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15 *Attorneys for Plaintiff*
16 FINJAN, INC.

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

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

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

20 Defendant.

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

**DECLARATION OF KRISTOPHER
KASTENS IN SUPPORT OF PLAINTIFF
FINJAN, INC.'S OPENING CLAIM
CONSTRUCTION BRIEF**

Date: TBD
Time: 8:00 a.m.
Courtroom: Courtroom 12, 19th Floor
Before: Hon. William Alsup

1 I, Kristopher Kastens, duly declare as follows:

2 1. I am an attorney at Kramer Levin Naftalis & Frankel LLP, a counsel of record for the
3 plaintiff, Finjan, Inc. (“Finjan”), in the above referenced matter. I have personal knowledge of the
4 facts stated below and can testify competently to those facts. I submit this declaration in support of
5 Finjan’s Opening Claim Construction brief.

6 2. Attached hereto as the Exhibit 1 is a true and correct copy of the U.S. Patent No.
7 7,647,633 (“‘633 Patent”).

8 3. Attached hereto as the Exhibit 2 is a true and correct copy of the U.S. Patent No.
9 7,613,926.

10 4. Attached hereto as the Exhibit 3 is a true and correct copy of the U.S. Patent No.
11 6,804,780.

12 5. Attached hereto as the Exhibit 4 is a true and correct copy of the U.S. Patent No.
13 6,154,844.

14 6. Attached hereto as the Exhibit 5 is a true and correct copy of the U.S. Patent No.
15 8,141,154.

16 7. Attached hereto as the Exhibit 6 is a true and correct copy of the Final Written Decision
17 (Paper 49) entered on March 16, 2017 by the Patent Trial and Appeal Board in IPR2015-01974, *Palo*
18 *Alto Networks, Inc. v. Finjan, Inc.*.

19 8. Attached hereto as the Exhibit 7 is a true and correct copy of the Notice of Intent to
20 Issue *Ex Parte* Reexamination Certificate for U.S. Application No. 90/013,652, related to the ‘633
21 Patent, dated May 10, 2016.

22 9. Attached hereto as the Exhibit 8 is a true and correct copy of the Declaration of Aviel
23 D. Rubin dated September 24, 2015, filed in support of Palo Alto Networks, Inc.’s petition for *Inter*
24 *Partes* Review of U.S. Patent No. 7,647,633 in IPR2015-01974.

25 10. Attached hereto as the Exhibit 9 is a true and correct copy of the Joint Claim
26 Construction Pre-hearing Statement in *Finjan, Inc. v. Symantec Corp.*, Case No. 14-cv-02998-HSG,
27 Dkt. No. 68, filed on March 16, 2015.

11. Attached hereto as the Exhibit 10 is a true and correct copy of a Joint Claim Construction Pre-hearing Statement *Finjan, Inc. v. Sophos Inc.*, Case No. 14-cv-01197-WHO, Dkt. No. 54, filed on October 14, 2014.

12. Attached hereto as the Exhibit 11 is a true and correct copy of excerpts from the Declaration of Jack W. Davidson dated September 10, 2015, filed in support of Symantec Corporation's petition for *Inter Partes* Review in IPR2015-01893.

13. Attached hereto as the Exhibit 12 is a true and correct copy of excerpts from the Declaration of Jack W. Davidson dated September 10, 2015 filed in support of Symantec Corporation's petition for *Inter Partes* Review in IPR2015-01895

14. Attached hereto as the Exhibit 13 is a true and correct copy of excerpts from the Declaration of Aviel D. Rubin filed on November 5, 2015 in support of Palo Alto Networks, Inc.'s petition for *Inter Partes* Review in IPR2016-00151.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on August 6, 2018 in Menlo Park, California.

/s/ Kristopher B. Kastens
Kristopher B. Kastens