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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

CASE NO. 11-cv-01846-LHK-PSG

**[PROPOSED] ORDER GRANTING
SAMSUNG’S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL**

On November 5, 2012, Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”) has filed an Administrative Motion to File Documents Under Seal. Pursuant to Civil L.R. 79-5(d), Samsung moved to seal portions of the Supplemental Declaration of Stephen Gray in Support of Samsung’s Opposition to Apple’s Motion for Permanent Injunction and Damages Enhancement, and Exhibit A thereto, which describe the operation of Samsung’s source code. Courts have been clear that confidential source code is a trade secret. *See Agency Solutions.Com, LLC v. TriZetto Group,*

1 *Inc.*, 819 F. Supp. 2d 1001, 1017 (E.D. Cal. 2011). As this Court has ruled in its previous sealing
2 Orders, source code meets the “compelling reasons” standard, and is sealable.

3 Accordingly, Samsung’s motion to seal the Supplemental Declaration of Stephen Gray in
4 Support of Samsung’s Opposition to Apple’s Motion for Permanent Injunction and Damages
5 Enhancement is GRANTED.

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7 **IT IS SO ORDERED.**

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9 DATED: _____, 2012

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Hon. Lucy H. Koh
United States District Court Judge

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