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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ATMEL CORPORATION, a Delaware corporation; ATMEL SWITZERLAND, a corporation; ATMEL FRANCE, a corporation; and ATMEL SARL, a corporation,

Plaintiffs,

v.

AUTHENTEC, INC., a Delaware corporation,

Defendant.

Case No. 06 CV 2138 CW
Case No. 07 CV 3331 CW

ADMINISTRATIVE MOTION FOR AN ORDER PLACING DOCUMENT UNDER SEAL (CIVIL L.R. 79-5(d))

Date: May 1, 2008
Time 2:00 p.m.
Location: Courtroom 2, 4th Floor
Judge: Hon. Claudia Wilken

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Pursuant to Civil L.R. 7-11, Defendant AuthenTec, Inc. ("AuthenTec") hereby brings this administrative motion for an order to file under seal the following documents being lodged with the Clerk of the Court on February 29, 2008:

1. Defendant AuthenTec, Inc.'s Opening Markman Brief, Opposition to Motion for Partial Summary Judgment, and Motion for Summary Judgment of Noninfringement and For An Exceptional Case Finding (a Redacted Public Version is filed concurrently herewith).

2. Exhibits 20, 21, and 28-31 attached to Declaration of Denise M. De Mory In Support of Defendant AuthenTec's, Inc.'s Opening Markman Brief, Opposition to Motion for Partial Summary Judgment, and Motion for Summary Judgment of Noninfringement and For An Exceptional Case Finding ("De Mory Declaration").

3. Exhibits 20, 21, and 28-31 are documents containing AuthenTec's nonpublic technical, business, or financial information that could cause AuthenTec competitive harm were it to become publicly known.

4. Exhibits 1-3, 13-16, 37, and 38 attached to De Mory Declaration.

5. Exhibits 1-3, 13-16, 37, and 38 are documents designated highly confidential by plaintiffs Atmel Corporation, Atmel Switzerland, Atmel France, and Atmel SARL ("Atmel").

6. The only allegedly confidential information contained within Defendant AuthenTec, Inc.'s Opening Markman Brief, Opposition to Motion for Partial Summary Judgment, and Motion for Summary Judgment of Noninfringement and For An Exceptional Case Finding and Exhibits1-3, 13-16, 37, and 38 is information designated as such by Atmel. Thus, pursuant to Civil L.R. 79-5(d), Atmel is to file, within five court days, (i) a declaration establishing that the above information is sealable and (ii) a proposed order.

Dated: February 29, 2008

Respectfully submitted,

HOWREY LLP

By: */s/Denise M. De Mory*
Denise M. De Mory
Attorneys for Defendant
AUTHENTEC, INC.