

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

SanDisk3D IP Holdings Ltd., et al. v. Viasat, Inc.

SanDisk3D v. Viasat · No. 22-cv-04376-HSG (PHK) · Decided April 28, 2025

SUMMARY

The United States District Court for the Northern District of California denied SanDisk’s motion to strike Viasat’s supplemental responses to interrogatories concerning noninfringement contentions and noninfringing alternatives. The court also denied SanDisk’s motion to shorten time as moot and granted the parties’ motions to seal materials containing sensitive business information.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Peter H. Kang
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 28, 2025
DOCKET	22-cv-04376-HSG (PHK)
DISPOSITION	other
PROCEDURAL POSTURE	Discovery referral proceeding addressing SanDisk's motion to strike Viasat's third supplemental response to Interrogatory No. 8 and second supplemental response to Interrogatory No. 14, SanDisk's motion to shorten time, and the parties' motions to seal.
STANDARD OF REVIEW	Discovery-management and discovery-sanction decisions are reviewed for abuse of discretion; the court possesses broad discretion and authority to manage discovery.
PRECEDENTIAL VALUE	Unknown; district court discovery order
PARTIES	SanDisk3D IP Holdings Ltd., et al. v. Viasat, Inc.

TOPICS

- discovery dispute
- patent infringement
- intellectual property
- commercial litigation
- civil procedure

PRACTICE AREAS

- civil procedure
- patent litigation
- discovery
- sealing of judicial records

QUESTIONS PRESENTED

1. Whether Viasat's final supplemental responses to SanDisk's contention interrogatories should be stricken because they were served late in the discovery period and allegedly prejudiced SanDisk.
2. Whether SanDisk's motion to shorten time should be denied as moot after the underlying motion was decided on the submitted briefing.
3. Whether portions of the parties' motion papers and supporting exhibits should be sealed based on confidential source code and sensitive business information.

HOLDINGS

1. The motion to strike Viasat's Third Supplemental Response to Interrogatory No. 8 was denied because SanDisk did not demonstrate diligence in seeking more detailed responses earlier, material prejudice, or a material shift in Viasat's noninfringement contentions.
2. The motion to strike Viasat's Second Supplemental Response to Interrogatory No. 14 was denied because SanDisk did not show diligence, material prejudice, a surprise issue, or a material shift in Viasat's contentions regarding noninfringing alternatives and damages.
3. SanDisk's motion to shorten time was denied as moot because the briefing and hearing deadlines had passed and the underlying motion to strike was decided on the submitted papers.
4. The parties' motions to seal were granted because the materials contained source code and highly confidential business information whose disclosure could cause competitive harm, satisfying the compelling-reasons standard.

KEY QUOTATIONS

“For the reasons discussed herein, SanDisk’s Motion to Strike is DENIED, SanDisk’s Motion to Shorten Time is DENIED as MOOT, and the Parties’ Motions to Seal are GRANTED.” (at 3)

“District courts have wide latitude in controlling discovery, and their rulings will not be overturned in the absence of a clear abuse of discretion.” (at 4)

“A party seeking to seal court documents “bears the burden of overcoming th[e] strong presumption [of public access] by meeting the ‘compelling reasons’ standard.” (at 13)

FACTUAL BACKGROUND

SanDisk served Interrogatory No. 8 seeking Viasat's noninfringement contentions and Interrogatory No. 14 seeking contentions concerning noninfringing alternatives, including related documents and witnesses. Viasat initially provided brief responses and later served supplemental responses, with the challenged final supplemental responses served near the close of fact discovery. SanDisk did not move to compel more detailed responses after receiving the earlier responses, but instead sought to strike the final supplemental responses on the ground that their timing prejudiced its ability to conduct discovery and depositions. The parties also sought to seal portions of their motion papers and exhibits containing source code and highly confidential business information.

PROCEDURAL HISTORY

SanDisk filed this patent dispute on July 28, 2022. During discovery, SanDisk served contention interrogatories concerning Viasat's noninfringement contentions and noninfringing alternatives. Viasat served successive supplemental responses, including the responses challenged here. Discovery was referred to Magistrate Judge Peter H. Kang on February 14, 2025. The presiding district judge denied SanDisk's requests to amend its infringement contentions and extend fact discovery, after which the magistrate judge denied the motion to strike, denied the motion to shorten time as moot, and granted the motions to seal.

DISPOSITION

other

CASES CITED

- U.S. Fidelity & Guar. Co. v. Lee Inv. LLC, 641 F.3d 1126, 1136 n.10 (9th Cir. 2011)
- Laub v. U.S. Dep't of Int., 342 F.3d 1080, 1093 (9th Cir. 2003)
- Crawford-El v. Britton, 523 U.S. 574, 598 (1998)
- McCormick-Morgan, Inc. v. Teledyne Indus., Inc., 134 F.R.D. 275, 286-87 (N.D. Cal. 1991)
- In re Williams-Sonoma, Inc., 947 F.3d 535, 539 (9th Cir. 2020)
- Oppenheimer Fund, Inc. v. Sanders, 437 U.S. 340, 350-51 (1978)
- In re Facebook, Inc. Consumer Privacy User Profile Litig., No. 18-MD-2843 VC (JSC), 2021 WL 10282215, at *4 (N.D. Cal. Sept. 29, 2021)
- Champion Fiberglass, Inc., 309 F.R.D. 527, 531 (N.D. Cal. 2015)
- Lexington Ins. Co. v. Commonwealth Ins. Co., 1999 WL 33292943, at *7 (N.D. Cal. Sept. 17, 1999)
- Looksmart Grp., Inc., 386 F. Supp. 3d at 1227
- Netfuel, Inc., 2020 WL 4381768, at *1
- Crystal Semiconductor Corp. v. Tritech Microelectronics Int'l, Inc., 246 F.3d 1336, 1353 (Fed. Cir. 2001)
- Micro Chem., Inc. v. Lextron, Inc., 317 F.3d 1387, 1393 (Fed. Cir. 2003)
- Zygo Corp. v. Wyko Corp., 79 F.3d 1563, 1571-72 (Fed. Cir. 1996)
- Yuntek Int'l, Inc. v. Xiamen JXD Elec. Com. Co., No. 20CV07201JSWRMI, 2022 WL 2288936, at *1 (N.D. Cal. Apr. 4, 2022)
- Nixon v. Warner Commc'ns, Inc., 435 U.S. 589, 597 n.7 (1978)
- Folz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1133, 1135 (9th Cir. 2003)
- Kamakana v. City & Cnty. of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- Times Mirror Co. v. United States, 873 F.2d 1210, 1219 (9th Cir. 1989)
- Apple, Inc. v. Samsung Elecs. Co., Ltd., No. 11-cv-01846-LHK, 2012 WL 6115623, at *2 (N.D. Cal. Dec. 10, 2012)