

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

NOTICE OF MOTION TO SEAL PORTIONS OF DEFENDANTS' BRIEF IN SUPPORT OF THEIR MOTION TO COMPEL PLAINTIFF TO SUPPLEMENT ITS INFRINGEMENT CONTENTIONS AND EXHIBITS K, L, M AND N TO THE DECLARATION OF EMILY C. O'BRIEN IN SUPPORT OF DEFENDANTS' BRIEF IN SUPPORT OF THEIR MOTION TO COMPEL PLAINTIFF TO SUPPLEMENT ITS INFRINGEMENT CONTENTIONS

PLEASE TAKE NOTICE THAT Defendants Google, Inc. and IAC Search & Media, Inc. (collectively, "Defendants"), by counsel, pursuant to Rule 5 of the Local Rules of Practice for the United States District Court for the Eastern District of Virginia, have moved the Court for leave to file under seal Portions of Defendants' Brief in Support of Their Motion to Compel Plaintiff to Supplement its Infringement Contentions ("Portions of Defendants' Brief") and Exhibits K, L, M and N to the Declaration of Emily C. O'Brien in Support of Defendants' Brief in Support of Their Motion to Compel Plaintiff to Supplement its Infringement Contentions ("Certain Exhibits to O'Brien Declaration"). Grounds and authorities for this Motion are set forth in Defendants' Memorandum in Support of Motion to Seal. Portions of Defendants' Brief and Certain Exhibits to O'Brien Declaration contain confidential information and, under the Protective Order (Dkt. No. 85), should be filed under seal.

Before this Court may seal Court documents, it must: (1) provide public notice with an opportunity to object; (2) consider less drastic alternatives; and (3) state specific findings in support of a decision to seal and reject alternatives to sealing. *See, e.g., Flexible Benefits Council v. Feldman*, No. 1:08-CV-371, 2008 U.S. Dist. LEXIS 93039 (E.D. Va. Nov. 13, 2008) (citing *Ashcroft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000)).

In compliance with Local Rule 5 of the Rules of this Court and *Ashcroft*, the Court posts the following notice to the public: “This serves as public notice that Defendants have moved to file under seal Portions of Defendants’ Brief and Certain Exhibits to O’Brien Declaration. Objections to this Motion should be filed in the Civil Section of the Clerk’s Office. The Notice will be posted for a minimum of forty-eight (48) hours.”

DATED: March 27, 2012

/s/ Stephen E. Noona
Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624.3000
Facsimile: (757) 624.3169
senoona@kaufcan.com

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

*Attorneys for Google Inc., Target Corporation,
IAC Search & Media, Inc., and Gannet Co., Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Donald C. Schultz
W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Counsel for Plaintiff, I/P Engine, Inc.

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169
senoona@kaufcan.com

*Attorneys for Google Inc., Target Corporation,
IAC Search & Media, Inc., and Gannet Co., Inc.*

/s/ Stephen E. Noona

Stephen E. Noona

Virginia State Bar No. 25367

KAUFMAN & CANOLES, P.C.

150 West Main Street, Suite 2100

Norfolk, VA 23510

Telephone: (757) 624.3000

Facsimile: (757) 624.3169

senoona@kaufcan.com

11618750_1.DOC