

EXHIBIT 18

1 PAUL ANDRE (State Bar No. 196585)
2 pandre@kramerlevin.com
3 LISA KOBIALKA (State Bar No. 191404)
4 lkobialka@kramerlevin.com
5 JAMES HANNAH (State Bar No. 237978)
6 jhannah@kramerlevin.com
7 KRAMER LEVIN NAFTALIS & FRANKEL LLP
8 990 Marsh Road
9 Menlo Park, CA 94025
10 Telephone: (650) 752-1700
11 Facsimile: (650) 752-1800
12
13 *Attorneys for Plaintiff*
14 FINJAN, INC.

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 FINJAN, INC., a Delaware Corporation,

14 Plaintiff,

15 v.

16 JUNIPER NETWORKS, INC., a Delaware
17 Corporation,

18 Defendant.

Case No.: [3:17-cv-05659-WHA](https://www.courtlistener.com/cases/cv/3/17/cv-05659-wha/)

**FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 **COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff Finjan, Inc. (“Finjan”) files this Complaint for Patent Infringement and Demand for
3 Jury Trial against Juniper Networks, Inc. (“Defendant” or “Juniper”) and alleges as follows:

4 **THE PARTIES**

5 1. Finjan is a Delaware Corporation with its principal place of business at 2000 University
6 Avenue, Suite 600, E. Palo Alto, California 94303.

7 2. Defendant is a Delaware Corporation with its headquarters and principal place of
8 business at 1133 Innovation Way, Sunnyvale, California 94089. Defendant may be served through its
9 agent for service of process, CT Corporation System, at 818 W. 7th Street, Suite 930, Los Angeles,
10 California 90017.

11 **JURISDICTION AND VENUE**

12 3. This action arises under the Patent Act, 35 U.S.C. § 101 *et seq.* This Court has original
13 jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338.

14 4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and/or 1400(b).

15 5. This Court has personal jurisdiction over Defendant. Upon information and belief,
16 Defendant is headquartered and has its principal place of business in this District (Sunnyvale,
17 California). Defendant also regularly and continuously does business in this District and has infringed
18 or induced infringement, and continues to do so, in this District. In addition, this Court has personal
19 jurisdiction over Defendant because minimum contacts have been established with this forum and the
20 exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

21 **INTRADISTRICT ASSIGNMENT**

22 6. Pursuant to Local Rule 3-2(c), Intellectual Property Actions are assigned on a district-
23 wide basis.

FINJAN'S INNOVATIONS

1
2 7. Finjan was founded in 1997 as a wholly-owned subsidiary of Finjan Software Ltd., an
3 Israeli corporation. In 1998, Finjan moved its headquarters to San Jose, California. Finjan was a
4 pioneer in developing proactive security technologies capable of detecting previously unknown and
5 emerging online security threats, recognized today under the umbrella term “malware.” These
6 technologies protect networks and endpoints by identifying suspicious patterns and behaviors of
7 content delivered over the Internet. Finjan has been awarded, and continues to prosecute, numerous
8 patents covering innovations in the United States and around the world resulting directly from Finjan’s
9 more than decades-long research and development efforts, supported by a dozen inventors and over
10 \$65 million in R&D investments.

11 8. Finjan built and sold software, including application program interfaces (APIs) and
12 appliances for network security, using these patented technologies. These products and related
13 customers continue to be supported by Finjan’s licensing partners. At its height, Finjan employed
14 nearly 150 employees around the world building and selling security products and operating the
15 Malicious Code Research Center, through which it frequently published research regarding network
16 security and current threats on the Internet. Finjan’s pioneering approach to online security drew
17 equity investments from two major software and technology companies, the first in 2005 followed by
18 the second in 2006. Finjan generated millions of dollars in product sales and related services and
19 support revenues through 2009, when it spun off certain hardware and technology assets in a merger.
20 Pursuant to this merger, Finjan was bound to a non-compete and confidentiality agreement, under
21 which it could not make or sell a competing product or disclose the existence of the non-compete
22 clause. Finjan became a publicly traded company in June 2013, capitalized with \$30 million. After
23 Finjan’s obligations under the non-compete and confidentiality agreement expired in March 2015,
24 Finjan re-entered the development and production sector of secure mobile products for the consumer
25 market.
26
27
28

FINJAN’S ASSERTED PATENTS

1
2 9. On November 28, 2000, U.S. Patent No. 6,154,844 (“the ‘844 Patent”), titled SYSTEM
3 AND METHOD FOR ATTACHING A DOWNLOADABLE SECURITY PROFILE TO A
4 DOWNLOADABLE, was issued to Shlomo Touboul and Nachshon Gal. A true and correct copy of
5 the ‘844 Patent is attached to this Complaint as Exhibit 1 and is incorporated by reference herein.

6 10. All rights, title, and interest in the ‘844 Patent have been assigned to Finjan, who is the
7 sole owner of the ‘844 Patent. Finjan has been the sole owner of the ‘844 Patent since its issuance.

8 11. The ‘844 Patent is generally directed toward computer networks, and more particularly,
9 provides a system that protects devices connected to the Internet from undesirable operations from
10 web-based content. One of the ways this is accomplished is by linking a security profile to such web-
11 based content to facilitate the protection of computers and networks from malicious web-based
12 content.

13 12. On October 12, 2004, U.S. Patent No. 6,804,780 (“the ‘780 Patent”), titled SYSTEM
14 AND METHOD FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE
15 DOWNLOADABLES, was issued to Shlomo Touboul. A true and correct copy of the ‘780 Patent is
16 attached to this Complaint as Exhibit 2 and is incorporated by reference herein.

17 13. All rights, title, and interest in the ‘780 Patent have been assigned to Finjan, who is the
18 sole owner of the ‘780 Patent. Finjan has been the sole owner of the ‘780 Patent since its issuance.

19 14. The ‘780 Patent is generally directed toward methods and systems for generating a
20 Downloadable ID. By generating an identification for each examined Downloadable, the system may
21 allow for the Downloadable to be recognized without reevaluation. Such recognition increases
22 efficiency while also saving valuable resources, such as memory and computing power.

23 15. On January 12, 2010, U.S. Patent No. 7,647,633 (“the ‘633 Patent”), titled
24 MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued
25 to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and
26 correct copy of the ‘633 Patent is attached to this Complaint as Exhibit 3 and is incorporated by
27 reference herein.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.