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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**
14

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 REPLY IN SUPPORT OF ITS
SECOND MOTION FOR EARLY SUMMARY
JUDGMENT, REGARDING
INFRINGEMENT OF CLAIM 1 OF U.S.
PATENT NO. 8,141,154**

Date: May 2, 2019

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, counsel of record for
3 plaintiff Finjan Inc. (“Finjan”). I have personal knowledge regarding the statements below and can
4 testify competently about these statements. I submit this declaration in support of Finjan’s Reply Brief
5 in Support of Its Motion for Summary Judgment of Infringement of Claim 1 of U.S. Patent No.
6 8,141,154 (“the ‘154 Patent”) (Dkt. No. 369).

7 2. Attached hereto as Exhibit 1 is a true and correct copy of pages 33, 125-126, 187, 189-
8 190, 204-205, 216, 222, 231-232 from the deposition transcript of Aviel Rubin, taken on April 2, 2019.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of page 12 of the Amendment
10 and Response to Office Action, dated October 5, 2011, from the file history for the ‘154 Patent,
11 produced by Finjan bates numbered FINJAN-JN 002041-608.

12 4. Attached hereto as Exhibit 3 is a true and correct copy of page 1 of a web page titled
13 “Sky Advanced Threat Protection License Types,” produced by Finjan bearing bates numbered
14 FINJAN-JN 400271-72.

15 5. Attached hereto as Exhibit 4 is a true and correct copy of pages 19, 23 and 24 from
16 Defendant Juniper Networks, Inc.’s Second Supplemental Response to Plaintiff Finjan, Inc.’s First Set
17 of Interrogatories, served on June 18, 2018.

18 6. Attached hereto as Exhibit 5 is a true and correct copy of page 51 from U.S. Patent
19 Application No. 11/298,475.

20 I declare under penalty of perjury under the laws of the United States of America that each
21 of the above statements is true and correct. Executed on April 5, 2019, in Menlo Park, California.

22 /s/ Kristopher Kastens
23 Kristopher Kastens

24 **ATTESTATION**

25 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this
26 document has been obtained from the signatories above.

27 /s/ Lisa Kobialka
28 Lisa Kobialka