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Attorneys for Defendant
13 JUNIPER NETWORKS, INC.

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15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 **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
22	Corporation,)	NETWORKS, INC.'S OPPOSITION TO
23	Defendant.)	MOTION TO COMPEL (Dkt. No. 114)
24)	
25)	
26)	
27)	
28)	

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. 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 to Compel (Dkt. No. 114).

3. Attached as Exhibit A to Juniper's Opposition to Finjan's Motion to Compel is a true and correct copy of excerpts from the transcript of proceedings on August 15, 2017 for *Fraunhofer-Gesellschaft Zur Forderung Der Angewandten Forschung E.V. v. Sirius XM Radio Inc.*, Case No. 17-148-JFB-SRF (D. Del.), where an attorney from Kramer Levin Naftalis & Frankel LLP (the firm representing Finjan in this case), acting as defense counsel, states to the Court that "[i]f [Plaintiffs] want litigation counsel to review our confidential information, they are going to have to have different counsel be involved in the post grant proceedings." *Id.* at 62.

4. On May 30, 2018, I met and conferred with Finjan's counsel over the language regarding the patent prosecution bar in this district's Interim Model Protective Order ("Model PO"). With regard to Finjan's proposed changes to the language regarding the patent prosecution bar in the Model PO, I asked Finjan's counsel how it would be possible for any individual assisting in defending a patent in an *inter partes* review proceeding to also not be "directly or indirectly drafting, amending, advising, or otherwise affecting the scope of patent claims." Finjan's counsel did not provide a response to this question, and the parties did not reach an agreement during this meet and confer.

[Signature page to follow]

1 Executed this 26th day of June, 2018, at Los Angeles, California.

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

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5 /s/ Sharon Song

6 Sharon Song
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