The proposed redaction contains highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Dowd Decl. ¶ 12, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 12.



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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
307-16	Exhibit 20 to the Declaration of Matthias A. Kamber in support of Defendant Google LLC's Opposition to Plaintiff's Motion for Summary Judgment and Motion to Strike	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to the design and operation of Google's ad display architecture and infrastructure. Dowd Decl. ¶ 13, ECF 307-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 13.

**D. ECF 320 (Plaintiff's Motion as to Plaintiff's Reply and Exhibits)**

<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
320-4	Plaintiff's Reply in Support of Motion for Summary Judgment and to Strike	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 324-1).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's source code. Mehta Decl. ¶ 1, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 1.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 1.
320-5	Excerpts from the Deposition of Peter Alexander	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 324-2).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's source code. Mehta Decl. ¶ 2, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 2.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 2.

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
320-6	Excerpts from the Deposition of Mark Scheele	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 3.
320-7	Excerpts from the Deposition of Phillip Lindsay	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 4.
320-8	A table regarding DoubleClick Source Code	GRANTED.	The proposed redacted portions contain highly confidential information relating to Google's source code. Mehta Decl. ¶ 5, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 5.
320-9	Excerpts from the Deposition of Dwight Merriman	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 324-3).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google's ad display architecture and infrastructure. Mehta Decl. ¶ 6, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 6.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 6.
320-10	Excerpts from Google's Source Code Production	GRANTED.	The proposed redacted portions contain highly confidential information relating to Google's source code. Mehta Decl. ¶ 7, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 7.
320-11	Excerpts from the Rebuttal Expert Report of Michael J. Freedman	DENIED.	Google, the designating party, states that it does not seek to seal this document. Mehta Decl. ¶ 8.
320-12	Excerpts from Plaintiff's First Amended Infringement Claim	GRANTED as to proposed redacted portions submitted by	The proposed redacted portions contain highly confidential information relating to Google's

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<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
	Charts for U.S. Patent 6,286,045	Google, the designating party (ECF 324-4).  DENIED as to remainder.	ad display architecture and infrastructure. Mehta Decl. ¶ 9, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 9.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 9.
320-13	Excerpts from the Deposition of Alex Hioreanu	GRANTED as to proposed redacted portions submitted by Google, the designating party (ECF 324-5).  DENIED as to remainder.	The proposed redacted portions contain highly confidential information relating to Google’s ad display architecture and infrastructure. Mehta Decl. ¶ 10, ECF 324. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶ 10.  The remainder is denied because Google, the designating party, does not represent that the remaining portions should be sealed. Mehta Decl. ¶ 10.

**E. ECF 317 (Defendants’ Motion as to Defendants’ Reply and Exhibits)**

<u>ECF No.</u>	<u>Document to be Sealed:</u>	<u>Result</u>	<u>Reasoning</u>
317-4	Reply Brief in Support of Google LLC’s Motion for Summary Judgment	GRANTED as to the highlighted portions.	The proposed redacted portions contain highly confidential information relating to Google’s strategic licensing practices. Dowd Decl. ¶ 6, ECF 317-1. Disclosure of such information would provide an unfair business advantage to competitors. Id. ¶¶ 4, 6.

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**III. ORDER**

For the foregoing reasons, Defendant’s motions at ECF 307 and ECF 317 are GRANTED; and Plaintiff’s motions at ECF 296, ECF 300, ECF 304, and ECF 320 are GRANTED IN PART and DENIED IN PART.

For any request that has been denied, if the designating party has not already publicly submitted the properly redacted version of the documents, the submitting party must file the unredacted (or lesser redacted) documents into the public record no earlier than 4 days and no later than 10 days from the filing of this order. *See* Civ. L.R. 79-5(e)(2).

**IT IS SO ORDERED.**

Dated: October 26, 2018



BETH LABSON FREEMAN  
United States District Judge