

1 IRELL & MANELLA LLP
Jonathan S. Kagan (SBN 166039)
2 jkagan@irell.com
Joshua P. Glucoft (SBN 301249)
3 jglucoft@irell.com
Casey Curran (SBN 305210)
4 ccurran@irell.com
Sharon Song (SBN 313535)
5 ssong@irell.com
1800 Avenue of the Stars, Suite 900
6 Los Angeles, California 90067-4276
Telephone: (310) 277-1010
7 Facsimile: (310) 203-7199

8 Rebecca L. Carson (SBN 254105)
rcarson@irell.com
9 Kevin Wang (SBN 318024)
kwang@irell.com
10 840 Newport Center Drive, Suite 400
Newport Beach, California 92660-6324
11 Telephone: (949) 760-0991
Facsimile: (949) 760-5200

12 *Attorneys for Defendant*
13 JUNIPER NETWORKS, INC.

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 ON**
20 vs.) **BEHALF OF DEFENDANT JUNIPER**
21 JUNIPER NETWORKS, INC.,) **NETWORKS, INC. IN SUPPORT OF**
22 Defendant.) **FINJAN, INC.’S ADMINISTRATIVE**
23) **MOTION TO FILE DOCUMENTS**
24) **UNDER SEAL (DKT. NO. 127)**
25)
26)
27)
28)

Judge: Hon. William Alsup

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 action. 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 Finjan, Inc.’s (“Finjan”) Administrative Motion to File Documents Under Seal (Dkt. No. 127), which moves the Court for an order to file under seal the following items related to Juniper:

- Select portions of pages 5, 6, 14-23, and 35-40 of Finjan’s Opposition to Juniper’s Motion for Summary Judgment (“Finjan’s Opposition”) that contain information designated as confidential by Juniper;
- Select portions of pages 14-23 and 25-27 of the Declaration of Dr. Michael Mitzenmacher in Support of Finjan’s Opposition (“Mitzenmacher Decl.”);
- Select portions of pages 1 and 2 of the Declaration of Kristopher Kastens in Support of Finjan’s Opposition (“Kastens Decl.”); and
- Exhibits 2, 4, 5, 7, 12, 14-17, 19, 21-22, 46, and 49 to the Kastens Decl.

In this declaration, I explain why the material cited above is sealable pursuant to Civil Local Rule 79-5 and provide additional facts in support of Finjan’s Administrative Motion to File Documents Under Seal to the extent that the administrative motion pertains to Juniper.

3. Exhibit 5 to the Kastens Decl. described above is comprised of excerpts from the deposition transcript of Chandra Nagarajan as Juniper’s corporate designee pursuant to a subpoena served on Juniper by Finjan. The transcript reflects substantive discussion of the technical underpinnings and development of Juniper’s highly proprietary software—which contains much information that Juniper maintains as trade secrets. Juniper expends significant effort in maintaining the secrecy of its software architecture and development, including, for example, implementing strict screening procedures for visitors to its engineering campus. Public disclosure

1 of essential nonpublic facts about Juniper's software development could materially impair
2 Juniper's intellectual property rights and could cause serious competitive consequences to
3 Juniper's business positioning.

4 4. Exhibit 12 to the Kastens Decl. described above is comprised of excerpts from the
5 deposition transcript of Yuly Tenorio as Juniper's corporate designee pursuant to a subpoena
6 served on Juniper by Finjan. The transcript reflects substantive discussion of the technical
7 underpinnings and development of Juniper's highly proprietary software—which contains much
8 information that Juniper maintains as trade secrets. Juniper expends significant effort in
9 maintaining the secrecy of its software architecture and development, including, for example,
10 implementing strict screening procedures for visitors to its engineering campus. Public disclosure
11 of essential nonpublic facts about Juniper's software development could materially impair
12 Juniper's intellectual property rights and could cause serious competitive consequences to
13 Juniper's business positioning.

14 5. Exhibit 46 to the Kastens Decl. described above is comprised of excerpts from the
15 deposition transcript of Raju Manthena as Juniper's corporate designee pursuant to a subpoena
16 served on Juniper by Finjan. The transcript reflects substantive discussion of the technical
17 underpinnings and development of Juniper's highly proprietary software—which contains much
18 information that Juniper maintains as trade secrets. Juniper expends significant effort in
19 maintaining the secrecy of its software architecture and development, including, for example,
20 implementing strict screening procedures for visitors to its engineering campus. Public disclosure
21 of essential nonpublic facts about Juniper's software development could materially impair
22 Juniper's intellectual property rights and could cause serious competitive consequences to
23 Juniper's business positioning.

24 6. Exhibits 2, 4, 7, 14-17, 19, 21-22, and 49 to the Kastens Decl. described above are
25 highly confidential documents or source code produced by Juniper to Finjan. These documents
26 have never been made public and contain information related to the technical underpinnings and
27 development of Juniper's highly proprietary software—which includes much information that
28 Juniper maintains as trade secrets. Juniper expends significant effort in maintaining the secrecy of

1 its software architecture and development, including, for example, implementing strict screening
2 procedures for visitors to its engineering campus. Public disclosure of essential nonpublic facts
3 about Juniper's software development could materially impair Juniper's intellectual property
4 rights and could cause serious competitive consequences to Juniper's business positioning.

5 7. The select portions of pages 5, 6, 14-23, and 35-40 of Finjan's Opposition that
6 contain information designated as confidential by Juniper; the select portions of pages 14-23 and
7 25-27 of the Mitzenmacher Decl.; and the select portions of pages 1 and 2 of the Kastens Decl.
8 described above paraphrase or refer to the information contained in Exhibits 2, 4, 5, 7, 12, 14-17,
9 19, 21-22, 46 and 49 to the Kastens Decl., which reflect the technical underpinnings and
10 development of Juniper's highly proprietary software and contain much information that Juniper
11 maintains as trade secrets. Juniper expends significant effort in maintaining the secrecy of its
12 software architecture and development, including, for example, implementing strict screening
13 procedures for visitors to its engineering campus. Public disclosure of essential nonpublic facts
14 about Juniper's software development could materially impair Juniper's intellectual property
15 rights and could cause serious competitive consequences to Juniper's business positioning.

16 8. In light of the foregoing, there are compelling reasons to seal the documents
17 described above.

18 Executed on July 2, 2018 in Los Angeles, California.

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

21
22 /s/ Sharon Song

23 Sharon Song
24
25
26
27
28