Exhibit C

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                                              Pages 1 - 17

                UNITED STATES DISTRICT COURT

             NORTHERN DISTRICT OF CALIFORNIA

          BEFORE THE HONORABLE WILLIAM H. ORRICK

FINJAN, INC.                     )
                                 )
                                 )
             Plaintiff,          )
                                 )
  vs.                            ) No. C 18-2621 WHO
                                 )
CHECK POINT SOFTWARE TECHNOLOGIES, )
INC.                             )
                                 )  San Francisco, California
             Defendant.          )  Wednesday
                                 )  February 13, 2019
_____)  2:00 p.m.
```

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff: KRAMER LEVIN NAFTALIS & FRANKEL LLP
                            990 Marsh Road
                            Menlo Park, CA 94025
                     BY: **JAMES R. HANNAH, ESQ.**
                            KRISTOPHER BENJAMIN KASTENS, ESQ.

For Defendant: ORRICK, HERRINGTON & SUTCLIFFE LLP
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                            San Francisco, CA 94105
                     BY: **CLEMENT S. ROBERTS, ESQ.**

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                            Menlo Park, California 94025
                     BY: **EVAN DAVID BREWER, ESQ.**

Reported By: *Debra L. Pas, CSR 11916, CRR, RMR, RPR*
                   Official Reporter - US District Court
                   Computerized Transcription By Eclipse

1	<u>**Wednesday - February 13, 2019**</u> <u>**2:14 p.m.**</u>
2	<u>**P R O C E E D I N G S**</u>
3	**---000---**
4	**THE CLERK:** Calling Civil Matter 18-2621, Finjan,
5	Incorporated versus Check Point Software Technologies,
6	Incorporated.
7	Counsel, please come forward and state your appearance.
8	**MR. ROBERTS:** Good morning, Your Honor. Clem Roberts
9	from Orrick Herrington for the defendant Check Point Software
10	Technologies.
11	**MR. HANNAH:** Good morning, Your Honor. James Hannah
12	on behalf of Finjan, and with me is Chris Kastens. He will be
13	handling the majority of the argument today.
14	**THE COURT:** Mr. Hannah, I've seen you before.
15	**MR. HANNAH:** Yes. Nice to see you, Your Honor.
16	**THE COURT:** Nice to see you. I hope that my comment
17	at the first case management session was passed on to you.
18	**MR. HANNAH:** It was, Your Honor. And I have to say
19	that at every subsequent trial I have made sure not to make any
20	assumptions any more and definitely took it to heart. So thank
21	you, your Honor.
22	**THE COURT:** All right. So let me tell you what I
23	think about the motion. I'm inclined to grant in almost all
24	ways the motion to strike.
25	Finjan needs to organize its infringement contentions by

Debra L. Pas, CSR, RPR, RMR, CRR

1   the underlying instrumentalities to crystalize the contentions.

2   If the underlying instrumentalities infringe in combination,

3   the combination needs to be specified. Pinpoint citations need

4   to be specific, particularly to where and how each limitation

5   of each asserted claim is found within the accused

6   instrumentality.

7   It's not sufficient to cite multiple sets of source code

8   under each claim limitation without explanation. The public

9   information that's cited isn't sufficient to cure the problem.

10   And I don't think blaming Check Point is a useful way to

11   resolve this problem. If there was a problem in getting

12   technical documents, you shouldn't have waited until the last

13   two days before the deadline to serve contentions.

14   And I think, Mr. Hannah, we had something similar in

15   that -- the trial before. I think a similar kind of issue came

16   up.

17   In any event, regarding the open-ended contentions, Finjan

18   can't reserve any undisclosed theories of infringement. It

19   needs to cite the relevant source code to crystallize its

20   claims.

21   So as long as Finjan corrects all of those things and

22   identifies the source code properly, I'm not going to strike

23   any new instrumentalities. But everything has to be laid out

24   in a very clear manner, which it doesn't appear that it has

25   been.

1   So I'm happy to hear argument with respect to that.

2   MR. KASTENS: Your Honor, I would just respectfully

3   request that we have an opportunity to depose their engineer,

4   who was the one who said that we didn't cite source code for

5   particular products. Our understanding is that we did cite

6   source code for the products and anything that we had accused.

7   So we would like to determine the basis that they made that

8   representation. A lot of his analysis was a black box where he

9   just said they didn't cite source code for these following

10   products without explaining.

11   I think as we tried to lay out in our brief, they have

12   usually just one directory for all the source code. They will

13   have one software package that they give to their customers.

14   The customers can then enable different features in that. They

15   call those different features products and they rely on a lot

16   of source code that is within the same directory and is not

17   labeled as being related to any product. So we would just ask

18   to have the opportunity to depose somebody, a 30(b)(6) witness,

19   regarding the structure of their source code and then we can

20   supplement within 45 days of that to address that.

21   THE COURT: Mr. Roberts.

22   MR. ROBERTS: Yeah. So this is difficult for me

23   because the -- we addressed this at the very beginning of the

24   case, and we said we would like contentions that give us the

25   theories of the case. Those are necessary, among other things,

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