Exhibit 4 (Redacted)



### DR. ERIC B. COLE FINJAN, INC. V JUNIPER NETWORKS, INC

June 21, 2018

LII	IJAN, INC. V JUNIPER NETWORKS, IN			1-4
1	Page 1	1	APPEARANCES	Page 3
2	NORTHERN DISTRICT OF CALIFORNIA	2		
3	SAN FRANCISCO DIVISION	3	ON BEHALF OF PLAINTIFF AND THE WITNESS:	
4	X	4	KRISTOPHER KASTENS, ESQ.	
5	FINJAN, INC., a Delaware	5	Kramer Levin Naftalis & Frankel LLP	
6	Corporation,	6	990 Marsh Road	
7	Plaintiff,	7	Menlo Park, CA 94025	
8	V. Case No. 3:17-cv-05659-WHA	8	kkastens@kramerlevin.com	
9	JUNIPER NETWORKS, INC., a	9	650.752.1715	
10	Delaware Corporation,	10		
11	Defendant.	11	ON BEHALF OF DEFENDANT:	
12	х	12	REBECCA CARSON, ESQ.	
13	Videotaped Deposition of	13	Irell & Manella LLP	
14	DR. ERIC B. COLE	14	840 Newport Center Drive, Suite 400	
15		15	Newport Beach, CA 92660-6324	
16	Herndon, Virginia 20171	16	rcarson@irell.com	
17	Thursday, June 21, 2018	17	949.760.0991	
18	8:00 a.m.	18		
19		19	Also Present:	
20		20	DANIEL HOLMSTOCK, Videographer	
21	Denise Dobner Vickery, RMR, CRR	21		
22	JOB NO. J2328299	22		
	**************************************		ne fr, ètre	Page 4
1	r age z	1	CONTENTS	1 agc +
2		2		
3		3	EXAMINATION OF DR. ERIC B. COLE	PAGE
4		4	BY MS. CARSON	6, 271
5		5	AFTERNOON SESSION	187
6		6	BY MR. KASTENS	269
7	Thursday, June 21, 2018	7		
8	8:00 a.m.	Section	EXHIBITS	
9		9	(Attached to Transcript)	
10	Videotaped deposition of DR. ERIC B. COLE, held	10	DEPOSITION EXHIBITS	PAGE
11	at the conference rooms of:	11	Exhibit 1033 Declaration of Dr. Eric Cole in	n 18
12		12	Support of Plaintiff Finjan, Inc.'s Not	ice of
13	THE WESTIN WASHINGTON DULLES AIRPORT	13	Motion and Motion for Summary Judgment	
14	2520 Wasser Terrace	14	Infringement of Claim 10 of U.S. Patent	No.
15	Herndon, VA 20171	15	8,677,494	
16		16	Exhibit 1034 Sky ATP Analysis Pipeline	151
17		17	JNPR-FNJN_29017_00552908	
18	Pursuant to notice, before Denise Dobner	18	Exhibit 1035 Exhibit 16: Sky Advanced Three	at 151
19	Vickery, Certified Realtime Reporter, Registered	19	Prevention Architecture FINJAN-JN 04483	
20	Merit Reporter, and Notary Public in and for the	20	Exhibit 1036 Exhibit 11: Sky Advanced Three	at 152
21	Commonwealth of Virginia.	21	Prevention Guide FINJAN-JN 044759	
22		22		





### DR. ERIC B. COLE FINJAN, INC. V JUNIPER NETWORKS, INC

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	NUMIN, INC. V JUNIFER NET WORKS, IN		
1	Page 53 analysis where you're looking at the executable	1	Page 55 MR. KASTENS: Objection. Form.
2	program, that's not always a component. So since	2	THE WITNESS: Once again, those
3	both of those would be under the area of scanning,	3	terms can have generic specific meaning. So if
4	parsing is a component, but not necessarily a	4	there's a specific reference, I would adjust, but
5	requirement of the claim language because it's not	5	but in general, decompiling is when you're going in
6	specifically listed in Claim 10.	6	and reversing the code back to the original
7	BY MS. CARSON:	7	language. And decomposing is just breaking down the
8	Q. So it's your understanding under the	8	current code at the components or pieces.
9	plain meaning of Claim 10 that a dynamic analyzer is	9	But once again, these terms have a
10	also a scanner?	10	· ·
-			
11	MR. KASTENS: Objection. Form.	11	context, the terms could be adjusted.  BY MS. CARSON:
12	,	12	
13	Yes, dynamic analysis scanner is a	13	Q. When you were applying Claim 10 to
14	, i	14	Juniper's products, did you assume that the scanner
15		15	required any decomposing of the code?
16	Q. Does the scanner in Claim 10 require	16	MR. KASTENS: Objection. Form.
17	1 3	17	THE WITNESS: When I applied
18	MR. KASTENS: Objection. Form.	18	Claim 10 or any claim in any case to a product, I'm
19	THE WITNESS: (Reviews document).	19	looking at the specific claim language. So I'm
20	In Claim 10, I do not see the word	20	going through and looking at the exact claim
21	"decompiling" or seeing that as a restrictive	21	language.
22	element of the claim language.	22	And once again, there is no
	Page 54	4	Page 56
1	BY MS. CARSON:		decompiling or decomposing in Claim 10. So that was
2	<ul> <li>Q. So when you were applying Claim 10 to</li> </ul>		
		2	not a specific term I was looking at for
3	Juniper's product, it was not your understanding	3	infringement. I was looking at the exact language
3 4	Juniper's product, it was not your understanding that the term "scanner" required any decompiling of	3 4	infringement. I was looking at the exact language of the claim.
3 4 5	Juniper's product, it was not your understanding that the term "scanner" required any decompiling of the code; correct?	3 4 5	infringement. I was looking at the exact language of the claim.  BY MS. CARSON:
3 4 5 6	Juniper's product, it was not your understanding that the term "scanner" required any decompiling of the code; correct?  MR. KASTENS: Objection. Form.	3 4 5 6	infringement. I was looking at the exact language of the claim.  BY MS. CARSON:  Q. And the term "scanner" as one of skill
3 4 5 6 7	Juniper's product, it was not your understanding that the term "scanner" required any decompiling of the code; correct?  MR. KASTENS: Objection. Form.  THE WITNESS: That could be a	3 4 5 6 7	infringement. I was looking at the exact language of the claim.  BY MS. CARSON:  Q. And the term "scanner" as one of skill in the art doesn't necessitate any decomposing,
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### DR. ERIC B. COLE FINJAN, INC. V JUNIPER NETWORKS, INC

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		_	B 50
1	Page 57 different types of scanners that you're aware of?	1	Page 59 10(b), "a Downloadable scanner." So I don't see any
2	A. (Reviews document).	2	restrictions in the claim language on a specific
3	So two two general types are static	3	type or other limiting details on the type of
4	analysis scanner and dynamic analysis scanning.	4	scanner.
5	Q. Can you think of any others?	5	BY MS. CARSON:
6	A. (Pause). And there's also like	6	Q. Now, static scanners, did they exist
7	antivirus scanning, signature scanning. There's a	7	prior to the '494 patent?
8	lot of different types of scanning.	8	MR. KASTENS: Objection. Form.
9	Q. Okay. So recognizing that this might	9	THE WITNESS: Once again, I'd
10	not be an exhaustive list, the examples we've talked	10	have to go back and do research on specific dates.
11	about today are static, dynamic, antivirus, and	11	BY MS. CARSON:
12	signature scanning.	12	Q. Do you know if dynamic scanners existed
13	Is the '494 patent strike that.	13	prior to the '494 patent?
14	Is Claim 10 of the '494 patent limited	14	A. Once again, I'd have to go back and
15	to any particular type of scanning within those	15	and do some research and check the dates.
16	examples that we just discussed?	16	Q. Do you know if antivirus scanners
17	MR. KASTENS: Objection. Form.	17	existed prior to the '494 patent?
18	THE WITNESS: (Reviews document).	18	MR. KASTENS: Objection. Form.
19	Once again, I always go back to	19	THE WITNESS: Once again, I'd
20	the claim language. So if you look at 10(b), "a	20	have to go back and and research to give you
21	Downloadable scanner coupled with said receiver, for	21	specific specific dates and information.
22	deriving security profile data for the	22	BY MS. CARSON:
	Page 58		Page 60
1	Downloadable."	1	Q. What about signature scanners? Did
1 2	There's no restrictions or		•
			G
2	There's no restrictions or	2	they exist before the '494 patent?
2 3	There's no restrictions or specific caveats on the words in the claim.	2	they exist before the '494 patent?  MR. KASTENS: Objection. Form.
2 3 4	There's no restrictions or specific caveats on the words in the claim. BY MS. CARSON:	2 3 4	they exist before the '494 patent?  MR. KASTENS: Objection. Form.  THE WITNESS: Once again, the
2 3 4 5	There's no restrictions or specific caveats on the words in the claim.  BY MS. CARSON:  Q. So just by way of example, if you had a	2 3 4 5	they exist before the '494 patent?  MR. KASTENS: Objection. Form.  THE WITNESS: Once again, the same answer. If you're giving questions on specific
2 3 4 5 6	There's no restrictions or specific caveats on the words in the claim.  BY MS. CARSON:  Q. So just by way of example, if you had a signature scanner, so long as it met all of the	2 3 4 5 6 7	they exist before the '494 patent?  MR. KASTENS: Objection. Form.  THE WITNESS: Once again, the same answer. If you're giving questions on specific dates when specific things occurred, I would have to
2 3 4 5 6 7	There's no restrictions or specific caveats on the words in the claim. BY MS. CARSON: Q. So just by way of example, if you had a signature scanner, so long as it met all of the other requirements of the claim, it could satisfy	2 3 4 5 6 7	they exist before the '494 patent?  MR. KASTENS: Objection. Form.  THE WITNESS: Once again, the same answer. If you're giving questions on specific dates when specific things occurred, I would have to go back and check and verify.
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2 3 4 5 6 7 8 9 10	There's no restrictions or specific caveats on the words in the claim.  BY MS. CARSON:  Q. So just by way of example, if you had a signature scanner, so long as it met all of the other requirements of the claim, it could satisfy the scanner element; is that fair?  MR. KASTENS: Objection. Form.  THE WITNESS: (Reviews document).	2 3 4 5 6 7 8 9 10 11	they exist before the '494 patent?  MR. KASTENS: Objection. Form.  THE WITNESS: Once again, the same answer. If you're giving questions on specific dates when specific things occurred, I would have to go back and check and verify.  BY MS. CARSON:  Q. When did you get out of school?  A. The reason I'm laughing, I always
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### DR. ERIC B. COLE FINJAN, INC. V JUNIPER NETWORKS, INC

June 21, 2018 65–68

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11 Is does the term "scanner" limit the 11 THE WITNESS: I guess I'm		<u> </u>
		12 struggling with the the word "engine." So so
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15 claim language, there's nothing that specifies 15 would be a dynamic analysis scanner. 16 bardware as activered.		
16 hardware or software.  16 BY MS. CARSON:		
17 BY MS. CARSON: 18 Q. So Claim 10 doesn't even require, at 18 Would any code that does dynamic		· •
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