DKT. 238-6
(REDACTED)

EXHIBIT 1

UNREDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

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9 *Attorneys for Plaintiff*
   FINJAN, INC.
10

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

16   Plaintiff,   **EXPERT REPORT OF DR. ERIC COLE**

17   v.   **HIGHLY CONFIDENTIAL – SOURCE CODE**

18 JUNIPER NETWORKS, INC., a Delaware
19 Corporation,

20   Defendant.

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I, Eric Cole, hereby declare that:

1.   I have been asked by Plaintiff Finjan, Inc. to submit an expert report on whether Juniper, Inc.'s SRX Gateways[1] and Sky ATP[2] products ("Accused Products") infringe claim 10 of U.S. Patent No. 8,677,494 (the "'494 Patent"). In particular, I have been asked to opine on whether the SRX Gateways and Sky ATP include a "database" as recited by the claim language. I understand that there was an order dated August 31, 2018 in which Finjan's summary judgment was granted in part in connection with the '494 Patent. August 31, 2018 Order. I relied on the documents cited herein, including the '494 Patent (and incorporated disclosures), the file history of the '494 Patent, the source code review computer, source code printouts, the deposition transcripts of Tenorio, Manthena, Nagarajan, and Manocha, as well as exhibits thereto, Finjan's Infringement Contentions, Juniper's Discovery Responses, and the summary judgment briefing, exhibits, and order related to the '494 Patent. I found that every element of the Claim 10 of the '494 Patent is met by the Accused Products.

I.   EXPERIENCE AND QUALIFICATIONS

2.   I hold a master's degree in computer science and a doctorate in information security and have worked in the cyber and technical information security industry for over 25 years. A copy of by CV is attached as Appendix A. I am a member of the European InfoSec Hall of Fame, a professional

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[1] SRX Gateways includes all SRX Gateways that are capable of interacting with Sky ATP, and includes SRX100, SRX110, SRX210, SRX220, SRX240, SRX300, SRX340, SRX345, SRX550, SRX550m, SRX650, SRX1400, SRX1500, SRX3400, SRX3600, SRX4000, SRX4100, SRX4200, SRX5400, SRX5600, SRX5800, vSRX Virtual Firewall, vSRX (including 10Mbps, 100Mps, 1000Mbps, 2000Mbps, 4000Mbps version), Next Generation Firewall, cSRX Container Firewall. SRX Gateways include all supporting server or cloud infrastructure, feeds, and other components SRX Gateways utilize.
[2] Sky ATP includes the cloud infrastructure for Sky ATP, and includes the following service subscriptions Free Sky ATP, Basic Sky ATP (SRX340-THRTFEED-1, 3, 5; SRX345-THRTFEED-1, 3, 5; SRX550-THRTFEED-1, 3, 5; SRX1500-THRTFEED-1, 3, 5; SRX4100THRTFEED-1, 3, 5; SRX4200-THRTFEED-1, 3, 5; SRX5400-THRTFEED-1, 3, 5; SRX5600-THRTFEED-1, 3, 5; SRX5800-THRTFEED-1, 3, 5; VSRX10MTHRTFEED-1, 3, 5; VSRX100MTHRTFEED-1, 3, 5; VSRX1GTHRTFEED-1, 3, 5; VSRX2GTHRTFEED-1, 3, 5; and VSRX4GTHRTFEED-1, 3, 5) and Premium Sky ATP (SRX340-ATP-1, 3, 5; SRX345-ATP-1, 3, 5; SRX550-ATP-1, 3, 5; SRX1500-ATP-1, 3, 5; SRX4100-ATP-1, 3, 5; SRX4200-ATP-1, 3, 5; SRX5400-ATP-1, 3, 5; SRX5600-ATP-1, 3, 5; SRX5800-ATP-1, 3, 5; VSRX10M-ATP-1, 3, 5; VSRX100M-ATP-1, 3, 5; VSRX1G-ATP-1, 3, 5; VSRX2G-ATP-1, 3, 5; and VSRX4G-ATP-1, 3, 5). Sky ATP includes all supporting server or cloud infrastructure, feeds, and other components utilized by Sky ATP including Spotlight Secure Threat Intelligence Platform. Sky ATP also includes all products that receive updates from the service.

1   membership awarded by nomination and election by a panel of industry experts. I am the founder of

2   Secure Anchor Consulting where I provide cyber security consulting services and am involved in

3   advance information systems security. I am a Fellow and instructor with The SANS Institute, a

4   research and education organization consisting of information security professionals. I am an author of

5   several security courses such as SEC401-Security Essentials and SEC501-Enterprise Defender. I

6   worked for the government for 8 years as an employee and have held various contracting jobs with

7   government agencies, which involved working with classified information. I held or hold various top-

8   secret security clearances with Department of Defense, CIA, and Nuclear Regulatory Commission

9   (NRC). I worked for a wide range of government organizations including the FBI, NSA, CIA, DOE,

10   DOD, NRC, Treasury, and Secret Service. As former Chief Scientist and Senior Fellow for Lockheed

11   Martin, I performed research and development in information systems security. At Lockheed Martin, I

12   served as technical advisor in high-profile security projects for government clients including the

13   Department of Defense, the FBI Sentinel case management systems, Department of Homeland Security

14   Enterprise Acquisition Gateway for Leading Edge solutions, JetPropulsion Labs, Hanford Labs, and

15   FBI Information Assurance Technology Infusion programs. As former CTO for McAfee I executed the

16   technology strategy for technology platforms and external relationships to establish product vision and

17   achieve McAfee's goals. I am a contributing author of "Securing Cyberspace for the 44th President."

18   and served as a commissioner on cyber security for President Obama. My 8 books on cyber security

19   include "Network Security Bible - 2nd Edition," "Advanced Persistent Threat," and "Insider Threat,"

20   which are recognized as industry-standard sources.

21   **A.**   **Compensation**

22   3.   My rate of compensation for my work in this case is $475 per hour plus any direct

23   expenses incurred. My compensation is based solely on the amount of time that I devote to activity

24   related to this case and is in no way affected by any opinions that I render. I receive no other

25   compensation from work on this action. My compensation is not dependent on the outcome of this case.

26   **II.**   **LEGAL STANDARDS**

27   4.   Counsel for Finjan has informed me of the following legal standards that I have used as

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