

EXHIBIT "C"

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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 SIGNAL IP, INC.,

16 Plaintiff,

17 v.

Case No. CV 14-03113 JAK(JEMx)

18 VOLKSWAGEN GROUP OF
19 AMERICA, INC., *et al.*,

20 Defendants.

[PROPOSED] PROTECTIVE ORDER

21
22 WHEREAS, Plaintiff Signal IP, Inc. and Defendants Volkswagen Group of
23 America, Inc. and Bentley Motors Inc., hereafter referred to as "the Parties,"
24 believe that certain information that is or will be encompassed by discovery
25 demands by the Parties involves the production or disclosure of trade secrets,
26 confidential business information, or other proprietary information;
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1 WHEREAS, the Parties seek a protective order limiting disclosure thereof in
2 accordance with Federal Rule of Civil Procedure 26(c);

3 THEREFORE, it is hereby stipulated among the Parties and ORDERED that:

- 4
- 5 1. Each Party may designate as confidential for protection under this Order, in
6 whole or in part, any document, information or material that constitutes or
7 includes, in whole or in part, confidential or proprietary information or trade
8 secrets of the Party or a Third Party to whom the Party reasonably believes it
9 owes an obligation of confidentiality with respect to such document,
10 information or material (“Protected Material”). Protected Material shall be
11 designated by the Party producing it by affixing a legend or stamp on such
12 document, information or material as follows: “CONFIDENTIAL.” The
13 word “CONFIDENTIAL” shall be placed clearly on each page of the
14 Protected Material (except deposition and hearing transcripts) for which such
15 protection is sought. For deposition and hearing transcripts, the word
16 “CONFIDENTIAL” shall be placed on the cover page of the transcript (if not
17 already present on the cover page of the transcript when received from the
18 court reporter) by each attorney receiving a copy of the transcript after that
19 attorney receives notice of the designation of some or all of that transcript as
20 “CONFIDENTIAL.”
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2. Any document produced under Patent Rules 2-2, 3-2, and/or 3-4 before issuance of this Order with the designation “Confidential” or “Confidential - Outside Attorneys’ Eyes Only” shall receive the same treatment as if designated “RESTRICTED - ATTORNEYS’ EYES ONLY” under this Order, unless and until such document is redesignated to have a different classification under this Order.

3. With respect to documents, information or material designated “CONFIDENTIAL, “RESTRICTED - ATTORNEYS’ EYES ONLY,” or “RESTRICTED CONFIDENTIAL SOURCE CODE” (“DESIGNATED MATERIAL”),¹ subject to the provisions herein and unless otherwise stated, this Order governs, without limitation: (a) all documents, electronically stored information, and/or things as defined by the Federal Rules of Civil Procedure; (b) all pretrial, hearing or deposition testimony, or documents marked as exhibits or for identification in depositions and hearings; (c) pretrial pleadings, exhibits to pleadings and other court filings; (d) affidavits; and (e) stipulations. All copies, reproductions, extracts, digests and complete or partial summaries prepared from any DESIGNATED MATERIALS shall

¹ The term DESIGNATED MATERIAL is used throughout this Protective Order to refer to the class of materials designated as “CONFIDENTIAL,” “RESTRICTED - ATTORNEYS’ EYES ONLY,” or “RESTRICTED CONFIDENTIAL SOURCE CODE,” both individually and collectively.

1 also be considered DESIGNATED MATERIAL and treated as such under
2 this Order.

3 4. A designation of Protected Material (*i.e.*, “CONFIDENTIAL,”
4 “RESTRICTED - ATTORNEYS’ EYES ONLY,” or “RESTRICTED
5 CONFIDENTIAL SOURCE CODE”) may be made at any time. Inadvertent
6 or unintentional production of documents, information or material that has
7 not been designated as DESIGNATED MATERIAL shall not be deemed a
8 waiver in whole or in part of a claim for confidential treatment. Any party
9 that inadvertently or unintentionally produces Protected Material without
10 designating it as DESIGNATED MATERIAL may request destruction of
11 that Protected Material by notifying the recipient(s), as soon as reasonably
12 possible after the producing Party becomes aware of the inadvertent or
13 unintentional disclosure, and providing replacement Protected Material that
14 is properly designated. The recipient(s) shall then destroy all copies of the
15 inadvertently or unintentionally produced Protected Materials and any
16 documents, information or material derived from or based thereon.
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18 5. “CONFIDENTIAL” documents, information and material may be disclosed
19 only to the following persons, except upon receipt of the prior written
20 consent of the designating party, upon order of the Court, or as set forth in
21 paragraph 12 herein:
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