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THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GINA KIM, on behalf of a class consisting of herself and all other persons similarly situated,

No. 2:11-cv-00214-RSM

Plaintiffs, and as to Ms. Kim, counterclaim defendant,

v.

COACH, INC., a Maryland corporation, and COACH SERVICES, INC., a Maryland corporation,

**DECLARATION OF PATRICK EAGAN
IN SUPPORT OF DEFENDANTS’
MOTION TO SEAL MOTION TO
STRIKE CLASS ALLEGATIONS AND
DECLARATIONS OF JOHN
MACALUSO AND NANCY AXILROD**

Defendants, and, as to Coach, Inc., counterclaim plaintiff.

I, Patrick Eagan, declare as follows:

1. I am an attorney for Coach, Inc. and Coach Services, Inc. (collectively, “Defendants” or “Coach Companies”) in the above-captioned lawsuit. I work in the Seattle office of DLA Piper LLP (US). I have personal knowledge of the facts set forth in this declaration, and, if called to do so, I can and would testify competently thereto.

2. The Declaration of John Macaluso (and attached exhibits) in Support of Defendants’ Motion to Strike Class Allegations (the “Macaluso Declaration”) and the

1 Declaration of Nancy Axilrod in Support of Defendants’ Motion to Strike Class Allegations
2 (the “Axilrod Declaration”) were prepared in connection with the Court’s consideration of
3 Defendants’ Motion to Strike Class Allegations from the Second Amended Complaint filed by
4 plaintiff Gina Kim (Dkt. No. 20-1).

5 3. The Motion to Strike Class Allegations and the Macaluso and Axilrod
6 Declarations contain information concerning Coach Companies’ efforts to monitor and enforce
7 Coach Companies’ intellectual property rights on the internet.

8 4. The Motion to Strike Class Allegations and the Macaluso and Axilrod
9 Declarations contain highly confidential business information concerning how Coach
10 Companies identify counterfeit products, the public disclosure of which would enable
11 counterfeiters to evade detection and would harm Coach Companies’ business. Online sales of
12 counterfeit products are a major problem for intellectual property holders such as Coach
13 Companies.

14 5. Online sales of counterfeit products also injure consumers, who believe that they
15 are obtaining high-quality merchandise and instead receive poor-quality knockoffs. Thus, the
16 public interest strongly supports permitting the Motion to Strike Class Allegations and the
17 Macaluso and Axilrod Declarations to be filed under seal.

18 I declare under penalty of perjury under the laws of the United States of America that
19 the foregoing is true and correct.

20 Executed at Seattle, Washington, this 14th day of April, 2011.

21
22 s/ Patrick Eagan
Patrick Eagan, WSBA No. 42679

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on April 14, 2011, I electronically filed the foregoing with the
3 Clerk of the Court using the CM/ECF System which will send notification of such filing to all
4 counsel of record.

5 Dated this 14th day of April, 2011.

6 *s/Stellman Keehnel*
7 _____
8 Stellman Keehnel, WSBA No. 9309

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