

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

IN RE PAPST LICENSING GMBH & CO.

KG LITIGATION

This Document Relates To:

N.D. Ill. No.08-1218

**Papst Licensing GMBH & Co. KG
Plaintiff,**

v.

**Ricoh Company, Ltd., and
Ricoh Americas Corporation
Defendants.**

Misc. Action No. 07-493 (RMC)

MDL Docket No. 1880

**RICOH DEFENDANTS' UNOPPOSED MOTION TO REDACT ADDITIONAL
INFORMATION FROM JUNE 30, 2007 TELECONFERENCE TRANSCRIPT**

Pursuant to the United States District Court for the District of Columbia's Policy with Regard to Electronic Transcripts of Court Proceedings, Ricoh Company, Ltd. and Ricoh Americas Corporation ("Ricoh"), through counsel, respectfully move this Court for permission to redact confidential business information from the June 30, 2007 teleconference transcript.

The information Ricoh seeks to redact, at pages 4 and 8 of the transcript, contains confidential business sales figures. A copy of those pages, with the proposed redactions is attached hereto as Exhibit A.

Ricoh respectfully requests the Court to issue an order, in the form attached as Exhibit B, ordering redaction of the requested information from publicly available copies of the transcript. Undersigned counsel has consulted with Mr. Cwik, counsel for Plaintiff Papst Licensing GMBH and Co. KG with regard to this motion, and is authorized to advise the Court the motion is unopposed.

Dated July 25, 2008	McDermott Will & Emery LLP <u> /s/ Paul Devinsky </u> Paul Devinsky, Esquire 600 13th Street, N.W. Washington, D.C. 20005-3096 Email: pdevinsky@mwe.com Attorney for Ricoh Company, Ltd., Ricoh Americas Corporation and Ricoh Corporation
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EXHIBIT A

1 THE COURT: Yes, I recognize the terminology.

2 MR. DEVINSKY: And I expected that the next day,
3 we were going to have a list, but instead, we started a
4 chain of e-mail correspondence the following Monday. A
5 list was finally produced that was some 38 or 39 models
6 long. More than half of them, about two-thirds of them
7 have never been in the U.S.

8 I asked Mr. Schnayer for a real list, one that
9 showed that they had actually done some investigation to
10 figure out what was going to be accused in this case. And
11 so far, Your Honor, all I have is that we're supposed to
12 tell them what products should be accused in this case.

13 And until we have a list, Your Honor, it's very
14 difficult for us to either do appropriate discovery or to
15 really engage on what is rational for a bilateral
16 discovery agreement between Papst and Ricoh,
17 understanding, Your Honor, that because of the very small
18 U.S. presence for Ricoh in the digital camera world, we
19 have only U.S. sales of a little over REDACTED in the
20 time frame of interest.

21 So even if damages were in the range of one or
22 two percent were Papst to prevail, we have exposure here
23 of, you know, on the low side, say REDACTED on the up side,
24 REDACTED And you know, it's not our intent to start
25 combing the world for every piece or scrap of paper

1 all.

2 THE COURT: Well, that's good new for Papst,
3 anyway. The problem, Mr. Cwik, is that you said "them,"
4 right?

5 MR. CWIK: That's correct in this case, Your
6 Honor.

7 THE COURT: And so do you contend that all of --
8 I mean it's agreed that products that are not sold or
9 transported in the U.S. are not subject to U.S. patent
10 law, right?

11 MR. CWIK: That's my understanding, Your Honor.

12 THE COURT: Okay, you and I are working together
13 on this. Therefore, it's up to Papst to identify which
14 ones are. And I hear Ricoh's statement that their sales
15 are just over **REDACTED** so therefore, it must be a fairly
16 small number. If you can't figure out which ones for
17 certain, then you need to identify which ones you know for
18 sure and maybe let the others go.

19 MR. CWIK: Well, Your Honor, we've been in this
20 position many times before and, you know, we faced this
21 issue. And there is a lot of case law out there that
22 says, you know, we are entitled to discovery on products
23 which may infringe.

24 And we cited to Mr. Devinsky a couple of cases on
25 that, *IT Innovation*, 219 FRD 427, and it says, quote, "The

EXHIBIT B

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[PROPOSED] ORDER

Upon consideration of the motion of Ricoh Americas Corporation and Ricoh Company, Ltd. (“Ricoh”) for redaction of confidential business information, it is hereby **ORDERED**, that:

Ricoh’s motion for redaction of confidential business information is **GRANTED**, and

the redactions identified in Exhibit A of Ricoh’s Motion containing confidential business information shall be redacted from publicly available copies of the transcript of June 30, 2008 Hearing.

DATED: _____

Rosemary M. Collyer
United States District Judge

CERTIFICATE OF SERVICE

I, Paul Devinsky, the undersigned, certify that on this 25th day of July 2008, I served a true and correct copy of the foregoing document described as RICOH DEFENDANTS' UNOPPOSED MOTION TO REDACT ADDITIONAL INFORMATION FROM JUNE 30, 2008 TELECONFERENCE TRANSCRIPT on the following counsel of record by electronic mail in PDF format:

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Dated: July 25, 2008

By: /s/ Paul Devinsky