

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

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I/P ENGINE, INC.,)	
	Plaintiff,)	
	v.)	Civ. Action No. 2:11-cv-512
)	
AOL, INC. et al.,)	
	Defendants.)	
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NOTICE OF MOTION TO SEAL I/P ENGINE, INC.’S OPPOSITION TO DEFENDANTS’ OPENING BRIEF ON ISSUES RAISED IN THE COURT’S AUGUST 14 ORDER AND THE REBUTTAL DECLARATION OF DR. OPHIR FRIEDER, PH.D.

PLEASE TAKE NOTICE THAT Plaintiff I/P Engine, Inc. (“I/P Engine”), pursuant to Rule 5 of the Local Rules of Practice for the U.S. District Court for the Eastern District of Virginia, have moved the court for leave to file under seal its Opposition to Defendants’ Opening Brief on Issues in the Court’s August 14 Order and the Rebuttal Declaration of Dr. Ophir Frieder, Ph.D. in support of its Opposition (collectively, “Opposition”). Grounds and authorities for this Motion are set forth in I/P Engine’s Memorandum in Support of Motion to Seal. The afore-mentioned contains information marked as confidential by Defendants and, under the Protective Order (D.I. No. 85), should be filed under seal. The information contained in this Opposition contains Google’s proprietary and confidential information.

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, the Court posts the following notice to the public: “This serves as public notice that I/P Engine has moved to file under seal its Opposition. Objections to this Motion should be filed in the Civil Section of the Clerk’s Office. The Notice Of Motion To Seal I/P Engine, Inc.’s Opposition will be posted for a minimum of forty-eight (48) hours.”

Dated: November 11, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on this 11st day of November, 2013, the foregoing was served via the Court's CM/ECF system, on the following:

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