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13 JUNIPER NETWORKS, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

18 FINJAN, INC., a Delaware Corporation,) Case No. 3:17-cv-05659-WHA
19 Plaintiff,)
20 vs.) **DECLARATION OF SHARON SONG IN**
21 JUNIPER NETWORKS, INC., a Delaware) **SUPPORT OF DEFENDANT JUNIPER**
Corporation,) **NETWORKS, INC.’S OPPOSITION TO**
22 Defendant.) **MOTION FOR LEAVE TO FILE**
23) **SECOND AMENDED COMPLANT**
24)
_____)

DECLARATION OF SHARON SONG

I, Sharon Song, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Juniper Networks, Inc. in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice before this Court. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I submit this declaration in support of Juniper Networks, Inc.’s (“Juniper”) opposition to Finjan, Inc.’s (“Finjan”) Motion for Leave to File Second Amended Complaint (“Motion to Amend”) (Dkt. No. 91).

3. Attached as Exhibit A to Juniper’s Opposition to Finjan’s Motion to Amend is a true and correct copy of an excerpt from Finjan’s Second Supplemental Objections and Responses to Defendant Juniper’s First Set of Interrogatories (No. 6).

4. Attached as Exhibit B to Juniper’s Opposition to Finjan’s Motion to Amend is a true and correct copy of a May 22, 2018 email from Kris Kastens of Kramer Levin Naftalis & Frankel LLP, counsel for Finjan, to Rebecca Carson, counsel for Juniper.

5. Attached as Exhibit C to Juniper’s Opposition to Finjan’s Motion to Amend is a true and correct copy of the claim charts for U.S. Patent No. 6,418,731 that were prepared by Finjan in 2015, and produced by Finjan to Juniper on May 22, 2018, bearing bates numbers FINJAN-JN303455-FINJAN-JN303458.

6. Attached as Exhibit D to Juniper’s Opposition to Finjan’s Motion to Amend is a true and correct copy of email exchanges between Kris Kastens of Kramer Levin Naftalis & Frankel LLP, counsel for Finjan, and Josh Glucoft, counsel for Juniper, from May 25, 2018 and May 27, 2018.

7. Attached as Exhibit E to Juniper’s Opposition to Finjan’s Motion to Amend is a true and correct copy of an excerpt from Finjan’s Initial Disclosure of Asserted Claims and Infringement Contentions and Document Production Regarding U.S. Patent No. 7,418,731 Pursuant to Patent Local Rules 3-1 and 3-2.

1 8. Attached as Exhibit F to Juniper's Opposition to Finjan's Motion to Amend is a
2 true and correct copy of excerpts from the transcript of proceedings on February 22, 2018 for this
3 case, where this Court limited the total number of claims to 16 claims.

4 9. Attached as Exhibit G to Juniper's Opposition to Finjan's Motion to Amend is a
5 true and correct copy of an excerpt from Juniper's Sky Advanced Threat Prevention
6 Administration Guide, bearing a modified date of September 8, 2017, publicly available at
7 [https://www.juniper.net/documentation/en_US/release-independent/sky-atp/information-](https://www.juniper.net/documentation/en_US/release-independent/sky-atp/information-products/pathway-pages/admin/sky-atp-admin-guide.pdf)
8 [products/pathway-pages/admin/sky-atp-admin-guide.pdf](https://www.juniper.net/documentation/en_US/release-independent/sky-atp/information-products/pathway-pages/admin/sky-atp-admin-guide.pdf).

9 10. On March 19, 2018, Juniper produced its source code for the SRX, Sky ATP, and
10 Space Security Director products. On March 7, 2018, Juniper produced more than 160,000 pages
11 of technical documents related to these products. On April 13, 2018, Juniper produced
12 approximately 7,600 pages of highly confidential technical documents related to these products,
13 including design and development documents for Sky ATP, and substantial portions of Juniper's
14 production of design and development documents for SRX and Space Security Director. On April
15 23, 2018, Juniper produced approximately 300,000 additional pages of highly confidential
16 technical documents related to the three accused products in the original complaint. On April 30,
17 2018, Juniper produced another roughly 100,000 additional pages of highly confidential technical
18 documents related to those products. Juniper has completed its production of technical documents
19 related to the SRX, Sky ATP, and Space Security Director products, except for those documents
20 subject to privilege and other applicable objections. On June 18, 2018, Juniper produced its
21 source code for ATP Appliance. In addition to the technical documents, Juniper has produced
22 more than 2,400 financial and marketing documents totaling about 60,000 pages, and more than
23 39,000 emails and corresponding attachments from a Juniper engineer.

24 11. At Finjan's request, four depositions of Juniper engineers have been taken by
25 Finjan in May 2018. Juniper also deposed Finjan's 30(b)(6) witness on May 24, 2018.

26 12. On May 7, 2018, Juniper and Finjan exchanged their respective lists of claim terms
27 for construction for the patents asserted in the original Complaint, pursuant to Patent Local
28 Rule 4-1. On May 28, 2018, Juniper and Finjan exchanged their respective proposed

1 constructions and corresponding intrinsic and extrinsic evidence for each term identified by each
2 party for claim construction from the patents asserted in the original Complaint, pursuant to Patent
3 Local Rule 4-2. On June 22, 2018, the same day this declaration is filed, the parties will file a
4 Joint Claim Construction and Prehearing Statement jointly identifying the 10 terms from the
5 patents asserted in the original Complaint whose construction will be most significant to the
6 resolution of this case, pursuant to Patent Local Rule 4-3.

7 Executed this 22nd day of June, 2018, at Los Angeles, California.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing is true and correct.

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11 */s/ Sharon Song*

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