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FINJAN, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

JUNIPER NETWORKS, INC., a Delaware Corporation,

Defendant.

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

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Finjan, Inc. ("Finjan") files this Complaint for Patent Infringement and Demand for Jury Trial against Juniper Networks, Inc. ("Defendant" or "Juniper") and alleges as follows:

THE PARTIES

1. Finjan is a Delaware Corporation with its principal place of business at 2000 University Avenue, Suite 600, E. Palo Alto, California 94303.

2. Defendant is a Delaware Corporation with its headquarters and principal place of business at 1133 Innovation Way, Sunnyvale, California 94089. Defendant may be served through its agent for service of process, CT Corporation System, at 818 W. 7th Street, Suite 930, Los Angeles, California 90017.

JURISDICTION AND VENUE

3. This action arises under the Patent Act, 35 U.S.C. § 101 *et seq*. This Court has original jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and/or 1400(b).

5. This Court has personal jurisdiction over Defendant. Upon information and belief, Defendant is headquartered and has its principal place of business in this District (Sunnyvale, California). Defendant also regularly and continuously does business in this District and has infringed, and continues to do so, in this District. In addition, this Court has personal jurisdiction over Defendant because minimum contacts have been established with this forum and the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

INTRADISTRICT ASSIGNMENT

6. Pursuant to Local Rule 3-2(c), Intellectual Property Actions are assigned on a district-wide basis.

FINJAN'S INNOVATIONS

7. Finjan was founded in 1997 as a wholly-owned subsidiary of Finjan Software Ltd., an Israeli corporation. In 1998, Finjan moved its headquarters to San Jose, California. Finjan was a pioneer in developing proactive security technologies capable of detecting previously unknown and emerging online security threats, recognized today under the umbrella term "malware." These technologies protect networks and endpoints by identifying suspicious patterns and behaviors of content delivered over the Internet. Finjan has been awarded, and continues to prosecute, numerous patents covering innovations in the United States and around the world resulting directly from Finjan's more than decades-long research and development efforts, supported by a dozen inventors and over $65 million in R&D investments.

8. Finjan built and sold software, including application program interfaces (APIs) and appliances for network security, using these patented technologies. These products and related customers continue to be supported by Finjan's licensing partners. At its height, Finjan employed nearly 150 employees around the world building and selling security products and operating the Malicious Code Research Center, through which it frequently published research regarding network security and current threats on the Internet. Finjan's pioneering approach to online security drew equity investments from two major software and technology companies, the first in 2005 followed by the second in 2006. Finjan generated millions of dollars in product sales and related services and support revenues through 2009, when it spun off certain hardware and technology assets in a merger. Pursuant to this merger, Finjan was bound to a non-compete and confidentiality agreement, under which it could not make or sell a competing product or disclose the existence of the non-compete clause. Finjan became a publicly traded company in June 2013, capitalized with $30 million. After Finjan's obligations under the non-compete and confidentiality agreement expired in March 2015, Finjan re-entered the development and production sector of secure mobile products for the consumer market.

FINJAN'S ASSERTED PATENTS

9. On November 28, 2000, U.S. Patent No. 6,154,844 ("the '844 Patent"), titled SYSTEM AND METHOD FOR ATTACHING A DOWNLOADABLE SECURITY PROFILE TO A DOWNLOADABLE, was issued to Shlomo Touboul and Nachshon Gal. A true and correct copy of the '844 Patent is attached to this Complaint as Exhibit 1 and is incorporated by reference herein.

10. All rights, title, and interest in the '844 Patent have been assigned to Finjan, who is the sole owner of the '844 Patent. Finjan has been the sole owner of the '844 Patent since its issuance.

11. The '844 Patent is generally directed toward computer networks, and more particularly, provides a system that protects devices connected to the Internet from undesirable operations from web-based content. One of the ways this is accomplished is by linking a security profile to such web-based content to facilitate the protection of computers and networks from malicious web-based content.

12. On October 12, 2004, U.S. Patent No. 6,804,780 ("the '780 Patent"), titled SYSTEM AND METHOD FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE DOWNLOADABLES, was issued to Shlomo Touboul. A true and correct copy of the '780 Patent is attached to this Complaint as Exhibit 2 and is incorporated by reference herein.

13. All rights, title, and interest in the '780 Patent have been assigned to Finjan, who is the sole owner of the '780 Patent. Finjan has been the sole owner of the '780 Patent since its issuance.

14. The '780 Patent is generally directed toward methods and systems for generating a Downloadable ID. By generating an identification for each examined Downloadable, the system may allow for the Downloadable to be recognized without reevaluation. Such recognition increases efficiency while also saving valuable resources, such as memory and computing power.

15. On January 12, 2010, U.S. Patent No. 7,647,633 ("the '633 Patent"), titled MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '633 Patent is attached to this Complaint as Exhibit 3 and is incorporated by reference herein.

16. All rights, title, and interest in the '633 Patent have been assigned to Finjan, who is the sole owner of the '633 Patent. Finjan has been the sole owner of the '633 Patent since its issuance.

17. The '633 Patent is generally directed toward computer networks and, more particularly, provides a system that protects devices connected to the Internet from undesirable operations from web-based content. One of the ways this is accomplished is by determining whether any part of such web-based content can be executed and then trapping such content and neutralizing possible harmful effects using mobile protection code.

18. On November 3, 2009, U.S. Patent No. 7,613,926 ("the '926 Patent"), titled METHOD AND SYSTEM FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE DOWNLOADABLES, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '926 Patent is attached to this Complaint as Exhibit 4 and is incorporated by reference herein.

19. All rights, title, and interest in the '926 Patent have been assigned to Finjan, who is the sole owner of the '926 Patent. Finjan has been the sole owner of the '926 Patent since its issuance.

20. The '926 Patent is generally directed toward methods and systems for protecting a computer and a network from hostile downloadables. One of the ways this is accomplished is by performing hashing on a downloadable in order to generate a downloadable ID, retrieving security profile data, and transmitting an appended downloadable or transmitting the downloadable with a representation of the downloadable security profile data.

21. On March 20, 2012, U.S. Patent No. 8,141,154 ("the '154 Patent"), titled SYSTEM AND METHOD FOR INSPECTING DYNAMICALLY GENERATED EXECUTABLE CODE, was issued to David Gruzman and Yuval Ben-Itzhak. A true and correct copy of the '154 Patent is attached to this Complaint as Exhibit 5 and is incorporated by reference herein.

22. All rights, title, and interest in the '154 Patent have been assigned to Finjan, who is the sole owner of the '154 Patent. Finjan has been the sole owner of the '154 Patent since its issuance.

23. The '154 Patent is generally directed toward a gateway computer protecting a client computer from dynamically generated malicious content. One of the ways this is accomplished is by

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