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Semiconductor, LLC

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 APPLIED MATERIALS, INC.,

23 Plaintiff,

24 vs.

25 DEMARAY LLC,

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

**SAMSUNG’S STATEMENT IN
RESPONSE TO PLAINTIFF APPLIED
MATERIALS, INC.’S
ADMINISTRATIVE MOTION TO SEAL
SAMSUNG ELECTRONICS CO., LTD.
(A KOREAN COMPANY), SAMSUNG
ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC.,
AND SAMSUNG AUSTIN**

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**SEMICONDUCTOR, LLC'S
CONFIDENTIAL INFORMATION**

Honorable Edward J. Davila

1 Pursuant to Civil Local Rules 79-5 and 7-11 Governing Administrative Motions to Seal and
 2 to Consider Whether Another Party's Material Should be Sealed, non-parties Samsung Electronics
 3 Co., Ltd., Samsung Electronics America, Inc., Samsung Semiconductor, Inc., and Samsung Austin
 4 Semiconductor, LLC (collectively "Samsung"), hereby bring this Statement in Response to
 5 Plaintiff Applied Materials, Inc.'s ("Applied" or "Plaintiff") Administrative Motion to Seal
 6 Samsung Electronics Co., Ltd. (A Korean Company), Samsung Electronics America, Inc.,
 7 Samsung Semiconductor, Inc., and Samsung Austin Semiconductor, LLC's Confidential
 8 Information (Dkt. 206) in connection with Applied's Motion for Summary Judgment of Non-
 9 Infringement (public version filed at Dkt. 204). In particular, certain portions of Exhibit 29 to
 10 Applied's Motion for Summary Judgment of Non-Infringement contain information that is
 11 confidential to Samsung.
 12

13 As to information designated for redaction, Samsung's requests are narrowly tailored to seal
 14 only information that would create a substantial risk of harm if publicly disclosed. For the foregoing
 15 reasons, Samsung respectfully requests that the Court grant Samsung's request to file the document
 16 described below and designated by Samsung under seal.
 17

Location of Requested Information	Entirety or Redacted	Designating Party	Basis for Request to File Under Seal
Exhibit 29 to Applied's Motion for Summary Judgment of Non-Infringement Proposed redactions covering Samsung's confidential information redacted at: Exhibit A,	Redacted	Samsung	Local Civil Rules 79-5(c) and (f). The redacted information recited on Exhibit A, Pages 4-5, and Exhibit B, Page 4 contains confidential information relating to Samsung's internal manufacturing processes, specifically the equipment used to manufacture Samsung's semiconductor products. Samsung keeps this information about its semiconductor manufacturing equipment confidential because

Location of Requested Information	Entirety or Redacted	Designating Party	Basis for Request to File Under Seal
Pages 4–5, and Exhibit B, Page 4			that information is valuable to Samsung. If this information becomes publicly filed, Samsung’s competitors would gain insight into Samsung’s business strategies and technical aspects of Samsung’s product development process, which would harm Samsung’s competitive standing in the market. This harm cannot be avoided through any less restrictive alternative to sealing.

This statement complies with Civil Local Rule 79-5. Pursuant to Civil Local Rules 79-5(c) and (f), this statement is accompanied by the following documents: (1) Declaration of Akshay S. Deoras in support of this statement; and (2) A proposed order.

1 DATED: March 31, 2023

Respectfully submitted,

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3 By: /s/ Akshay S. Deoras

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