

EXHIBIT 21

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

--oOo--

FINJAN, Inc., a Delaware
corporation

Plaintiff,

vs.

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

JUNIPER NETWORKS, INC., a
Delaware corporation

Defendant.

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30(b)(6) VIDEOTAPED DEPOSITION OF

JOHN GARLAND

Thursday, May 24, 2018

Reported by:

COREY W. ANDERSON

CSR No. 4096

Job No. 2923791

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1 another whether the Finjan 15:03:32

2 VitalSecurity Appliance embodied 15:03:32

3 the invention that's described in 15:03:32

4 the '926 patent?") 15:03:32

5 THE WITNESS: I'm sorry, one more. 15:03:48

6 (Whereupon, the reporter read back 15:03:49

7 the record as follows: 15:03:49

8 "So you don't know one way or 15:03:49

9 another whether the Finjan 15:03:49

10 VitalSecurity Appliance embodied 15:03:49

11 the invention that's described in 15:03:49

12 the '926 patent?") 15:03:49

13 THE WITNESS: Yeah, I don't -- I'm not 15:04:05

14 positive. I mean, I don't know. 15:04:06

15 BY MS. CARSON: 15:04:07

16 Q. Do you know whether Finjan or any of its 15:04:09

17 licensees sold any commercial embodiment of the '926 15:04:11

18 patent from the date it issued until the date it 15:04:16

19 expired? 15:04:19

20 MS. KOBIALKA: Objection to form. 15:04:22

21 THE WITNESS: No, I don't. 15:04:25

22 BY MS. CARSON: 15:04:26

23 Q. Did you personally participate in any 15:04:44

24 discussions with Juniper prior to Finjan filing this 15:04:46

25 action? 15:04:50

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1 A. Yeah. 15:04:51

2 Q. Can you describe for me your 15:04:53

3 participation? 15:04:55

4 A. So I participated in a call in November of 15:04:59

5 2015 with Scott Coonan. 15:05:01

6 So I think I originally reached out to 15:05:13

7 Meredith McKenzie because there is -- Phil Hartstein 15:05:15

8 and Juhlie Mar-Spinola, Meredith in some way in the 15:05:19

9 professional world. And Meredith, I think I -- so I 15:05:23

10 remember I started in licensing around August of 15:05:27

11 2015, and I know, I assume in the negotiation that 15:05:30

12 had started sometime in 2014 with Ivan Chaperot and 15:05:39

13 included some meetings took place with Scott Coonan 15:05:44

14 and correspondence back and forth with Meredith and 15:05:46

15 Scott Coonan in 2014 and meeting in 2014, as well as 15:05:50

16 one in January of 2015. So then I kind of pick up 15:05:53

17 again in the fall. Ivan's no longer with the 15:06:00

18 company. 15:06:03

19 And in preparation for that call with 15:06:04

20 Scott in November, just kind of received the 15:06:06

21 download on Juniper in terms of its product offering 15:06:11

22 and the negotiation history, as well as, you know, 15:06:16

23 potential patents it's utilizing. 15:06:24

24 So eventually arrange a call with Scott, 15:06:26

25 and it's late November, it's near a day or two 15:06:28

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1 before Thanksgiving, is kind of my recollection. I 15:06:32
2 recall him being a half hour late to the call. He 15:06:36
3 asked me to postpone it 30 minutes. 15:06:39
4 We had the call. It was an awkward call, 15:06:43
5 not on my part, on his part. It was clear that -- 15:06:51
6 it's clear to me and it's later documented in an 15:07:02
7 email I sent to Meredith that Scott had an apparent 15:07:04
8 bias on the call, just in terms of some of the 15:07:07
9 phrase and I would say treatment I was receiving. 15:07:11
10 I was very clear with him that if Finjan 15:07:14
11 had, you know, had legitimate, had done good work 15:07:19
12 and had a legitimate claim of infringement on at 15:07:25
13 least six patents, the three that we had claim 15:07:28
14 charted against the SRX series gateway product as 15:07:33
15 well as the Sky Advanced Threat Protection, ATP 15:07:36
16 product, and that we were willing to -- I was 15:07:41
17 trying -- the purpose of the call was to arrange a 15:07:44
18 meeting since we were both in the Valley, just a 15:07:47
19 meeting where we could go through in a conference 15:07:49
20 room and present our findings, we were open to, you 15:07:51
21 know, Juniper's feedback, push-back, whatever, see 15:07:57
22 if the parties could just reach a conclusion. It's 15:08:00
23 not an atypical approach that I have taken with 15:08:05
24 other companies in the security industry. 15:08:10
25 Scott was against it. He was vehemently 15:08:15

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