

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

In re ChromaCode Litigation

In re ChromaCode Litigation · No. 23-cv-04823-EKL (VKD) · Decided October 9, 2025

OPINION

IN RE: CHROMACODE LITIGATION

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 SAN JOSE DIVISION

7 8 IN RE CHROMACODE LITIGATION Case No. 23-cv-04823-EKL (VKD) 9

ORDER RE MOTIONS TO SEAL

10 Re: Dkt. Nos. 127, 137 11 12 13 14 Plaintiffs California Institute of Technology and
ChromaCode, Inc. (collectively, 15 “ChromaCode”) filed two administrative motions to consider
whether another party’s material 16 should be sealed in connection with their motion for leave to
amend infringement contentions. 17 Dkt. Nos. 127, 137. Defendant Bio-Rad Laboratories, Inc.
 (“Bio-Rad”) and non-party Verily Life 18 Sciences, LLC (“Verily”) filed statements regarding
their requests to seal. Dkt. Nos. 131, 140. As 19 the sealing motions relate to a discovery matter,
the good cause standard applies. *Ctr. for Auto 20 Safety v. Chrysler Grp., LLC*, 809 F.3d 1092,
1097-98 (9th Cir. 2016); *Kamakana v. City & Cnty. 21 of Honolulu*, 447 F.3d 1172, 1179-80 (9th
Cir. 2006). 22 ChromaCode’s first motion to seal relates to Bio-Rad’s and Verily’s materials. Dkt.
No. 23 127. Bio-Rad and Verily state that Exhibits 1 and 6 do not require sealing. Dkt. No. 131 at
3. 24 Additionally, Verily states that Exhibits 2 and 7 need not be sealed in their entirety, and
requests 25 to seal portions of those exhibits to protect confidential business information. See *id.*
at 2, 4-5. 26 Good cause appearing, the Court grants ChromaCode’s first motion to seal, except as
to Exhibits 1 27 and 6. Accordingly, ChromaCode must file public versions of Exhibits 1 and 6,
and public 1 The Court also grants ChromaCode’s second motion to seal another party’s material
(Dkt. 2 || No. 137). Bio-Rad requests to seal portions of Exhibit 3 that contain confidential
business 3 information as “their disclosure would create a substantial risk of serious harm.” Dkt.
No. 140 at 4 3-4, Bio-Rad explains that the information it seeks to seal relates to the identification
of custom 5 assays that have not been disclosed to the public or to Bio-Rad’s competitors. *Id.* at 4.
The Court 6 || finds good cause to keep the requested material sealed. ChromaCode must file a
revised public 7 version of Exhibit 3 with the redactions identified by Bio-Rad. See *id.* at 2. 8
ChromaCode shall file public versions of the documents at issue, with appropriate 9 redactions, in

accordance with the determinations above, by October 23, 2025. 10 IT IS SO ORDERED. 11
Dated: October 9, 2025 14 Virginia K. DeMarchi United States Magistrate Judge 16 18 19 20 21
22 23 24 25 26 27 28

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