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8 *Attorneys for Plaintiff*  
9 FINJAN, INC.

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

13 FINJAN, INC., a Delaware Corporation,

14 Plaintiff,

15 v.

16 QUALYS INC., a Delaware Corporation,

17 Defendant.  
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Case No.: 4:18-cv-07229-YGR

**DECLARATION OF JAMES HANNAH IN  
SUPPORT OF QUALYS INC.'S  
ADMINISTRATIVE MOTION TO FILE  
DOCUMENTS UNDER SEAL (DKT. NO. 55)**

1 I, James Hannah, declare:

2 1. I have personal knowledge of the facts stated herein and can testify competently to those  
3 facts. I am licensed to practice law in the State of California and am an attorney at Kramer Levin  
4 Naftalis & Frankel LLP, counsel of record for Finjan, Inc. (“Finjan”). I make this declaration in support  
5 of Qualys Inc.’s (“Qualys”) Administrative Motion to File Documents Under Seal in connection with its  
6 Reply in Support of its Motion for Leave to Amend Answer and Affirmative Defenses (Dkt. No. 55)  
7 (“Reply”).

8 2. I have reviewed the portions of Qualys’ Reply sought to be sealed, and confirmed that  
9 those portions are designated as “Highly Confidential – Attorneys’ Eyes Only” by Finjan and contains  
10 information that Finjan regards confidential within its business.

Identification of Document(s) to be Sealed	Portions of Document(s) Sought to be Sealed
Defendant Qualys Inc.’s Reply in Support of its Motion for Leave to Amend Answer and Affirmative Defenses (“Reply”)	Reply at page 4, lines 16-17, 24-27; Reply at page 6, lines 4-28; Reply at page 7, lines 1-2, 4-8

15 3. Finjan seeks to seal the above portions of the Reply because these portions reflect  
16 Finjan’s confidential licensing information. The confidential portions of this document are limited to  
17 disclosure within Finjan to only those with a need to know, and may be disclosed in litigation only when  
18 relevant and under the highest level of confidentiality. If competitors gain access to Finjan’s confidential  
19 licensing information, Finjan will be placed at an unfair disadvantage in future business negotiations. In  
20 the context of confidential settlement discussions, Finjan and its licensees exchange proposed license fee  
21 terms under Fed. R. Evid. 408 based on confidential business and product information of both parties. If  
22 such confidential information were to be disclosed publicly, prospective licensees would be unwilling to  
23 exchange relevant confident information to engage in productive licensing and settlement negotiations.

24 4. Based on the foregoing, good cause exists to seal the portions of the document described  
25 above. Finjan seeks to seal only those portions of the document that contain its confidential information  
26 pursuant to the Protective Order and for which it has good cause to seal.  
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1 I declare under penalty of perjury under the laws of the United States of America that each of the  
2 above statements is true and correct. Executed on March 24, 2020, in Menlo Park, California

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4 */s/ James Hannah*

5 James Hannah  
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