

**II. General Provisions**

**2.2 Confidentiality**

Discovery cannot be withheld on the basis of confidentiality absent Court order. Pending entry of a protective order, discovery and disclosures deemed confidential by a party shall be produced to the adverse party for the eyes of outside counsel of record only, marked “Attorney's Eyes Only Subject to Protective Order.” The discovery and disclosures so marked shall be used solely for purposes of the pending case and shall not be disclosed to the client or any other person.

Should the parties desire to have a protective order entered in a patent case, they shall present a stipulated protective order for the Court's consideration and entry at the case management conference. In the absence of a stipulated protective order, a party that has designated discovery or disclosures for protection under this Rule or that desires to have a protective order entered in the case shall move the Court for the entry of the Patent Case Protective Order attached as Appendix A to these Rules. Upon entry of a protective order, discovery and disclosures previously designated for protection under this Rule may be redesignated, disclosed, and used in accordance with the provisions of the protective order entered by the Court.