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12 FINJAN, INC.

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

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

20 Defendant.
21

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

**PLAINTIFF FINJAN, INC.'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

1 **I. INTRODUCTION**

2 Pursuant to Federal Rule of Civil Procedure 26(c), Civil Local Rules 7-11 and 79-5, Plaintiff,
3 Finjan, Inc. (“Finjan”), brings this Administrative Motion to File Under Seal. There are a good cause
4 and compelling reasons to file the following documents identified below under seal, because they
5 contain confidential information of Juniper Networks, Inc. (“Juniper”). *See* Declaration of Austin Manes
6 in support of Finjan’s Administrative Motion (“Manes Decl.”).

7 **II. ARGUMENT**

8 Finjan’s Administrative Motion to File Documents Under Seal should be granted because there
9 are a good cause and compelling reasons as identified below to seal the portions of the documents below:

Documents sought to be sealed	Portions sought to be sealed	Designating party	Reasons for sealing
Plaintiff Finjan Inc.’s Second Amended Complaint (“SAC”)	Highlighted portions at page 55, ll. 3-22; page 56, ll. 1-27; p. 57, ll. 1-2.	Juniper	The highlighted portions contain Juniper’s confidential information. <i>See</i> Manes Decl. at ¶ 3; <i>see also</i> below.
Exhibits 33 and 34 to SAC	Entirety	Juniper	Identified exhibits contain Juniper’s confidential information such as source code. <i>See</i> Manes Decl. at ¶ 4; <i>see also</i> below.

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19 As set forth in the accompanying Declaration of Austin Manes in support of Finjan’s
20 Administrative Motion to File under Seal, the above identified documents contain information that
21 Juniper has designated as “Confidential,” “Highly Confidential – Attorneys’ Eyes Only,” or “Highly
22 Confidential – Source Code.” These portions should be sealed because the prejudice to Juniper from
23 the disclosure of this information to its competitors would likely outweigh any benefit of disclosing the
24 information to the public. *See Apple Inc. v. Samsung Elecs. Co.*, 727 F.3d 1214, 1225 (Fed. Cir. 2013)
25 (“We conclude that Apple and Samsung have such an interest because they could suffer competitive
26 harm if this information is made public, and the district court erred by concluding otherwise. In
27 particular, it seems clear that if Apple’s and Samsung’s suppliers have access to their profit, cost, and
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1 margin data, it could give the suppliers an advantage in contract negotiations, which they could use to
2 extract price increases for components.”).

3 Furthermore, the portions sought to be sealed here are narrowly tailored to include only “sealable
4 material,” as set forth in the accompanying Declaration of Austin Manes. To comply with Civil Local
5 Rule 79-5, Finjan has filed publicly the non-confidential portions of above identified documents.
6 Attached hereto are redacted and unredacted versions of the same documents.

7 **III. CONCLUSION**

8 For the foregoing reasons, Finjan respectfully requests that the Court grant its Administrative
9 Motion to File Documents Under Seal.

10 Respectfully submitted,

11 Dated: July 27, 2018

12 By: /s/ Kristopher Kastens
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