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10 FINJAN, INC.

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 FINJAN, INC., a Delaware Corporation,

15 Plaintiff,

16 v.

17 JUNIPER NETWORKS, INC., a Delaware  
18 Corporation,

19 Defendant.

Case No.: 3:17-cv-05659-WHA

**PLAINTIFF FINJAN, INC.'S REPLY IN  
SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT OF INFRINGEMENT  
OF CLAIM 10 OF U.S. PATENT NO. 8,677,494**

Date: July 26, 2018  
Time: 8:00 a.m.  
Courtroom: Courtroom 12, 19<sup>th</sup> Floor  
Before: Hon. William Alsup

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1 **I. CLAIM CONSTRUCTION**

2 Since Juniper infringes under a plain reading of the claims, Juniper raises at least seven  
3 different claim construction proposals. Even under these proposals, however, Juniper still infringes.

4 **A. “database”**

5 <b>Finjan:</b> plain and ordinary meaning, which is “a collection of interrelated data organized according to a database schema to serve one or more applications”	6 <b>Juniper:</b> “a collection of interrelated data <sup>1</sup> organized according to a database schema <sup>2</sup> to serve one or more applications”
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7 Juniper adopts Finjan’s construction for “database” but adds several unsupported and  
8 limitations in its further construction of the plain and ordinary meaning based upon misstatements  
9 about Finjan’s positions and what occurred during IPRs. First, Finjan never argued during the IPRs  
10 that the “data” needs to be in a table with rows and columns and, as such, Juniper’s additional  
11 construction of “data” to be in a “table” and further construction of “table” is unwarranted because  
12 Finjan never said that “data” in all databases must be in a table. Rather, Finjan argued that a particular  
13 “flat file” was not a “flat file database” because the particular implementation in a “flat file database”  
14 uses a table. Dkt. 126-16 at 38 (a POSA understands “Swimmer’s audit record to be a flat file ... not a  
15 flat file database ...”). Finjan also never asserted that a table *requires* rows and columns and Juniper’s  
16 claims are not in the intrinsic record and contradicted by dictionary definitions. Reply Ex. 1<sup>3</sup> at 571  
17 (“**Table** A set of contiguous, related items, each uniquely identified either by its relative position in the  
18 set or by some label”). Juniper’s dictionary is inapplicable because Juniper chose a construction  
19 limited only to a particular type of database, a “relational database.” Dkt. 126-10. While Juniper tries  
20 to narrow “database schema,” the PTAB applied “database schema” to be a clearly defined  
21 organizational structure. IPR2015-01892, Paper No. 58 at 41 (PTAB finding a comma-delimited file  
22 format found to be a database schema because it had a defined structure).

24 \_\_\_\_\_  
25 <sup>1</sup> Juniper construes “data” as “data stored in tables,” and “tables” as “rows and columns.” Opp. at 6-7.

26 <sup>2</sup> Juniper construes “organized according to a database schema” as a “description of a database to a  
27 database management system (DBMS) in the language provided by the DBMS.” Opp. at 6.

28 <sup>3</sup> Unless otherwise indicated, all “Reply Ex. \_” references herein are to the Declaration of Kristopher  
29 Kastens in Support of Finjan’s Reply in Support of Its Motion for Summary Judgment filed herewith.

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