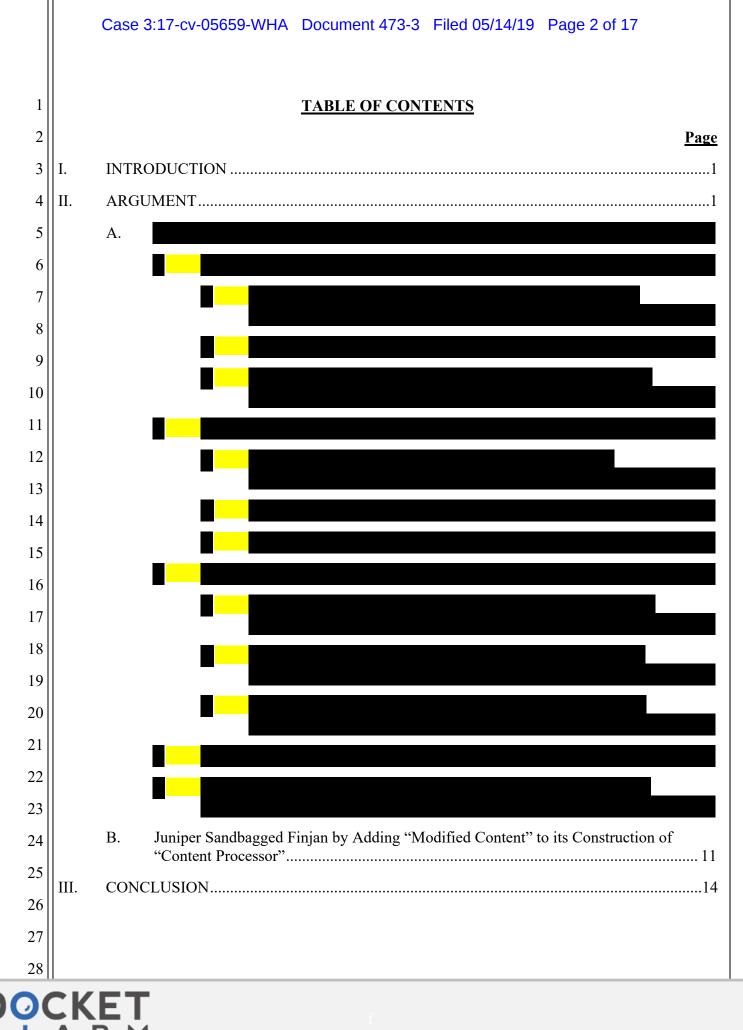
| | Case 3:17-cv-05659-WHA | Document 473 | -3 Filed 05/14/19 | Page 1 of 17 | |
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| 1 2 3 4 5 6 7 8 9 10 | PAUL J. ANDRE (State Bar No. 1965 <u>pandre@kramerlevin.com</u> LISA KOBIALKA (State Bar No. 1917 <u>lkobialka@kramerlevin.com</u> JAMES HANNAH (State Bar No. 237 <u>jhannah@kramerlevin.com</u> KRISTOPHER KASTENS (State Bar <u>kkastens@kramerlevin.com</u> KRAMER LEVIN NAFTALIS & FRANKEL LLP 990 Marsh Road Menlo Park, CA 94025 Telephone: (650) 752-1700 Facsimile: (650) 752-1800 Attorneys for Plaintiff FINJAN, INC. | 1404) 7978) | | | |
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| 12 | | | | | |
| 13 | IN THE UNITED STATES DISTRICT COURT | | | | |
| 14 | FOR THE NORTHERN DISTRICT OF CALIFORNIA | | | | |
| 15 | | | | | |
| 16 | SAN FRANCISCO DIVISION | | | | |
| 17 | FINJAN, INC., a Delaware Corporation | on, Cas | se No.: 3:17-cv-0565 | 9-WHA | |
| 18 | Plaintiff, | | | INC.'S CORRECTED | |
| 19 | v. | RE | SPONSE TO ORD | ER TO SHOW CAUSE | |
| 20 | JUNIPER NETWORKS, INC., a Dela | ware | REDACTED VER UGHT TO BE SEA | SION OF DOCUMENT | |
| 21 | Corporation, | | USHI IV DE SEA | | |
| 22 | Defendant. | | | | |
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I. INTRODUCTION

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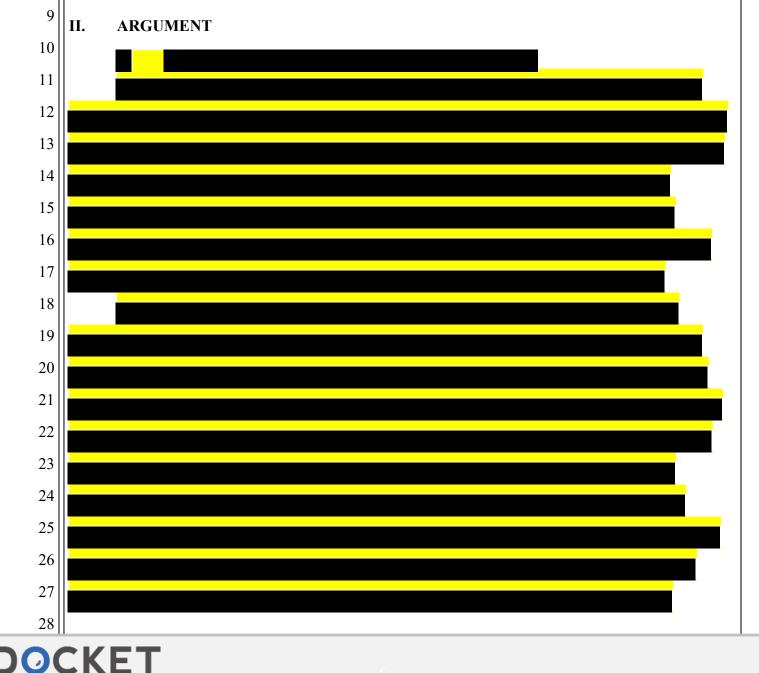
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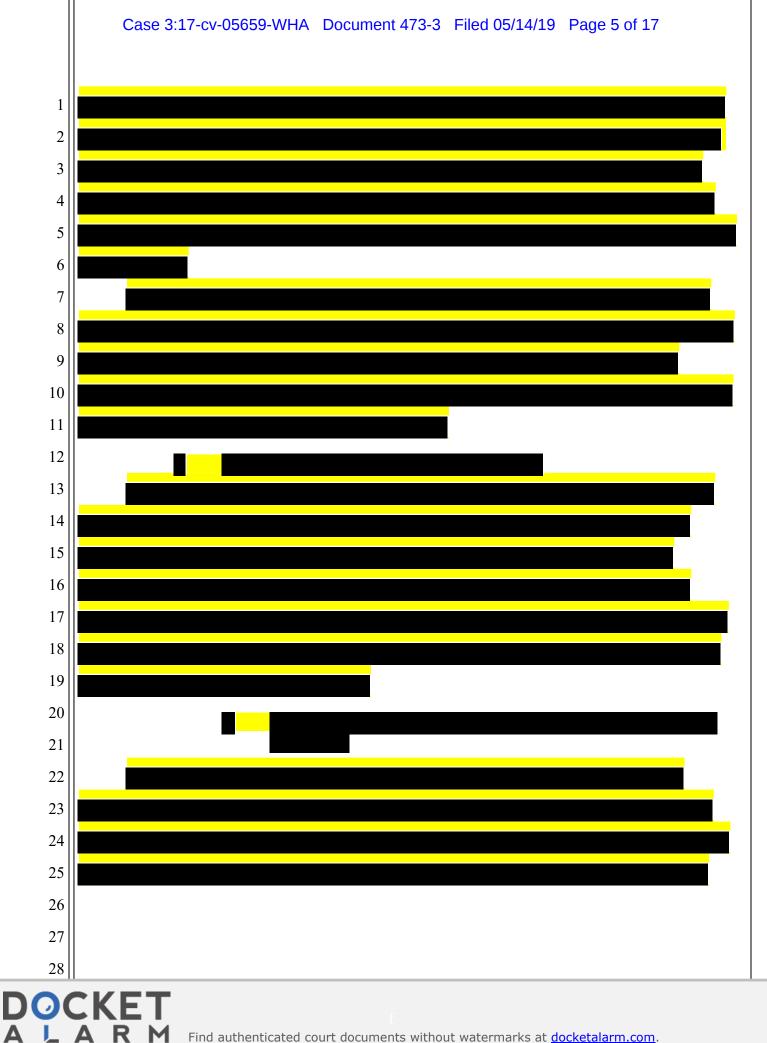
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8

Finjan, Inc. ("Finjan") has cause to present a case regarding Juniper Networks, Inc.'s ("Juniper") infringement of Claim 1 of U.S. Patent No. 8,141,154 (the "154 Patent") because: (1) Juniper's accused products infringe under the Court's new construction of "content processor"; and (2) a granting of summary judgment for nonmovant Juniper is procedurally improper because Juniper sandbagged Finjan by springing a new construction of "content processor" after Finjan had already submitted its summary judgment briefing and expert declaration. As such, Finjan has cause to present Claim 1 of the '154 Patent at trial because triable issues of fact remain.



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