Henry C. Bunsow (SBN 60707)
bunsowh@howrey.com
Denise De Mory (SBN 168076)
demoryd@howrey.com
Brian A.E. Smith (SBN 188147)
smithbrian@howrey.com
HOWREY LLP
525 Market Street, Suite 3600
San Francisco California 94105
Tel: 415-848-4900
Fax: 415-848-4999

Attorneys for Defendant
AuthenTec, Inc.

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

DECLARATION OF DENISE M. DE MORY ESTABLISHING SEALABLE DOCUMENTS (CIVIL L.R. 79-5(d))

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

I, Denise M. De Mory declare as follows:

1. I am a partner at the law firm of Howrey LLP, counsel of record for AuthenTec, Inc., ("AuthenTec") in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice before this Court. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. Defendant AuthenTec on February 29, 2008 lodged with the Clerk of Court the following documents containing information AuthenTec designated under the Protective Order and that should be sealed.

A. 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).

B Exhibits 20 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"), a true and correct copy of AuthenTec's production bearing production numbers AUTH-A002891-AUTH-A002898 containing nonpublic business and financial information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

C. Exhibit 21 to De Mory Declaration, a true and correct copy of excerpts from the transcript of Mr. Peter Sherlock's November 8, 2007 deposition testimony containing nonpublic business information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

D. Exhibit 28 to De Mory Declaration, a true and correct copy of excerpts from the transcript of Mr. Eric Kraemer's October 19, 2007 deposition testimony containing nonpublic business information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

E. Exhibit 29 to De Mory Declaration, a true and correct copy of excerpts from the transcript of Mr. Kental Sengupta's December 20, 2007 deposition testimony containing nonpublic business information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

F. Exhibit 30 to De Mory Declaration, a true and correct copy of AuthenTec's production bearing production numbers AUTH-A 018054-AUTH-A018089 containing nonpublic business information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

G. Exhibit 31 to De Mory Declaration, a true and correct copy of an excerpt from AuthenTec's production bearing production numbers AUTH-A018266-AUTH-A018345 containing nonpublic business and financial information related to AuthenTec's products that could cause AuthenTec competitive harm were it to become publicly known.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29th day of February, 2008 at San Francisco, California.

/s/*Denise M. De Mory*
Denise M. De Mory