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11 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

**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. The documents identified
4 below contain confidential information of Finjan and/or defendant Juniper Networks, Inc. (“Juniper”).
5 Finjan relies on its and Juniper’s confidentiality designations. Specifically, there exist compelling
6 reasons to file the following documents under seal:

Identification of Documents to be Sealed	Entity that Designated the Information to be Confidential
Finjan’s Reply Brief In Support of Its Motion to Exclude Opinions of Damages Expert Dr. Keith R. Ugone (“Finjan’s Reply”) at page 1, lines 20-21, page 2, line 22, page 3, lines 15-17, page 4, lines 9-10, 12, page 5, lines 3, 11-12, 16-21, page 6, lines 15-17, 23-27, page 7, lines 1-2, 4	Finjan or Juniper
Declaration of Kristopher Kastens in Support of Finjan’s Reply (“Kastens Declaration”), Ex. 1	Finjan or Juniper
Kasten Declaration, Ex. 3	Finjan
Kastens Declaration Ex. 4	Juniper

15 **II. ARGUMENT**

16 This Administrative Motion to File Documents Under Seal should be granted because there are
17 compelling reasons to seal the identified documents. Finjan seeks to seal only those documents and
18 portions of documents that it or Juniper have identified as containing confidential information pursuant
19 to the Protective Order.

20 Finjan seeks to seal Finjan’s Reply redacted portions at page 1, lines 20-21, page 2, line 22,
21 page 3, lines 15-17, page 4, lines 9-10, 12, page 5, lines 3, 11-12, 16-21, page 6, lines 15-17, 23-27, and
22 page 7, lines 1-2, 4 because, as set forth in the accompanying declaration of Hannah Lee in Support of
23 this Administrative Motion (“Lee Sealing Declaration”), these portions contain information that Finjan
24 or Juniper has designated as “Highly Confidential – Attorneys’ Eyes Only.” Finjan seeks to seal the
25 portions on page 2, line 22, page 3, lines 15-17, and page 4, lines 9-10, 12, that contain its confidential
26 information because they relate to confidential license negotiations or a confidential license agreement
27 with a third party.

1 Finjan seeks to seal Exhibit 1 to the Kastens Declaration because, as set forth in the
2 accompanying Lee Sealing Declaration, this document contains information that Finjan has designated
3 as “Highly Confidential – Attorneys’ Eyes Only.” Specifically, page 170 of this transcript contains
4 information related to a confidential license agreement with a third party that is subject to third-party
5 confidentiality obligations and Finjan maintains as confidential within its business. Public disclosure of
6 this information would prejudice Finjan’s ability to engage in future licensing negotiations and be in
7 violation of its confidentiality obligations to a third party. For the remaining redactions, Finjan relies on
8 Juniper’s representations and confidentiality designations.

9 Finjan seeks to seal Exhibit 3 to the Kastens Declaration because, as set forth in the
10 accompanying Lee Sealing Declaration, this document contains information that Finjan has designated
11 as “Highly Confidential – Attorneys’ Eyes Only.” It is a confidential license agreement with a third
12 party that is subject to third-party confidentiality obligations and Finjan maintains as confidential within
13 its business. Public disclosure of this information would prejudice Finjan’s ability to engage in future
14 licensing negotiations and be in violation of its confidentiality obligations to a third party.

15 Finjan seeks to seal Exhibit 4 to the Kastens Declaration because, as set forth in the
16 accompanying Lee Sealing Declaration, this document contains information that Juniper has designated
17 as “Highly Confidential – Attorneys’ Eyes Only.”

18 Pursuant to Civil Local Rule 79-5, Finjan has filed publicly the relevant excerpts of information
19 that are not confidential. Attached hereto are redacted and unredacted versions of the documents set
20 forth above.

21 **III. CONCLUSION**

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

Respectfully submitted,

Dated: November 23, 2018

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