

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SYNOPSIS, INC.,
Plaintiff,
v.
REAL INTENT, INC.,
Defendant.

Case No. 20-cv-02819-EJD

**FURTHER ORDER REGARDING
SUPPLEMENTAL MOTION IN
LIMINE**

On October 15, 2024, the Court ordered Real Intent to submit the deposition excerpts it sought to exclude. ECF No. 725. The Court received Real Intent’s deposition excerpts on October 16, 2024 (ECF No. 726) and Synopsys’ response (ECF No. 727). After reviewing the submitted excerpts, the identified exhibits, and the parties’ briefing, the Court rules as follows¹:

I. EXHIBIT A (ECF NO. 726)

Excerpt ID	Ruling	Reason
2.16	SUSTAINED	Not relevant; pertains only to liability. Risk of confusion in raising liability.
2.60–64	OVERRULED	Prejudice does not outweigh relevance.
2.65	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
2.66–68	OVERRULED	Prejudice does not outweigh relevance.
2.74–77	OVERRULED	Prejudice does not outweigh relevance.

¹ This Order does not preclude Synopsys from later seeking to admit testimony or exhibits for which the Court has sustained Real Intent’s objection, if appropriate. For example, if Real Intent opens the door or for impeachment purposes.

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Excerpt ID	Ruling	Reason
2.79–83	OVERRULED	Prejudice does not outweigh relevance.
2.88	SUSTAINED	Not relevant; pertains only to liability. Risk of confusion in raising liability.
2.89–94	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
2.95	OVERRULED	Prejudice does not outweigh relevance; relates to timeline.
2.96–2.108	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.
2.132–148	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.
2.165–173	OVERRULED	Prejudice does not outweigh relevance; relates to timeline.

II. EXHIBIT B (ECF NO. 726)

Excerpt ID	Ruling	Reason
21–24	SUSTAINED	Not relevant; pertains only to liability. Risk of confusion in raising liability.

III. EXHIBIT C (ECF NO. 726)

Excerpt ID	Ruling	Reason
12–22	OVERRULED	Prejudice does not outweigh relevance; relates to timeline.
23–32	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
41–51	OVERRULED	Prejudice does not outweigh relevance.
52–53	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
57–58	OVERRULED	Prejudice does not outweigh relevance.
61–63	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
64–74	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.
75–80	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
81–84	SUSTAINED	Not relevant; pertains only to liability. Risk of confusion in

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Excerpt ID	Ruling	Reason
		raising liability.
85–91	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.

IV. EXHIBIT C (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.

V. EXHIBIT D (ECF NO. 709-1)

Excerpt	Ruling	Reason
Sentence beginning “We should ship...”	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.
Remainder of exhibit	OVERRULED	Prejudice does not outweigh relevance.

VI. EXHIBIT E (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.

VII. EXHIBIT G (ECF NO. 709-1)

Excerpt	Ruling	Reason
p. 1	OVERRULED	Prejudice does not outweigh relevance; relates to timeline.
Remainder of exhibit	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.

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VIII. EXHIBIT H (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

IX. EXHIBIT I (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

X. EXHIBIT J (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	SUSTAINED	Potential for prejudice or confusion outweighs relevance; relates to resolved copyright claim.

XI. EXHIBIT K (ECF NO. 709-1)

Excerpt	Ruling	Reason
Highlighted excerpt	SUSTAINED	Not relevant; pertains only to liability. Risk of confusion in raising liability.
Remainder of exhibit	OVERRULED	Prejudice does not outweigh relevance.

XII. EXHIBIT L (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

XIII. EXHIBIT M (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

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XIV. EXHIBIT N (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

XV. EXHIBIT O (ECF NO. 709-1)

Excerpt	Ruling	Reason
Entire exhibit	OVERRULED	Prejudice does not outweigh relevance.

XVI. EXHIBIT P (ECF NO. 709-1)

Excerpt	Ruling	Reason
First highlighted sentence	SUSTAINED	Potential for jury to prejudicially view Real Intent’s efforts to hide copying outweighs relevance. Efforts to hide primarily go to liability because they show consciousness of guilt.
Remainder of exhibit (including second highlighted sentence)	OVERRULED	Prejudice does not outweigh relevance.

IT IS SO ORDERED.

Dated: October 16, 2024



EDWARD J. DAVILA
United States District Judge