

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MIRROR WORLDS, LLC

Plaintiff

vs.

APPLE, INC.

Defendant

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CASE NO. 6:08 CV 88

ORDER

Apple's Notice of Intent to Request Redaction (Docket No. 439) is before the Court. Apple informs the Court that it will move to redact jury trial transcripts in this case.

The Eastern District has procedures to redact personally identifying information from transcripts. *See The Ohio Willow Wood Company v. Thermo-Ply, Inc.*, 9:07-CV-274, Docket No. 27 (Clark, J.); Transcript Procedures for Attorneys (2008)¹; Local Rule CV-5.2. The policy protects four categories of personal data identifiers, namely social security and taxpayer-identification numbers, dates of birth, initials of minor children, and financial account numbers. "If an attorney wishes to redact additional information, he or she may make a motion to the court." Local Rule CV-5.2(b)(4).

The Court warns the parties that it rarely redacts statements made in open court and thus already in the public domain unless they contain social security or taxpayer-identification numbers, dates of birth, initials of minor children, or financial account numbers or are impertinent, scandalous, or inadvertent disclosures of trade secrets. Without a specific showing of likely harm, the Court will

¹ Available at <http://www.txed.uscourts.gov/Records/Transcripts.htm>.

not order redaction simply because a party deems the statements sensitive or confidential.

The District's court reporters are busy individuals, providing their services for a myriad of courtroom proceedings including trials, claim construction hearings, motion hearings, status and case management conferences, and criminal proceedings. In a patent case, it is not unusual for transcripts to be requested—on an expedited basis—of nearly every hearing in the case. Further, the technology involved in a patent case typically increases the complexity of transcribing the proceedings. Allowing redactions any time would put an enormous burden on the District's court reporters.

The parties should consider this guidance in deciding whether to seek any redactions.

So ORDERED and SIGNED this 3rd day of November, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**