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The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION, a Washington corporation,)	No. CV07 936RSM
)	
Plaintiff,)	IMMERSION CORPORATION'S
)	MOTION TO FILE UNDER SEAL
v.)	CERTAIN SUPPORTING DOCUMENTS
)	
IMMERSION CORPORATION, a Delaware corporation,)	
)	
Defendant.)	NOTE ON MOTION CALENDAR
)	July 25, 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 the exhibits A, B, C, D, and E to the Declaration of David R. Kaplan (“Kaplan Declaration”) in Support of Immersion’s Opposition to Microsoft’s Motion for Partial Summary Judgment Regarding Immersion’s Affirmative Defenses.

The above-referenced exhibits to the Kaplan Declaration contain business sensitive and confidential information, including information related to the scope of a sublicense to Immersion’s haptic technologies granted by Immersion to Microsoft in 2003, confidential financial terms of an agreement between Immersion and Sony Computer Entertainment, Inc. and Sony Computer Entertainment America, Inc. (collectively “Sony”) executed in 2007, and

1 excerpts of deposition testimony containing business sensitive information concerning
2 confidential business negotiations. The information has been designated “Confidential” or
3 “Attorneys and Consultants Only” by one or more of the parties to this lawsuit under the
4 Stipulated Protective Order Regarding Treatment by the Parties of Confidential Documents.

5 Sealing of these exhibits is proper under Local Rule 5(g) and Rule 26(c) because the
6 public’s interest in accessing such information is minimal or nonexistent, while the interests of
7 the parties and relevant third parties in protecting these documents from public disclosure is
8 substantial. None of the subject exhibits deal with any specific matters of public importance.
9 Further, information relating to the parties’ claims can be obtained from Microsoft’s Motion for
10 Partial Summary Judgment Regarding Immersion’s Affirmative Defenses, Immersion’s
11 Opposition thereto, as well as other pleadings and documents publicly on file with the Court.

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 DATED July 21, 2008.

15 IRELL & MANELLA LLP

16 By /s/ David R. Kaplan

17 David R. Kaplan

18 (admitted *pro hac vice*)

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Attorneys for Defendant Immersion Corporation

1 **CERTIFICATE OF SERVICE**

2 The undersigned attorney certifies that on the 21th day of July, 2008, I electronically filed
3 the foregoing with the Clerk of the Court using the CM/ECF system which will send notification
4 of such filing to the following:

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