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11 FINJAN, INC.

12
13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 FINJAN, INC., a Delaware Corporation,

17 Plaintiff,

18 v.

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

21 Defendant.
22

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

**DECLARATION OF AUSTIN MANES IN
SUPPORT OF PLAINTIFF FINJAN, INC.'S
ADMINISTRATIVE MOTION TO KEEP
COURT FILINGS UNDER SEAL,
PURSUANT TO THE COURT'S ORDER
AT DKT. NO. 388**

1 I, Austin Manes, declare:

2 1. I have personal knowledge of the facts stated herein and can testify competently to those
3 facts.

4 2. I am an attorney at Kramer Levin Naftalis & Frankel LLP, counsel of record for Finjan,
5 Inc. ("Finjan"). I make this declaration in support of Plaintiff Finjan, Inc.'s Administrative Motion to
6 Keep Court Filings Under Seal, pursuant to the Court's Order at Dkt. No. 388.

7 3. I have reviewed the following documents and confirmed that they contain the information
8 described on the far right column of the table below, which includes the specific terms, dollar amounts,
9 and actual pages copied from Finjan's confidential licenses.

Identification of Documents	Dkt. No.	Specific Page and Line Numbers to Seal	Reason to Keep Sealed
Exhibit 7 to the Carson Declaration filed in support Defendant Juniper Networks Inc.'s Motion for Summary Judgment regarding Claim 1 of the '780 Patent.	<i>Unredacted Version filed at Dkt. No. 95-15</i>	Page 2, line 19 Page 3, lines 7 and 18	Identifies a confidential licensee who is also an unrelated third-party; Finjan is obligated to keep the name of the first licensee listed on each of these lines confidential
Exhibit 8 to the Carson Declaration filed in support Defendant Juniper Networks Inc.'s Motion for Summary Judgment regarding Claim 1 of the '780 Patent.	<i>Unredacted Version filed at Dkt. No. 105-3</i>	Page 8, line 11	Identifies a confidential licensee who is also an unrelated third-party; Finjan is obligated to keep the name of this licensee confidential
Exhibit 1 to Defendant Juniper Networks Inc.'s Motion to Exclude the Testimony of Mr. Kevin M. Arst	<i>Unredacted Version filed at Dkt. No. 228-7</i>	Pages 7-12 of the Arst Report	Identifies specific terms and dollar amounts of Finjan's confidential agreements with unrelated third-parties
Exhibit 6 to Defendant Juniper Networks Inc.'s Motion to Exclude the Testimony of Mr. Kevin M. Arst	<i>Unredacted Version filed at Dkt. 242-4</i>	Page 71, lines 7-14 of the October 23, 2018 Deposition of Philip Hartstein	Identifies specific dollar amounts of Finjan's confidential agreements with unrelated third-parties

1	Exhibit 4 to Finjan's	<i>Unredacted</i>	Page 79, line 2	Identifies specific
2	Opposition to Defendant	<i>Version filed at</i>	through Page 80 line	terms of Finjan's
3	Juniper Networks Inc.'s	<i>Dkt. No. 238-</i>	23 of the October 23,	confidential
4	Motion to Exclude the	<i>10</i>	2018 Deposition of	agreement with an
	Testimony of Mr. Kevin M.		Philip Hartstein	unrelated third-party
	Arst			
5	Finjan's Motion to Exclude	<i>Unredacted</i>	The dollar amounts	Identifies specific
6	Opinions of Defendant's	<i>Version filed at</i>	listed in footnote 3 on	dollar amounts of
7	Damages Expert Dr. Keith R.	<i>Dkt. No. 229-4</i>	Page 7, lines 25-27.	Finjan's confidential
	Ugone			agreements with
				unrelated third-parties
8	Exhibit 2 to Finjan's Motion	<i>Unredacted</i>	Pages 10-11 of the	Identifies specific
9	to Exclude Opinions of	<i>Version filed at</i>	Arst Report	terms and dollar
10	Defendant's Damages Expert	<i>Dkt. No. 229-8</i>		amounts of Finjan's
	Dr. Keith R. Ugone			confidential
				agreements with
				unrelated third-parties
11	Exhibit 5 to Finjan's Motion	<i>Unredacted</i>	Page 1 of Exhibit 5,	Includes copies of
12	to Exclude Opinions of	<i>Version filed at</i>	Bates Numbered	actual pages from
13	Defendant's Damages Expert	<i>Dkt. No. 229-</i>	FINJAN-JN 039749	Finjan's confidential
	Dr. Keith R. Ugone	<i>12</i>		agreement with an
				unrelated third-party
14	Defendant Juniper Networks	<i>Unredacted</i>	Page 14, line 5	Identifies a
15	Inc.'s Opposition to Finjan's	<i>Version filed at</i>		confidential licensee
16	Motion to Exclude Opinions	<i>Dkt. No. 236-4</i>		who is also an
17	of Defendant's Damages			unrelated third-party,
	Expert Dr. Keith R. Ugone			whose name Finjan is
				obligated to keep
				confidential
18	Exhibit 3 to the Kastens	<i>Unredacted</i>	The Entire Exhibit 3	Includes copies of
19	Declaration filed in support of	<i>Version filed at</i>		actual pages from
20	Finjan's Reply in support of	<i>Dkt. No. 244-8</i>		Finjan's confidential
21	its Motion to Exclude			agreement with an
22	Opinions of Defendant's			unrelated third-party
	Damages Expert Dr. Keith R.			
	Ugone			
23	Exhibit 8 to the Manes	<i>Unredacted</i>	Pages 108 and 128 of	Identifies specific
24	Declaration filed in support of	<i>Version filed at</i>	the PDF attached as	dollar amounts of
25	Finjan's Opposition to	<i>Dkt. No. 261-</i>	Exhibit 8	Finjan's confidential
26	Defendant Juniper Networks	<i>11</i>	(i.e., Bates Numbered	agreements with
	Inc.'s Motions in Limine Nos.		pages FINJAN-JN	unrelated third-parties
	1-3		193242 and FINJAN-	
			JN 193262)	
27	Exhibit 2 to the Wang	<i>Unredacted</i>	Pages 7-12 of the Arst	Identifies specific
28	Declaration filed in support of	<i>Version filed at</i>	Report	terms and dollar

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Defendant Juniper Networks Inc.'s Motions in Limine Nos. 1-5	<i>Dkt. No. 261-9</i>	amounts of Finjan's confidential agreements with unrelated third-parties
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4. This Motion to Keep Court Filings Under Seal should be granted because good cause and compelling reasons exist to seal the documents identified above. This information includes the confidential business and financial information of Finjan and third parties who are unrelated to this action. Finjan has taken measures to apply a high level of protection to the information above because making its private business information public could irreparably damage Finjan. Competitors in the marketplace could use such confidential information to unfairly compete or undercut Finjan and its licensees, and Finjan's future licensees may be unwilling to engage in discussions to enter new licenses because such discussions may not be protected from public disclosure if these documents are not sealed.

5. The information above is a narrow subset of the information identified in the twenty-six motions to seal that were the subject of this Court's Order at Dkt. No. 388. Finjan seeks to seal only those page and line numbers necessary to protect the confidential terms, dollar amounts, and pages copied from Finjan's confidential licenses.

6. I declare under penalty of perjury under the laws of the United States of America that each of the above statements is true and corrected. Executed on April 11, 2019, in Menlo Park, California.

By: /s/ Austin Manes
Austin Manes

ATTESTATION

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

/s/ Lisa Kolbialka
Lisa Kobjalka