

1 PAUL J. ANDRE (State Bar No. 196585)
pandre@kramerlevin.com
2 LISA KOBIALKA (State Bar No. 191404)
lkobialka@kramerlevin.com
3 JAMES HANNAH (State Bar No. 237978)
jhannah@kramerlevin.com
4 KRISTOPHER KASTENS (State Bar No. 254797)
kkastens@kramerlevin.com
5 KRAMER LEVIN NAFTALIS
6 & FRANKEL LLP
7 990 Marsh Road
8 Menlo Park, CA 94025
9 Telephone: (650) 752-1700
10 Facsimile: (650) 752-1800

Attorneys for Plaintiff
11 FINJAN, INC.

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 FINJAN, INC., a Delaware Corporation,

18 Plaintiff,

19 v.

20 JUNIPER NETWORKS, INC., a Delaware
21 Corporation,

22 Defendant.
23

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

**DECLARATION OF LISA KOBIALKA IN
24 SUPPORT OF PLAINTIFF FINJAN, INC.’S
25 OPPOSITION TO DEFENDANT JUNIPER
26 NETWORKS INC.’S RENEWED MOTION
27 FOR JUDGMENT AS A MATTER OF LAW**

Date: February 14, 2019
Time: 8:00 a.m.
Judge: Hon. William Alsup
Courtroom: 12, 19th Floor

1 I, Lisa Kobialka, declare:

2 1. I am an attorney with the law firm Kramer Levin Naftalis & Frankel LLP, counsel of
3 record for Finjan, Inc. (“Finjan”). I have personal knowledge of the facts stated herein and can testify
4 competently to those facts. I make this declaration in support of Finjan’s Opposition to Defendant
5 Juniper Networks, Inc.’s (“Juniper”) Renewed Motion for Judgment as a Matter of Law.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of Trial Exhibit 256, a transcript
7 of a telephone call between Mr. John Garland of Finjan and Mr. Scott Coonan of Juniper, made by Mr.
8 Coonan, produced by Juniper bearing production numbers JNPR-FNJN_29011_00960575–91.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of pages 259-266, 314-315, 319,
10 324, 388-392, 472, 476-478, 513-517, 547-563, 565-568, 586, 592, 603-604, 685-686, and 768-769 of
11 the transcript of trial proceedings held on December 11, 2018 to December 13, 2018, in the present
12 action.

13 4. Attached hereto as Exhibit 3 is a true and correct copy of the portions of deposition
14 testimony of Mr. Scott Coonan, taken November 16, 2018, which were presented to the jury by video
15 during trial in the present action.

16 5. Attached hereto as Exhibit 4 is a true and correct copy of Trial Exhibit 91, which is a
17 press release titled “Juniper Networks Unveils Advanced Anti-Malware Cloud Service, Security
18 Management and the Latest Firewalls to Protect Cloud-Enabled Enterprise Networks,” dated
19 September 29, 2015, produced by Finjan bearing production numbers FINJAN-JN 400386–89.

20 6. Attached hereto as Exhibit 5 is a true and correct copy of the cover page of Trial Exhibit
21 57, a document titled “Juniper Advanced Anti-Malware Service on SRX Software Functional
22 Specification,” dated October 23, 2015, produced by Juniper bearing production number JNPR-
23 FNJN_29002_00173278.

24 7. Attached hereto as Exhibit 6 is a true and correct copy of portions of deposition
25 testimony of Mr. Chandra Nagarajan, taken May 31, 2018, which were presented to the jury by video
26 during trial in the present action.

27 8. Attached hereto as Exhibit 7 is a true and correct copy of Trial Exhibit 17, a brochure
28

1 titled “SRX Series Services Gateways for the Branch,” dated May 2017, produced by Finjan bearing
2 production numbers FINJAN-JN 005221–39.

3 9. Attached hereto as Exhibit 8 is a true and correct copy of Trial Exhibit 382, a brochure
4 titled “Juniper Sky Advanced Treat Protection,” dated May 2017, produced by Finjan bearing
5 production numbers FINJAN-JN 005438–42.

6 10. Attached hereto as Exhibit 9 is a true and correct copy of Trial Exhibit 345, a brochure
7 titled “SRX Series Services Gateways for the Branch,” dated May 2017, produced by Finjan bearing
8 production numbers FINJAN-JN 045192–210.

9 11. Attached hereto as Exhibit 10 is a true and correct copy of Trial Exhibit 1, U.S. Patent
10 No. 8,677,494, titled “Malicious Mobile Code Runtime Monitoring System and Methods,” issued on
11 March 18, 2014, produced by Finjan bearing production numbers FINJAN-JN 003821–48.

12 12. Attached hereto as Exhibit 11 is a true and correct copy of Trial Exhibit 372, a webpage
13 titled “FinjanMobile VitalSecurity – Android Apps on Goole Play,” printed on January 1, 2017 from
14 the Google Play Store website, available at
15 <https://play.google.com/store/apps/details?id=com.finjan.securebrowser&hl=en>, produced by Finjan
16 bearing production numbers FINJAN-JN 046254–56.

17 13. Attached hereto as Exhibit 12 is a true and correct copy of the “Report and
18 Recommendation,” filed as Docket No. 403 in the matter *Blitzsafe Texas, LLC v. Honda Motor Co.*,
19 Case No. 2:15-cv-1274-JRG-RSP (E.D. Tex. Jan. 26, 2017).

20 14. Attached hereto as Exhibit 13 is a true and correct copy of the “Sealed Memorandum
21 Opinion and Order,” filed unsealed as Docket No. 492 in the matter *Realtime Data, LLC v. Actian*
22 *Corp.*, Case No. 6:15-cv-00463-RWS-JDL (E.D. Tex. Apr. 4, 2017).

23
24 I declare under penalty of perjury under the laws of the United States that the foregoing is true
25 and correct. Executed on January 24, 2019 in Menlo Park, California.

26 _____
27 /s/ Lisa Kobialka

Lisa Kobialka