

1 KILPATRICK TOWNSEND & STOCKTON LLP
 JAMES G. GILLILAND, JR. (State Bar No. 107988)
 2 TIMOTHY R. CAHN (State Bar No. 162136)
 MEHRNAZ BOROUMAND SMITH (State Bar No. 197271)
 3 HOLLY GAUDREAU (State Bar No. 209114)
 RYAN BRICKER (State Bar No. 269100)
 4 Two Embarcadero Center Eighth Floor
 San Francisco, CA 94111
 5 Telephone: (415) 576-0200
 Facsimile: (415) 576-0300
 6 Email: jgilliland@kilpatricktownsend.com
 tcahn@kilpatricktownsend.com
 7 mboroumand@kilpatricktownsend.com
 hgaudreau@kilpatricktownsend.com
 8 rbricker@kilpatricktownsend.com

9 Attorneys for Plaintiff
 SONY COMPUTER ENTERTAINMENT AMERICA LLC

10
 11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 SONY COMPUTER ENTERTAINMENT
 AMERICA LLC,

15 Plaintiff,

16 v.

17 GEORGE HOTZ; HECTOR MARTIN
 18 CANTERO; SVEN PETER; and DOES 1
 through 100,

19 Defendants.
 20
 21
 22
 23
 24
 25
 26
 27
 28

Case No. 11-cv-00167 SI

**PLAINTIFF'S NOTICE OF MOTION
 AND MOTION TO REMOVE
 INCORRECTLY FILED DOCUMENTS;
 DOCKET NUMBER [4]**

Date:
 Time:
 Courtroom: 10, 19th Floor
 Judge: Hon. Susan Illston

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that Plaintiff Sony Computer Entertainment America LLC (“SCEA”) submits this Motion to Remove Incorrectly Filed Documents Exhibits T and X to Declaration of Ryan Bricker In Support of *Ex Parte* Motion for Temporary Restraining Order And Order To Show Cause Re Preliminary Injunction; Order of Impoundment (“Bricker Declaration”), Docket No. [4]. Pursuant to Local Rule 79-5 (b), when electronically filed, counsel inadvertently included Exhibits T and X in the public version of the filed copy of the declaration. Exhibits T and X should have been lodged under seal. Declaration of Holly Gaudreau, ¶2.

After discovering the error, counsel called the ECF Help Desk and put a temporary lock on the document. Similar to the other documents that SCEA has lodged under seal, Exhibits T and X contain explicit instructions on how to circumvent the technological protection measures in SCEA’s PlayStation®3 (“PS3”) computer entertainment system (“PS3 System”). *Id.* at ¶3

SCEA has brought this action to put an end to Defendants’ illegal circumvention of these TPMs in its PS3 System. SCEA, therefore, does not want the means of such circumvention – the very practice it is aiming to stop – to be a matter of public record, thereby making the information further available and enabling others to engage in this illegal practice. *Id.* at ¶4. SCEA’s request is narrowly tailored to seal only those materials for which good cause to seal has been established. *Id.* at ¶4.

///

///

///

///

///

///

///

///

1 Accordingly, SCEA respectfully requests that Docket No. [4] be permanently deleted
2 from the docket.

3
4 DATED: January 14, 2011

Respectfully submitted,

5 KILPATRICK TOWNSEND & STOCKTON LLP

6
7 By: /s/Holly Gaudreau

JAMES G. GILLILAND, JR.

TIMOTHY R. CAHN

8 MEHRNAZ BOROUMAND SMITH

9 HOLLY GAUDREAU

RYAN BRICKER

10 Attorneys for Plaintiff

11 SONY COMPUTER ENTERTAINMENT AMERICA LLC

12
13 63100663 v1