

Exhibit 1

From: Hannah, James
Sent: Thursday, June 21, 2018 11:09 AM
To: 'Song, Sharon'
Cc: Andre, Paul; Kastens, Kris; Kobialka, Lisa; Lee, Michael H.; Manes, Austin; Nguyen, Stephanie
Subject: RE: [EXTERNAL] RE: Finjan v. Juniper - Prosecution Bar

Sharon,

As you know, for the last month, we have attempted to meet and confer with you in order to finalize the Stipulated Protective Order. To date, you still have not provided any edits to the Protective Order and instead raise the same, baseless issues that we have already addressed as set forth in our email below. Your actions are in direct violation of N.D. Cal Local Rule 11-4 and we are forced to bring a motion to compel you and your firm to comply with your professional obligations under the local rules and to maintain the same position that you have taken in other cases with regard to the Protective Order.

James

From: Song, Sharon [<mailto:ssong@irell.com>]
Sent: Tuesday, June 19, 2018 9:45 AM
To: Hannah, James
Cc: Andre, Paul; Kastens, Kris; Kobialka, Lisa; Lee, Michael H.; Manes, Austin; Nguyen, Stephanie; #Juniper/Finjan [Int]
Subject: RE: [EXTERNAL] RE: Finjan v. Juniper - Prosecution Bar

James,

Your email seems to suggest that you believe counsel who have received access to Juniper's "Highly Confidential – Attorneys' Eyes Only" or "Highly Confidential – Source Code" information are allowed to participate in the Cisco IPR. That is directly contrary to the plain terms of the Interim Protective Order, which defines "prosecution" as "directly or indirectly drafting, amending, advising, or otherwise affecting the scope or maintenance of patent claims." There can be no serious dispute that the Cisco IPR proceedings will "affect the scope or maintenance" of the claims of the '633 patent and is thus encompassed within the prosecution bar.

More importantly, your email is not responsive to my question. Please specifically identify the steps that Kramer Levin has taken to ensure that no personnel who has had access to Juniper's confidential information will participate in the '633 Cisco IPR. In addition, please expressly confirm that neither you, nor Mr. Lee, has had any involvement in the Cisco IPR since Juniper first produced confidential information on March 19, 2018.

Sharon S. Song
Irell & Manella LLP
1800 Avenue of the Stars, Suite 900 | Los Angeles, CA 90067
310.203.7507 (direct) | ssong@irell.com

From: Hannah, James [<mailto:JHannah@KRAMERLEVIN.com>]
Sent: Monday, June 18, 2018 9:57 AM
To: Song, Sharon
Cc: ~Andre, Paul; ~Kastens, Kristopher; ~Kobialka, Lisa; ~Lee, Michael; ~Manes, Austin; ~Nguyen, Stephanie
Subject: RE: [EXTERNAL] RE: Finjan v. Juniper - Prosecution Bar

Sharon,

You appear to be misinterpreting the interim protective order as preventing counsel from participating in the Cisco IPR particularly. The interim protective order does not mention IPRs and we have not finalized the bounds of the prosecution

Please provide us with your compromise language to the protective order by tomorrow. Otherwise, we will need to raise the issue with the Court immediately and inform the Court of the contrary positions you have taken in the numerous cases you represent plaintiffs and patent owners.

James

James Hannah

Partner

Kramer Levin Naftalis & Frankel LLP
990 Marsh Road, Menlo Park, California 94025
T 650.752.1712 F 650.752.1812

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From: Song, Sharon [<mailto:ssong@irell.com>]

Sent: Thursday, June 14, 2018 4:16 PM

To: Hannah, James

Cc: Andre, Paul; Kastens, Kris; Kobialka, Lisa; Lee, Michael H.; Manes, Austin; Nguyen, Stephanie; #Juniper/Finjan [Int]

Subject: RE: [EXTERNAL] RE: Finjan v. Juniper - Prosecution Bar

James,

None of the attorneys representing Juniper in this litigation were involved in the Fraunhofer case, so we are not aware of what the significant considerations were with regard to the prosecution bar for Fraunhofer. We'd be happy to investigate further.

However, in order for us to have any meaningful conversation with you relating to any compromise regarding the prosecution bar, we need to know whether Finjan has been complying with the Protective Order that has been in place since we first produced confidential information on March 19, 2018. This is the third time we've asked for confirmation that Kramer Levin has been complying with the Protective Order in this case. Please immediately confirm that no one who has had access to Juniper's confidential information has participated in the '633 Cisco IPR proceedings to date, and describe what steps your firm has taken to ensure that no personnel who has had access to Juniper's confidential information will participate in the '633 Cisco IPR.

Best,

Sharon S. Song

Irell & Manella LLP

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310.203.7507 (direct) | ssong@irell.com

From: Hannah, James [<mailto:JHannah@KRAMERLEVIN.com>]

Sent: Wednesday, June 13, 2018 11:26 AM

To: Song, Sharon

Cc: ~Andre, Paul; ~Kastens, Kristopher; ~Kobialka, Lisa; ~Lee, Michael; ~Manes, Austin; ~Nguyen, Stephanie; #Juniper/Finjan [Int]

Sharon, you can do a docket search just as easy as I can. There are numerous cases in which Irell represents both the plaintiff in District Court litigation and the patent owner in PTAB proceedings. One involving our firm is the Fraunhofer case in which the exact same team is representing both Fraunhofer as plaintiff and patent owner. If you refuse to work with us to come up with a compromise regarding the prosecution bar, we will have to inform the Court of your incredible and contradictory position on this issue.

James

James Hannah

Partner

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From: Song, Sharon [<mailto:ssong@irell.com>]

Sent: Wednesday, June 13, 2018 11:03 AM

To: Hannah, James

Cc: Andre, Paul; Kastens, Kris; Kobialka, Lisa; Lee, Michael H.; Manes, Austin; Nguyen, Stephanie; #Juniper/Finjan [Int]

Subject: RE: [EXTERNAL] RE: Finjan v. Juniper - Prosecution Bar

James,

This is the first time you have raised the issue of the positions my firm has taken with regard to the prosecution bar in other cases. Could you please identify the specific matter or matters to which you are referring? In addition, please identify all cases where Kramer Levin has represented a different plaintiff or defendant and taken the position that a protective order should include a bar on participation in IPR proceedings.

As you know, the Protective Order that is currently in place—and which has been in place since Juniper first produced confidential information on March 19, 2018—contains a prosecution bar that bars participation in IPR proceedings. Your failure to provide a substantive response to my question about the steps that Kramer Levin has taken to comply with this prosecution bar is very concerning. Please immediately confirm that no one who has had access to Juniper's confidential information has participated in the '633 Cisco IPR proceedings. In addition, please tell us what steps you are currently taking to comply with the Protective Order.

Best,

Sharon S. Song

Irell & Manella LLP

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310.203.7507 (direct) | ssong@irell.com

From: Hannah, James [<mailto:JHannah@KRAMERLEVIN.com>]

Sent: Tuesday, June 12, 2018 5:38 PM

To: Song, Sharon

Cc: Andre, Paul; Kastens, Kristopher; Kobialka, Lisa; Lee, Michael; Manes, Austin; Nguyen, Stephanie; #Juniper/Finjan

Sharon, as I asked during the meet and confer, please explain why your firm is taking contrary positions with regard to the prosecution bar provisions in this case as opposed to other cases in which it serves as counsel for plaintiffs? You have still failed to answer this threshold question and we demand a response.

James

James Hannah
Partner

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On Jun 12, 2018, at 8:19 PM, Song, Sharon <ssong@irell.com> wrote:

Counsel,

We have considered Finjan's proposed language regarding the prosecution bar, and have concluded that Juniper cannot agree to stipulate to Finjan's proposed language. As noted during our meet and confer on May 30, 2018, we do not think it is possible for any individual assisting in defending a patent in an *inter partes* reexamination to also not be "directly or indirectly drafting, amending, advising, or otherwise affecting the scope of patent claims." An individual who has access to highly confidential information would be able to narrow the scope of patent claims in a particular way that incorporates the highly confidential technical information they've reviewed, to the detriment of Juniper's interests.

Juniper cannot think of any language that would both address the concerns described above and allow individuals with access to highly confidential information to participate in an IPR. Accordingly, Juniper does not agree to any deviation from the Model Protective Order that governs this case. See Patent Local Rule 2-2.

We understand that the Cisco '633 IPR (IPR2018-00391) has been instituted and that Kramer Levin attorneys, including James Hannah and Michael Lee, are counsel of record for Finjan since the IPR's preliminary proceedings. Please explain how Finjan has complied with the Protective Order provisions regarding the prosecution bar despite Kramer Levin's involvement in the Cisco '633 IPR, for which the POPR was filed March 28, 2018. Please also confirm that Kramer Levin will withdraw as counsel in the Cisco '633 IPR.

Best,

Sharon S. Song
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From: Glucoft, Josh
Sent: Sunday, May 27, 2018 2:10 PM
To: ~Kastens, Kristopher
Cc: ~Andre, Paul; ~Hannah, James; ~Kobialka, Lisa; Holland, Eileen; Curran, Casey; Carson, Rebecca; Wang, Kevin; Kagan, Jonathan; Song, Sharon
Subject: RE: Finjan v. Juniper - Prosecution Bar

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