

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

DECLARATION OF REBECCA CARSON

I, Rebecca Carson, declare as follows:

1. I am a member in good standing of the State Bar of California and a partner at Irell & Manella LLP, counsel of record in this action for Defendant Juniper Networks, Inc. (“Juniper”). I have personal knowledge of the facts set forth in this declaration, and I could and would testify competently thereto if called upon to do so.

2. Documents produced by bearing Bates stamp FINJAN-JN 045244 through 045291 consist solely of Finjan press releases and screen captures of Finjan’s website.

3. Finjan’s Infringement Contentions related to claim 10 of the ‘494 Patent do not allege that the “database manager” element is met under the doctrine of equivalents.

4. Juniper’s response to Finjan’s interrogatory no. 10 stated that Finjan’s Infringement Contentions were “indecipherable, unintelligible, and unduly vague and ambiguous.” During the course of Juniper’s in-person and telephonic conferring with Finjan on the issue, Juniper sent counsel for Finjan an email on May 22, 2018 stating that “Finjan’s infringement contentions are replete with conclusory statements untethered to the actual claim limitations and in general devoid of the requisite specificity. Juniper cannot explain how unidentified software components operate in a manner different than how Finjan alleges when Finjan does not even identify the specific accused software components in the first place.” Juniper offered to supplement its non-infringement contentions once Finjan had supplemented its Infringement Contentions, but Finjan never supplemented its Infringement Contentions.

5. Based on the sales information that Juniper has produced in this matter, the total revenue of Sky ATP from November 24, 2015 through Jan. 29, 2017 was [REDACTED].

6. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 8,677,494 (“the ‘494 Patent”) asserted by Plaintiff Finjan, Inc. (“Finjan”) in this matter and produced by Finjan as FINJAN-JN 003821.

7. Attached hereto as Exhibit 2 is a true and correct copy of select excerpts of the transcript of the deposition of John Garland, Finjan’s Rule 30(b)(6) witness on the following topic: “All facts and circumstances regarding any efforts taken to comply with the marking and

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notice provisions of 35 U.S.C. § 287 with respect to the Asserted Patents, including any efforts by Finjan to ensure compliance by its licensees with said marking provisions.”

8. Attached hereto as Exhibit 3 is a true and correct copy of select excerpts of the transcript of the deposition of Juniper engineer Yuly Tenorio.

9. Attached hereto as Exhibit 4 is a true and correct copy of select excerpts of the transcript of the deposition of Dr. Eric Cole, the expert upon which Finjan relies for its Motion for Summary Judgment regarding claim 10 of the ‘494 Patent (Dkt. No. 98, the “Motion”).

10. Attached hereto as Exhibit 5 is a true and correct copy of “Dynamic Detection And Classification Of Computer Viruses Using General Behaviour Patterns” by Morton Swimmer *et al.*, published in 1995 by the Virus Bulletin Conference (“Swimmer.”)

11. Attached hereto as Exhibit 6 is a true and correct copy of select excerpts of Webster’s New World Dictionary of Computer Terms (6th ed., 1997).

12. Attached hereto as Exhibit 7 is a true and correct copy of select excerpts of the directory `argon\src\adapters\greyduckling\constants\pe_constants.py` from the Juniper Source Code, bearing print numbering (and referenced by Finjan in its Motion as) pages 90-92.

13. Attached hereto as Exhibit 8 is a true and correct copy of select excerpts of Plaintiff Finjan, Inc.’s Objections And Responses To Defendant Juniper Networks, Inc.’s First Set Of Requests For Admission (Nos. 1-76).

14. Attached hereto as Exhibit 9 is a true and correct copy of select excerpts of Plaintiff Finjan, Inc.’s Objections And Responses To Defendant Juniper Networks, Inc.’s First Set Of Interrogatories (Nos. 1-10).

15. Attached hereto as Exhibit 10 is a true and correct copy of select excerpts of Plaintiff Finjan, Inc.’s First Supplemental Objections And Responses To Defendant Juniper Networks, Inc.’s First Set Of Interrogatories (Nos. 3, 4, 6, 7).

16. Attached hereto as Exhibit 11 is a true and correct copy of select portions of Amazon’s website for its S3 object storage service, available at <https://aws.amazon.com/s3/>.

17. Attached hereto as Exhibit 12 is a true and correct copy of select excerpts of Finjan’s Patent Owner’s Response (Paper 27) in *Symantec Corp. v. Finjan, Inc.*, IPR2015-01892.

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18. Attached hereto as Exhibit 13 is a true and correct copy of select portions of the Amazon DynamoDB Developer Guide, available at

<https://docs.aws.amazon.com/amazondynamodb/latest/developerguide/dynamodb-dg.pdf>.

19. Attached hereto as Exhibit 14 is a true and correct copy of select portions of Finjan's Infringement Contentions related to the '494 Patent (and claim 10 in particular) against Websense, produced by Finjan as FINJAN-JN 191524.

20. Exhibit 15 is intentionally left blank.

21. Attached hereto as Exhibit 16 is a true and correct copy of select excerpts of Amazon's "Frequently Asked Questions About Amazon DynamoDB," available at <https://aws.amazon.com/dynamodb/faqs/>.

22. Attached hereto as Exhibit 17 is a true and correct copy of select excerpts of the paper "Scanners of the Year 2000: Heuristics" by Dmitry Gryaznov, published in the Proceedings Of The Fifth International Virus Bulletin Conference in September 1995.

23. Attached hereto as Exhibit 18 is a true and correct copy of select excerpts of the book SQL For Dummies (1995).

24. Attached hereto as Exhibit 19 is a true and correct copy of select excerpts of the November 1991 issue of Virus Bulletin.

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Executed this 28th day of June, 2018, at Newport Beach, California. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Rebecca Carson

Rebecca Carson