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14
 15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18	FINJAN, INC.,)	Case No. 3:17-cv-05659-WHA
19	Plaintiff,)	DECLARATION OF SHARON SONG IN SUPPORT OF JUNIPER NETWORKS, INC.'S MOTION FOR ADMINISTRATIVE RELIEF TO FILE DOCUMENTS UNDER SEAL
20	vs.)	
21	JUNIPER NETWORKS, INC.,)	
22	Defendant.)	
23)	

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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. (“Juniper”) in the above-captioned matter. 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’s June 28, 2018 Motion for Administrative Relief to File Documents Under Seal, which asks the Court for an Order to file under seal the following documents:

- Juniper’s unredacted Opposition to Finjan’s Motion for Summary Judgment of Infringement of Claim 10 of U.S. Patent No. 8,677,494 (the “Brief”);
- Exhibit 2 to the Brief (excerpts from the deposition transcript of Finjan employee John Garland);
- Unredacted Exhibit 3 to the Brief (excerpts from the deposition transcript of Juniper employee Yuly Tenorio);
- Unredacted Exhibit 4 to the Brief (excerpts from the deposition transcript of Finjan’s expert Eric B. Cole);
- Exhibit 7 to the Brief (excerpts from Juniper’s source code);
- Exhibit 8 to the Brief (excerpts from Finjan’s Objections and Responses to Juniper’s First Set of Requests for Admission);
- Exhibit 9 to the Brief (excerpts from Finjan’s Objections and Responses to Juniper’s First Set of Interrogatories);
- Exhibit 10 to the Brief (excerpts from Finjan’s First Supplemental Objections and Responses to Juniper’s First Set of Interrogatories);
- Unredacted Declaration of Rebecca Carson in support of the Brief;
- Unredacted Declaration of Scott J. Coonan in support of the Brief, including Exhibit A attached thereto;

- 1 • Unredacted Declaration of Chandra Nagarajan in support of the Brief;
- 2 • Unredacted Declaration of Aviel D. Rubin in support of the Brief.

3 3. The sealed portions of the documents described above that Juniper seeks to file
4 under seal contain confidential information of Juniper and Finjan. In this declaration, I explain
5 why these materials are sealable pursuant to Civil Local Rule 79-5.

6 4. Exhibit 2 to the Brief are excerpts of the deposition transcript of Finjan employee
7 John Garland that have been designated confidential by Finjan.

8 5. The redacted portions of Exhibit 3 to the Brief are excerpts of the deposition
9 transcript of Juniper employee Yuly Tenorio that include discussion of Juniper's confidential
10 technical information related to Juniper's highly proprietary software.

11 6. The redacted portions of Exhibit 4 to the Brief are excerpts of the deposition
12 transcript of Finjan's expert Eric B. Cole that include discussion of Juniper's confidential
13 technical information related to Juniper's highly proprietary software.

14 7. Exhibit 7 to the Brief are excerpts from Juniper's source code that include Juniper's
15 confidential technical information related to Juniper's highly proprietary software.

16 8. Exhibit 8 to the Brief are excerpts from Finjan's Objections and Responses to
17 Juniper's First Set of Requests for Admission that have been designated confidential by Finjan.

18 9. Exhibit 9 to the Brief are excerpts from Finjan's Objections and Responses to
19 Juniper's First Set of Interrogatories that have been designated confidential by Finjan.

20 10. Exhibit 10 to the Brief are excerpts from Finjan's First Supplemental Objections
21 and Responses to Juniper's First Set of Interrogatories that have been designated confidential by
22 Finjan.

23 11. The redacted portion of the Declaration of Rebecca Carson in support of the Brief
24 includes discussion of Juniper's confidential financial information related to Juniper's highly
25 proprietary software.

26 12. The redacted portions of the Declaration of Scott J. Coonan in support of the Brief,
27 including Exhibit A attached thereto, include discussion of Juniper and Finjan's confidential
28 licensing and settlement negotiations.

1 13. The redacted portions of the Declaration of Chandra Nagarajan in support of the
2 Brief include discussion of Juniper's confidential technical and financial information related to
3 Juniper's highly proprietary software.

4 14. The redacted portions of the Declaration of Aviel D. Rubin in support of the Brief
5 include discussion of Juniper's confidential technical information related to Juniper's highly
6 proprietary software.

7 15. The redacted portions of the Brief directly reference the confidential materials
8 discussed above. The redacted portions of the Brief at 16:7-17:1 and 20:14-16 have been
9 designated confidential by Finjan. All other redacted portions of the Brief include discussion of
10 Juniper's confidential technical and financial information related to Juniper's highly proprietary
11 software, or Juniper's confidential licensing and settlement negotiations with Finjan.

12 16. The redacted portions of Exhibits 3 and 4; Exhibit 7; the redacted portions of the
13 Declarations of Rebecca Carson, Chandra Nagarajan, and Aviel D. Rubin; and the redacted
14 portions of the Brief (excluding the redactions at 16:7-17:1 and 19:16-21:28) contain sealable
15 confidential information that relate to the technical underpinnings and development of Juniper's
16 highly proprietary software—which includes much information that Juniper maintains as trade
17 secrets. Juniper expends significant effort in maintaining the secrecy of its software architecture
18 and development, including, for example, implementing strict screening procedures for visitors to
19 its engineering campus. Public disclosure of essential nonpublic facts about Juniper's software
20 development could materially impair Juniper's intellectual property rights and could cause serious
21 competitive consequences to Juniper's business positioning.

22 17. The redacted portions of the Declaration of Scott J. Coonan and the redacted
23 portions of the Brief at 19:16-20:10 and 20:16-21:28 contain sealable confidential information that
24 relate to Juniper and Finjan's confidential licensing and settlement negotiations that both parties
25 regularly treat as highly confidential within their businesses and make substantial efforts not to
26 disclose to the public.

27 18. Exhibits 2 and 8-10; and the redacted portions of the Brief at 16:7-17:1 and 20:14-
28 16 were designated confidential by Finjan.

1 19. For these reasons, the documents described above should be filed under seal.

2 Executed on June 28, 2018, at Los Angeles, California.

3 I declare under penalty of perjury under the laws of the United States of America that the
4 foregoing is true and correct to the best of my knowledge.

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/s/ Sharon Song

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Sharon Song

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