

Exhibit B

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11 *Attorneys for Defendant*
CHECK POINT SOFTWARE
12 TECHNOLOGIES, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

17 FINJAN, INC. a Delaware Corporation,
18 Plaintiff,

19 v.

20 CHECK POINT SOFTWARE
21 TECHNOLOGIES INC., a Delaware
22 Corporation, CHECK POINT SOFTWARE
23 TECHNOLOGIES LTD., an Israeli Limited
24 Company,
25 Defendants.

Case No. 5:18-cv-02621-WHO

**DEFENDANT CHECK POINT
SOFTWARE TECHNOLOGIES, INC.'S
SECOND SET OF INTERROGATORIES
TO PLAINTIFF FINJAN, INC.**

1 PROPOUNDING PARTY: Defendant Check Point Software Technologies, Inc.
2 RESPONDING PARTY: Plaintiff Finjan, Inc.
3 SET NUMBER: Two

4 Pursuant to Federal Rule of Civil Procedure 33, Defendant Check Point Software
5 Technologies, Inc. (“Defendant” or “Check Point”) hereby requests that Plaintiff Finjan, Inc.
6 (“Plaintiff” or “Finjan”) answer the following interrogatories in writing, separately under oath,
7 and serve its answers on Check Point’s counsel, Orrick, Herrington & Sutcliffe LLP, 1000 Marsh
8 Road, Menlo Park, CA 94025, within thirty (30) days of service hereof.

9 **DEFINITIONS**

10 1. The terms “PLAINTIFF,” “PLAINTIFFS,” “YOU,” “YOUR,” and “FINJAN” as
11 used herein mean Finjan, Inc., the Plaintiff in this action, and its past or present officers, directors,
12 employees, counsel, agents, representatives, or other persons under its control, any predecessor or
13 successor whether incorporated or not, any division, subsidiary, affiliate or parent company
14 thereof, and those persons in active concert or participation with it or them.

15 2. The terms “DEFENDANT,” “DEFENDANTS,” or “CHECK POINT” as used
16 herein means Check Point Software Technologies, Inc., the Defendant in this action.

17 3. The term “ASSERTED PATENTS” as used herein means all patents asserted by
18 FINJAN in this action, including U.S. Patent Nos. 6,154,844, 6,965,968, 7,418,731, 7,647,633,
19 8,078,086, 8,141,154, and 8,677,494.

20 4. The term “ACCUSED PRODUCT” or “ACCUSED PRODUCTS” as used herein
21 means all Check Point products accused of infringement of the ASSERTED PATENTS by
22 FINJAN in its Complaint in this action.

23 5. The term “DOCUMENT” or “DOCUMENTS” as used herein is intended to be
24 defined in its broadest sense as defined and within the scope of Federal Rule of Civil Procedure
25 34(a) and includes all “documents” and other tangible things or items, including, for example, the
26 original (and any copies which differ in any way from the original) of any written, printed, typed,
27 recorded, or graphic material of every type, form, or description, including but not limited to
28 letters, correspondence, communications, notes of oral communications, telegrams, telexes,

1 microfiches, bulletins, circulars, pamphlets, studies, reports, charts, graphs, notices, diaries,
2 summaries, notes, messages, instructions, work assignments, personal notes, e-mails, notebooks,
3 drafts, data sheets, data compilations, statistics, maps, speeches, tapes, tape recordings, and
4 transcripts of such tapes and recordings, electronically stored information, all “writings and
5 recordings” as defined in Rule 1001 of the Federal Rules of Evidence.

6 6. The term “relating to,” “related to,” “relate to,” or “refer to,” as used herein means
7 concerning, referring to, pertaining to, reflecting, containing, evidencing, supporting, describing,
8 establishing, showing, disclosing, explaining, mentioning, analyzing, constituting, comprising,
9 setting forth, summarizing, characterizing, and/or contradicting, either directly or indirectly, in
10 full or in part.

11 7. A reference to a “PERSON” includes an individual, corporation, company,
12 partnership, proprietorship, joint venture, limited liability company, governmental authority or
13 agency, unincorporated organization, trust, association, or other entity and includes all of that
14 person’s principals, employees, agents, attorneys, consultants, and other representatives.

15 **INSTRUCTIONS**

16 The following instructions apply to these Requests for Production:

17 1. In construing each of these interrogatories, the singular form of a word shall be
18 interpreted in the plural and vice versa, the words “and” and “or” shall be construed conjunctively
19 or disjunctively, the term “any” shall be interpreted to include and encompass “all,” and vice
20 versa, and verb tenses shall be interpreted to include past, present and future tenses, whichever
21 meaning makes the document request more inclusive.

22 2. Any pronoun shall be construed to refer to the masculine, feminine, or neutral
23 gender, in singular or plural, as in each case is most appropriate.

24 3. A request to “identify” or “describe in detail” requires the following information:

25 a. With respect to a natural PERSON, provide the following: (1) full name;
26 (2) present or last known address, telephone number, and email address; (3) occupation and
27 business position or title held; and (4) present or last known residence address, telephone number,
28 and email address;

1 b. With respect to a firm, corporation, company, partnership, joint venture, or
2 other entity which is not a natural PERSON, provide the following: (1) full name; (2) place of
3 incorporation or organization (if any); and (3) principal place of business;

4 c. With respect to a DOCUMENT or other tangible thing, provide the
5 following: (1) the date of the DOCUMENT or tangible thing; (2) the identity of each PERSON
6 who authorized, signed, created or prepared the DOCUMENT or tangible thing; (3) the identity
7 of each addressee and recipient of the DOCUMENT or tangible thing; (4) the title and subject
8 matter of the DOCUMENT or tangible thing; (5) the number of pages in the DOCUMENT or
9 tangible thing; (6) the identity of the PERSONS having possession, custody, or control of the
10 original copies of the DOCUMENT or tangible thing; and (7) a present location of the
11 DOCUMENT or tangible thing;

12 4. All relevant, non-privileged information which YOU or YOUR agents, attorneys,
13 employees, officers, directors, accountants, auditors, investigators, representatives, or other
14 PERSONS acting under YOUR or YOUR attorneys' authorization, employment, direction, or
15 control, possess or control is to be divulged. Should you claim privilege, immunity,
16 confidentiality, or protection of any kind with respect to any information, DOCUMENTS, or
17 other tangible things concerning information which is requested by any of the following
18 interrogatories, YOU shall list such DOCUMENTS or tangible things and shall identify each
19 DOCUMENT or tangible thing in the manner prescribed by Paragraph 3 of these initial
20 definitions, and additionally shall state the specific type of privilege or protection claimed as a
21 basis for withholding the DOCUMENT or tangible thing and the grounds on which the claim of
22 privilege rests.

23 5. If, after exercising due diligence to secure the information requested, you cannot
24 respond to an interrogatory or any portion thereof in full, so state, answer to the extent possible,
25 specify the reasons YOU were unable to provide a full and complete answer and state what
26 information and knowledge YOU do have concerning the unanswered portion.

27 6. If YOU object to any part of an item or category, specify to which part YOU have
28 objected.

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