

1 The court is sympathetic to the commercial interest, especially those of a third-party, in
2 protecting its licensing terms. It truly is. But “[a]ny system of prior restraints of expression comes
3 to this court bearing a heavy presumption against its constitutional validity.”² On a record before
4 the court that includes the IBM concessions noted above, IBM plainly has not rebutted the heavy
5 presumption that its request would have this court violate Reuters’ First Amendment rights. This
6 the court will not do. IBM’s motion is DENIED.

7 **IT IS SO ORDERED.**

8 Dated: 7/30/2012

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9 PAUL S. GREWAL
10 United States Magistrate Judge

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United States District Court
For the Northern District of California

² *Id.*