

EXHIBIT D

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

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15 FINJAN, INC.

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 FINJAN, INC., a Delaware Corporation,

20 Plaintiff,

21 v.

22 JUNIPER NETWORKS, INC., a Delaware
23 Corporation,

24 Defendant.

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

**PLAINTIFF FINJAN, INC.'S THIRD SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT JUNIPER
NETWORKS, INC. (NOS. 87-97)**

1 Plaintiff Finjan, Inc. (“Finjan”), by counsel, and pursuant to Federal Rule of Civil Procedure
2 33, hereby requests that Defendant Juniper Networks Inc. (“Juniper”) produce the following
3 documents for inspection and copying within thirty (30) days of the date of service of these requests at
4 the offices of Kramer Levin Naftalis & Frankel LLP, 990 Marsh Road in Menlo Park, California
5 94025, in accordance with the following Definitions and Instructions. These requests impose a
6 continuing duty upon Juniper to supplement promptly in accordance with Federal Rule of Civil
7 Procedure 26(e) and the Local Rules of the Northern District of California as Juniper becomes aware
8 of, generates, or acquires additional knowledge or information responsive to these requests.

9 **DEFINITIONS**

10 1. The terms “You,” “Your,” and “Defendant” shall mean Juniper Networks Inc., Your
11 present and former directors, officers, employees, parent organization(s), subsidiary organization(s),
12 predecessors in interest, successors in interest, divisions, servants, agents, attorneys, consultants,
13 partners, associates, investigators, representatives, accountants, financial advisors, distributors and any
14 other person acting on Your behalf, pursuant to Your authority or subject to Your control, including
15 any and all joint ventures or other legal entities of any type whatsoever in which You own or owned
16 any interest, receive or received any payments, and/or participated or now participate in any manner.

17 2. The term “Finjan” shall mean Finjan, its present and former directors, officers,
18 employees, parent organization(s), subsidiary organization(s), predecessors in interest, successors in
19 interest, divisions, servants, agents, attorneys, consultants, partners, associates, investigators,
20 representatives, accountants, financial advisors, distributors and any other person acting on its behalf,
21 pursuant to its authority or subject to its control.

22 3. [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27
28

1 4. [REDACTED]

6 5. The term “third party” shall mean any person or entity other than Finjan or Defendant.

7 6. The term “Asserted Patents” shall mean U.S. Patent Nos.: 6,154,844 (“the ‘844
8 Patent”); 6,804,780 (“the ‘780 Patent”), 7,613,926 (“the ‘926 Patent”); 7,613,633 (“the ‘633 Patent”);
9 8,141,154 (“the ‘154 Patent”), and 8,677,494 (“the ‘494 Patent”), collectively. Further, the term will
10 encompass any patent subsequently added to the case, such as 7,418,731 (“the ‘731 Patent”).

11 7. The term “Accused Instrumentalities” shall include the Juniper products and services
12 identified in Finjan’s Infringement Contentions. The term “Accused Instrumentalities” shall also
13 include any and all previous or currently contemplated versions, revisions, releases, or continuations of
14 said Juniper products and services, and all additional products accused of infringement by Finjan in
15 this action in infringement contentions or similar pleadings.

16 8. The term “person” or “entity” shall refer to any individual, corporation, proprietorship,
17 association, joint venture, company, partnership, or other business or legal entity, including
18 governmental bodies and agencies. The masculine includes the feminine and vice versa; the singular
19 includes the plural and vice versa.

20 9. The term “document(s)” shall have the broadest meaning ascribed to it by Federal Rule
21 of Civil Procedure 34 and Federal Rule of Evidence 1001, and shall include within its meaning any and
22 all papers, videotapes or video recordings, photographs, films, recordings, memoranda, books, records,
23 accounts, letters, telegrams, correspondence, notes of meetings, notes of conversations, notes of
24 telephone calls, inter-office memoranda or written communications of any nature, recordings of
25 conversations either in writing or by means of any mechanical or electrical recording device, notes,
26 papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings, time
27 sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone bills, logs,
28

1 and any differing versions of the foregoing whether denominated formal, informal, or otherwise, as
2 well as copies of the foregoing which differ in any way, including handwritten notations or other
3 written or printed matter of any nature, from the original. The foregoing specifically includes the
4 information stored in any form, including electronic form, on a computer or in a computer database or
5 otherwise, including electronic mail. Moreover, the term “document” shall also include all “technical
6 documents,” such as source code, specifications, schematics, flow charts, artwork, drawings, pictures,
7 pictorial representations, formulas, troubleshooting guides, service bulletins, technical bulletins,
8 production specification sheets, white papers, operator manuals, operation manuals, and instruction
9 manuals.

10 10. The term “communication” shall mean, including its usual and customary meaning, any
11 transmission, conveyance or exchange of a word, statement, fact, thing, idea, document, instruction,
12 information, demand, or question by any medium, whether by written, oral, or other means, including,
13 but not limited to, electronic communications and electronic mail.

14 11. The term “thing” shall mean any tangible object, other than a document.

15 12. The terms “relate to,” “reflecting,” “relating to,” “concerning,” or any variations
16 thereof, shall mean relating to, referring to, concerning, mentioning, reflecting, regarding, pertaining
17 to, evidencing, involving, describing, discussing, commenting on, embodying, responding to,
18 supporting, contradicting, or constituting (in whole or in part), or are between (as in the context of
19 communications), as the context makes appropriate.

20 13. The term “including” shall mean including but not by way of limitation.

21 14. The words “and” and “or” shall be construed conjunctively or disjunctively in a manner
22 making the request inclusive rather than exclusive.

23 15. The term “any” shall mean “any and all” and the term “all” shall mean “any and all.”

24 16. The singular of any word or phrase shall include the plural of such word or phrase, and
25 the plural of any word or phrase shall include the singular of such word or phrase.

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