UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION



In the Matter of)	
)	
INTEL CORPORATION,)	DOCKET NO. 9288
a corporation.)	

ORDER DENYING ACCESS TO HOUSE COUNSEL

The parties disagree as to whether respondent's house counsel, and their helpers, should see confidential documents from third parties. Respondent argues that it needs the help of these patent lawyers to prepare for trial and that their proposed order precludes access to inside (but not outside) counsel if a producing party objects and those objections are upheld.

Complaint counsel argue that producing parties may be competitors or customers of Intel, with commercial relationships to protect, and they would have to choose between disclosing confidential information to Intel or risk injuring their relationship with Intel; that the confidential information would be available to the persons responsible for Intel's strategies for litigating, licensing and enforcing intellectual property rights; that many of the third parties have objected to allowing Intel's inside counsel to see the information; that the proposed order would conflict with an order entered in a related case, Intergraph Corp. v. Intel Corp.; and that Intel inside counsel are potential witnesses who should not see confidential discovery materials of third parties.

Motion denied.

James P. Timony

Administrative Law Judge

Dated: July 20, 1998