

# Exhibit 1

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Attorneys for Defendant  
JUNIPER NETWORKS, INC.

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FINJAN, INC.

vs.

JUNIPER NETWORKS, INC.,

Plaintiff,

Defendant.

Case No. 5:17-cv-00072-BLF

**DEFENDANT JUNIPER NETWORKS,  
INC.'S PATENT L.R. 3-3 INVALIDITY  
CONTENTIONS**

## 5. '494 Patent

- 1 • U.S. Patent No. 6,253,370 to Abadi et al. (hereinafter, "Abadi"). Abadi was filed on  
2 December 1, 1997, issued on June 26, 2001, and thus it qualifies as prior art to the '494  
3 Patent under at least 35 U.S.C. § 102 (e) (pre-AIA).
- 4 • U.S. Patent No. 5,440,723 to Arnold et al. (hereinafter, "Arnold"). Arnold was filed on  
5 January 19, 1993, issued August 8, 1995, and thus it qualifies as prior art to the '494 Patent  
6 under at least 35 U.S.C. §102(b) (pre-AIA).
- 7 • U.S. Patent No. 5,398,196 to David A. Chambers (hereinafter, "Chambers"), which was  
8 issued on March 14, 1995 and thus qualifies as prior art under at least 35 U.S.C. § 102 (e)  
9 (pre-AIA).
- 10 • U.S. Patent No. 5,951,698 to Chen et al. (hereinafter, "Chen"), which was filed on October  
11 2, 1996, was issued on September 14, 1999, and thus qualifies as prior art under at least 35  
12 U.S.C. § 102 (e) (pre-AIA).
- 13 • U.S. Patent No. 5,832,208 to Chen and Luo (hereinafter, "Chen-Luo"). Chen-Luo was filed  
14 on September 5, 1996 and published on November 3, 1998, and it thus qualifies as prior art  
15 to the '494 Patent under at least 35 U.S.C. § 102 (e) (pre-AIA).
- 16 • U.S. Patent No. 5,485,575 to Chess et. al. (hereinafter, "Chess"). Chess was filed on  
17 November 21, 1994 and published on January 16, 1996 and thus qualifies as prior art under  
18 at least 35 U.S.C. § 102 (e) (pre-AIA).
- 19 • U.S. Patent No. 5,504,921 to Roger H. Dev et al. ("Dev"), filed May 16, 1994 as a  
20 continuation of an application filed September 17, 1990 and thus qualifies as prior art under  
21 at least 35 U.S.C. § 102 (e) (pre-AIA).
- 22 • U.S. patent No. 5,412,717 to Fischer (hereinafter, "Fischer"). Fisher was filed on May 15,  
23 1992, issued on May 2, 1995, and thus it qualifies as prior art to the '494 Patent under at  
24 least 35 U.S.C. § 102 (b) (pre-AIA).
- 25 • U.S. Patent No. 6,088,801 to Grecsek (hereinafter "Grecsek"). Grecsek was filed on  
26 January 10, 1997, issued on July 11, 2000, and thus it qualifies as prior art to the '494 Patent  
27 under at least 35 U.S.C. §102(e) (pre-AIA).

- 1 U.S. Patent No. 5,958,050 to Griffin et al. (hereinafter, “Griffin”). Griffin was filed on  
2 December 26, 1996, claiming priority to the provisional application 60/026,645 filed on  
3 September 24, 1996, issued on September 28, 1999, and thus qualifies as prior art under  
4 35 U.S.C. § 102 (e) (pre-AIA).
- 5 U.S. Patent No. 5,983,348 to Ji (hereinafter, “Ji 348”). Ji was filed on September 10, 1997  
6 and issued on November 9, 1999, thus it qualifies as prior art to the ’494 Patent under at  
7 least 35 U.S.C. § 102 (e) (pre-AIA).
- 8 U.S. Patent No. 5,623,600 to Ji (hereinafter, “Ji ’600”). Ji ’600 was filed on September 26,  
9 1996 and issued on April 22, 1997 and is prior art under at least 35 U.S.C. § 102 (e) (pre-  
10 AIA).
- 11 U.S. Patent No. 5,574,927 to Henry L. Scantlin (“Scantlin”), filed March 25, 1994. Scantlin  
12 qualifies as prior art under at least 35 U.S.C. § 102 (e) (pre-AIA).
- 13 U.S. Patent No. 5,842,002 to Schnurer et al. (hereinafter, “Schnurer”). Schnurer was filed  
14 on May 30, 1997 and issued on November 24, 1998, which is a continuation of application  
15 number 08/252,622 that was filed on June 1, 1994, thus it qualifies as prior art to the ’494  
16 Patent under at least 35 U.S.C. §102(e) (pre-AIA).
- 17 U.S. Patent No. 6,157,721 to Shear et al. (hereinafter, “Shear”). Shear was filed on August  
18 12, 1996, issued on December 5, 2000, and thus it qualifies as prior art to the ’494 Patent  
19 under at least 35 U.S.C. § 102 (b) (pre-AIA).

#### 20 **6. ’926 Patent**

- 21 U.S. Patent No. 5,825,877: “Support for Portable Trusted Software” issued to Asit Dan et al.  
22 (hereinafter, “Dan”). Dan was filed on June 11, 1996, and thus qualifies as prior art to the  
23 ’926 patent under at least 35 U.S.C. § 102(e) (pre-AIA).
- 24 U.S. Patent No. 6,088,801: “Managing the Risk of Executing a Software Process” issued to  
25 Matthew T. Grecsek (“Grecsek”). Grecsek was filed on January 10, 1997, and thus qualifies  
26 as prior art to the ’926 patent under at least 35 U.S.C. § 102(e) (pre-AIA).
- 27

- 1 • “JavaScript Instrumentation in Practice,” by Haruka Kikuchi, Dachuan Yu, Ajay Chander,  
2 Hiroshi Inamura, and Igor Serikov, APLAS 2008, LNCS 5359, 2008 (hereinafter,  
3 “Kikuchi”). Kikuchi was published December 9, 2008, thus it qualifies as prior art to the  
4 ’154 Patent under at least 35 U.S.C. § 102 (b) (pre-AIA).
- 5 • “Sweeping the Boards,” by Jonathan Burchell, Virus Bulletin, November 1994 (hereinafter,  
6 “Burchell”). Burchell was published in November, 1994, thus it qualifies as prior art to the  
7 ’154 Patent under at least 35 U.S.C. § 102 (b) (pre-AIA).
- 8 • “Design and implementation of a distributed virtual machine for networked computers,” by  
9 Emin Gun Sirer, Robert Grimm, Arthur J. Gregory, Brian N. Bershad, 17<sup>th</sup> ACM  
10 Symposium on Operating System Principles (SOSP ’99) Published as *Operating Systems*  
11 *Review* 34(5): 202-216, Dec. 1999 (hereinafter, “Sirer”). Sirer was published in December,  
12 1999, thus it qualifies as prior art to the ’154 Patent under at least 35 U.S.C. § 102 (b) (pre-  
13 AIA).
- 14 • David E. Evans, *Policy-Directed Code Safety*, Massachusetts Institute of Technology,  
15 February 2000 (“Evans I”) was published and/or publicly known before December 12, 2005,  
16 and is prior art to the ’154 patent” under 35 U.S.C. §§ 102(a) and (b) (pre-AIA).
- 17 • D. Evans & A. Twyman, *Flexible Policy-Directed Code Safety*, IEEE Symposium on  
18 Security & Privacy, May 1999 (“Evans II”) was published and/or publicly known before  
19 December 12, 2005, and is prior art to the ’154 patent under 35 U.S.C. §§ 102(a) and (b)  
20 (pre-AIA).
- 21 • Robert Filman and Ted Linden, “Communicating Security Agents,” Proceedings of  
22 Workshops on Enabling Technologies: Infrastructure for Collaborative Enterprises (WET  
23 ICE) (1996) (hereinafter, “Filman”). Filman was published in 1996, thus it qualifies as prior  
24 art under at least 35 U.S.C. § 102(a) (pre-AIA).

#### 25 5. ’494 Patent

- 26 • “An Immune System for Cyberspace,” by Jeffrey O. Kephart et al., in Proc. of the IEEE  
27 SMC’97 (hereinafter, “Kephart 1997”). Kephart 1997 was published and/or publicly known  
at least as early as 1997 and is prior art under at least 35 U.S.C. § 102 (a) (pre-AIA).

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