

EXHIBIT A

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20 *Attorneys for Defendant*
 21 QUALYS INC.

22 **IN THE UNITED STATES DISTRICT COURT**
 23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 24 **OAKLAND DIVISION**

25	FINJAN, INC., a Delaware Corporation,)	CASE NO.: 4:18-cv-07229-YGR
26)	
27	Plaintiff,)	DEFENDANT QUALYS INC.'S
28)	[PROPOSED] SECOND AMENDED
29	v.)	ANSWER TO COMPLAINT AND
30)	COUNTERCLAIMS
31	QUALYS INC., a Delaware Corporation,)	
32)	DEMAND FOR JURY TRIAL
33	Defendant.)	
34)	
35)	
36)	
37)	
38)	

1 Defendant Qualys Inc. (“Qualys”), by and through its undersigned attorneys, hereby files
2 its first amended answer and asserted counterclaims in response to the Complaint filed by
3 Plaintiff Finjan, Inc. (“Finjan”) as follows:

4 **FIRST AMENDED ANSWER TO COMPLAINT FOR PATENT INFRINGEMENT**

5
6 **THE PARTIES**

7 1. Qualys admits that, upon information and belief, Finjan is a Delaware corporation,
8 with its principal place of business at 2000 University Ave., Suite 600, East Palo Alto, California
9 94303.

10 2. Qualys admits that it is a Delaware corporation with its principal place of business
11 at 919 E. Hillsdale Boulevard, 4th Floor, Foster City, California 94404.

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13 **JURISDICTION AND VENUE**

14 3. Qualys admits that Finjan’s Complaint purports to be an action for patent
15 infringement under the patent laws of the United States of America, Title 35 of the United States
16 Code. Qualys admits that this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
17 and 1338. Qualys denies any and all remaining allegations in paragraph 3 of the Complaint.

18 4. Qualys admits that venue is proper in this district pursuant to 28 U.S.C § 1400(b).
19 Qualys denies any and all remaining allegations in paragraph 4 of the Complaint.

20 5. Qualys admits that this Court has personal jurisdiction over Qualys. Qualys denies
21 any and all remaining allegations in paragraph 5 of the Complaint.

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23 **INTRADISTRICT ASSIGNMENT**

24 6. Qualys admits that pursuant to Civil L.R. 3-2(c), Intellectual Property Actions are
25 assigned on a district-wide basis.
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FINJAN’S ALLEGED INNOVATIONS

7. Qualys is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7 of the Complaint, and accordingly denies the same.

8. Qualys is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 8 of the Complaint, and accordingly denies the same.

FINJAN’S ASSERTED PATENTS

9. Qualys admits that Finjan purports that U.S. Patent No. 6,154,844 (“the ’844 Patent”), titled “System and Method for Attaching a Downloadable Security Profile to a Downloadable,” was issued to Shlomo Touboul and Nachshon Gal on November 28, 2000. Qualys admits that Finjan purports that a true and correct copy of the ’844 Patent is attached to the Complaint as Exhibit 1. Qualys denies any and all remaining allegations in paragraph 9 of the Complaint.

10. Qualys admits that Finjan purports that Finjan is the owner of the ’844 Patent with all rights, title, and interest to that patent and has been the sole owner of the ’844 Patent since its issuance. Qualys denies any and all remaining allegations in paragraph 10 of the Complaint.

11. Qualys denies the allegations contained in paragraph 11 of the Complaint.

12. Qualys admits that Finjan purports that U.S. Patent No. 8,677,494 (“the ’494 Patent”), titled “Malicious Mobile Code Runtime Monitoring System and Methods,” was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul on March 18, 2014. Qualys admits that Finjan purports that a true and correct copy of the ’494 Patent is attached to the Complaint as Exhibit 2. Qualys denies any and all remaining allegations in paragraph 12 of the Complaint.

1 13. Qualys admits that Finjan purports that Finjan is the owner of the '494 Patent with
2 all rights, title, and interest to that patent and has been the sole owner of the '494 Patent since its
3 issuance. Qualys denies any and all remaining allegations in paragraph 13 of the Complaint.

4 14. Qualys denies the allegations contained in paragraph 14 of the Complaint.

5 15. Qualys admits that Finjan purports that U.S. Patent No. 7,975,305 (“the '305
6 Patent”), titled “Method and System for Adaptive Rule-Based Content Scanners for Desktop
7 Computers,” was issued to Moshe Rubin, Moshe Matitya, Artem Melnick, Shlomo Touboul,
8 Alexander Yermakov, and Amit Shaked on July 5, 2011. Qualys admits that Finjan purports that a
9 true and correct copy of the '305 Patent is attached to the Complaint as Exhibit 3. Qualys denies
10 any and all remaining allegations in paragraph 15 of the Complaint.
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12 16. Qualys admits that Finjan purports that Finjan is the owner of the '305 Patent with
13 all rights, title, and interest to that patent and has been the sole owner of the '305 Patent since its
14 issuance. Qualys denies any and all remaining allegations in paragraph 16 of the Complaint.
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16 17. Qualys denies the allegations contained in paragraph 17 of the Complaint.

17 18. Qualys admits that Finjan purports that U.S. Patent No. 8,225,408 (“the '408
18 Patent”), titled “Method and System for Adaptive Rule-Based Content Scanners,” was issued to
19 Moshe Rubin, Moshe Matitya, Artem Melnick, Shlomo Touboul, Alexander Yermakov, and Amit
20 Shaked on July 17, 2012. Qualys admits that Finjan purports that a true and correct copy of the
21 '408 Patent is attached to the Complaint as Exhibit 4. Qualys denies any and all remaining
22 allegations in paragraph 18 of the Complaint.
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24 19. Qualys admits that Finjan purports that Finjan is the owner of the '408 Patent with
25 all rights, title, and interest to that patent and has been the sole owner of the '408 Patent since its
26 issuance. Qualys denies any and all remaining allegations in paragraph 19 of the Complaint.
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28 20. Qualys denies the allegations contained in paragraph 20 of the Complaint.

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