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18 Attorneys for Plaintiff  
APPLIED MATERIALS, INC.

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21  
22 APPLIED MATERIALS, INC.,

23 Plaintiff,

24 vs.

25 DEMARAY LLC,

26 Defendant.

CASE NO. 5:20-cv-09341-EJD

**DECLARATION OF AKSHAY S.  
DEORAS IN SUPPORT OF  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL**

Honorable Edward J. Davila

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1 I, Akshay S. Deoras, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am a partner  
3 with the law firm of Kirkland & Ellis, located at 555 California Street, San Francisco, CA 94104.  
4 I am counsel for plaintiff Applied Materials, Inc. (“Applied”) in the above-captioned matter. I  
5 make this declaration pursuant to Civil Local Rule 79-5 in support of Applied’s Motion to File  
6 Under Seal.

7 2. I am over the age of eighteen and suffer from no mental or physical disabilities that  
8 would render me incompetent to testify in this matter. I have knowledge of the facts set forth  
9 herein, and if called to testify as a witness, could do so competently under oath.

10 3. The information Applied seeks to seal constitutes Applied’s trade secret information  
11 and commercially sensitive Applied confidential business information.

12 4. Applied’s Motion does not relate to a dispositive motion. Thus, the “good cause”  
13 standard applies. *Apple, Inc. v. Samsung Elecs. Co.*, No. 11-CV-01846-LHK, 2012 WL 6115623,  
14 at \*1 (N.D. Cal. Dec. 10, 2012). This requirement has been satisfied here for the reasons listed in  
15 paragraph 5 of this declaration, and because not sealing risks releasing trade secrets and confidential  
16 information, which might harm Applied’s competitive standing. Moreover, there is no less  
17 restrictive alternative to sealing this information.

18 5. Exhibit 1 and related text in the body of Applied’s Answer, Affirmative Defenses  
19 and Counterclaims include materials marked as “Applied Materials Confidential” and contain  
20 highly confidential Applied business information including details of proprietary reactor  
21 technology.

22 I declare under perjury under the laws of the United States and the State of California that  
23 the foregoing is true and correct.

24 Executed on September 8, 2022 in San Francisco, CA.

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/s/ Akshay S. Deoras  
Akshay S. Deoras