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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION, a Washington)	No. CV07 936RSM
corporation,)	
	IMMERSION CORPORATION’S
Plaintiff,)	MOTION TO FILE UNDER SEAL ITS
	SUPPLEMENTAL SUBMISSION AND
v.)	SUPPORTING DOCUMENTS
IMMERSION CORPORATION, a Delaware)	
corporation,)	
Defendant.)	Re-Noted on Motion Calendar: 6/27/2008

Pursuant to Local Rule 5(g) and Rule 26(c)(1) of the Federal Rules of Civil Procedure (“Rule 26(c)”), defendant Immersion Corporation (“Immersion”) respectfully requests that the Court allow it to file under seal Immersion’s Supplemental Submission in Opposition to Microsoft Corporation’s (“Microsoft”) “Motion For Partial Summary Judgment Regarding Immersion’s Counterclaim” (“Supplemental Submission”), the declaration of Laura A. Peter in support thereof, the declaration of David R. Kaplan in support thereof, and the exhibits attached to such declarations.

On June 10, 2008, the Court ordered Immersion to make a supplemental submission regarding the scope of damages on Immersion’s counterclaim against Microsoft for breach of a certain Confidentiality Agreement. Information provided in Immersion’s Supplemental

1 Submission and the supporting declarations and exhibits contain business sensitive and
2 confidential information, including information related to disclosures of confidential financial
3 terms of an agreement between Immersion and Sony Computer Entertainment, Inc. and Sony
4 Computer Entertainment America, Inc. Sealing of these documents is proper under Local Rule
5 5(g) and Rule 26(c) because the public's interest in accessing such information is minimal or
6 nonexistent, while the interests of the parties and relevant non-parties in protecting these
7 documents from public disclosure is substantial. In addition, if such documents were filed
8 publicly, there is a likelihood that Immersion would suffer additional harm. Further, information
9 relating to Immersion's Counterclaim is already available in, among other things, Microsoft's
10 partial summary judgment motion regarding Immersion's counterclaim, Immersion's opposition,
11 and Microsoft's reply.

12 In view of the foregoing, Immersion respectfully requests that this Court enter an order
13 sealing the above-described documents. A proposed order is lodged herewith.

14
15 DATED June 27, 2008.

16 IRELL & MANELLA LLP

17 By /s/ David R. Kaplan

Morgan Chu

18 Richard M. Birnholz

19 Alan J. Heinrich

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(All admitted *pro hac vice*)

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24 *Attorneys for Defendant Immersion Corporation*

1 **CERTIFICATE OF SERVICE**

2 The undersigned attorney certifies that on the 27th day of June, 2008, I electronically
3 filed the foregoing with the Clerk of the Court using the CM/ECF system which will send
4 notification of such filing to the following:

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