

# EXHIBIT 4

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13 *Attorneys for Defendant*  
 14 QUALYS INC.

15 **IN THE UNITED STATES DISTRICT COURT**  
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 17 **OAKLAND DIVISION**

18	FINJAN, INC., a Delaware Corporation,	)	CASE NO.: 4:18-cv-07229-YGR
		)	
19	Plaintiff,	)	<b>DEFENDANT QUALYS INC.'S</b>
		)	<b>AMENDED AND SUPPLEMENTAL</b>
20	v.	)	<b>OBJECTIONS AND RESPONSES</b>
		)	<b>TO PLAINTIFF FINJAN, INC.'S</b>
21	QUALYS INC., a Delaware Corporation,	)	<b>NOTICE OF DEPOSITION OF</b>
		)	<b>DEFENDANT PURSUANT TO</b>
22	Defendant.	)	<b>FEDERAL RULE OF CIVIL</b>
		)	<b>PROCEDURE 30(b)(6)</b>
23		)	
24		)	

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1 Pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant Qualys, Inc.  
2 (“Qualys”) hereby provides amended and supplemental responses and objections to Plaintiff  
3 Finjan, Inc.’s (“Finjan”) Notice of Deposition of Qualys pursuant to FED. R. CIV. P. 30(b)(6), dated  
4 August 23, 2019, as follows:

5 **GENERAL OBJECTIONS**

6 Qualys makes the following General Objections whether or not separately set forth in  
7 response to each Topic for Examination by Finjan:

8 1. Qualys objects to the date, time, and location for the deposition unilaterally set by  
9 Finjan in the Notice. To the extent that Qualys makes a witness available for deposition, it will do  
10 so at a location near the witness’s residence and/or place of work at a date and time convenient for  
11 that witness. Qualys will meet and confer regarding a date, time, and location that is agreeable to  
12 both parties for each witness made available for deposition.

13 2. Qualys objects to the Notice’s statement that the deposition “will continue from day  
14 to day (excluding weekends and holidays) until completed” on the grounds that it exceeds the limits  
15 set forth in the Federal Rules of Civil Procedure.

16 3. Qualys objects to each separate topic to the extent it calls upon Qualys to testify  
17 regarding dealings or communications between Qualys and any other third party that are beyond the  
18 scope of the specific claims and defenses in this lawsuit, and is thus overbroad, unduly burdensome,  
19 and/or irrelevant.

20 4. Qualys objects to each separate topic to the extent it seeks to impose any requirement  
21 on Qualys other than those set forth in the Federal Rules of Civil Procedure and the local rules of  
22 the Court.

23 5. Qualys objects to each separate topic to the extent that it calls upon Qualys to testify  
24 regarding any information that is protected from discovery by the attorney-client privilege, the  
25 attorney work produce doctrine, the common interest privilege, or any other applicable immunity,  
26 privilege, protection or rule of confidentiality that makes information non-discoverable. Nothing  
27 contained in these objections and responses is intended to be, nor should be considered, a waiver of  
28 any of the aforementioned privileges or any other applicable privilege or doctrine. Furthermore, any

1 inadvertent disclosure of such information shall not be deemed a waiver of the applicable immunity,  
2 privilege, protection or rule of confidentiality.

3 6. Qualys objects to each separate topic to the extent it is overly broad, unduly  
4 burdensome, and posed for improper purposes, including, without limitation, embarrassment, undue  
5 annoyance, harassment, oppression, delay, or to increase the expense of litigation or to the extent it  
6 calls for a legal conclusion or opinion.

7 7. Qualys objects to each separate topic to the extent that it seeks information not in the  
8 possession, custody, or control of Qualys, or would subject Qualys to unreasonable and undue  
9 burden and expense, or would seek to impose upon Qualys an obligation to investigate or discover  
10 information or materials from third parties or sources that are equally accessible to Finjan.

11 8. Qualys objects to each separate topic to the extent that it seeks information that  
12 reflects or discloses confidential, personal, proprietary, competitively sensitive, and/or trade secret  
13 information of Qualys or another individual or entity, and/or which is otherwise protected by  
14 constitutional, statutory, and/or common law and/or privacy rights. Qualys will provide such  
15 information only pursuant to the terms of the protective order entered by the Court in this action.

16 9. Qualys objects to each separate topic to the extent that it is vague, indefinite, and/or  
17 ambiguous. By indicating that it will produce a witness capable of testifying on a deposition topic,  
18 Qualys is indicating that it will produce a witness to testify to the extent Qualys understands the  
19 deposition topic and to the extent that Qualys has information responsive to the deposition topic that  
20 can be located after reasonable efforts.

21 10. Qualys objects to each separate topic to the extent that more efficient and appropriate  
22 means to provide the requested information exist in the form of documents and/or interrogatory  
23 responses.

24 11. Qualys objects to each separate topic to the extent that it seeks information related to  
25 products and features other than those expressly identified by Finjan as accused products in this  
26 lawsuit.

27 12. Qualys objects to each separate topic to the extent that it is vague, ambiguous,  
28 indefinite, duplicative, cumulative, unintelligible, or otherwise unclear as to the information it seeks.

1           13. Qualys objects to each separate topic to the extent that it seeks opinion or expert  
2 testimony. By indicating it does not have knowledge on a topic or by providing a witness to testify,  
3 Qualys is not precluded from providing full expert testimony at the times designated by the Court.

4           14. Qualys objects to each separate topic to the extent that it seeks to depose Qualys on  
5 the contents of certain documents, the contents of which speak for themselves.

6           15. Qualys objects to each separate topic to the extent that it seeks the disclosure of  
7 information that is neither relevant to any party's claim or defense nor proportional to the needs of  
8 the case. For example, to the extent that any topic calls for information regarding Qualys' activities,  
9 sales, and/or customers outside of the U.S., such testimony is irrelevant. Qualys will limit its  
10 designation to activities, sales, and/or customers within the U.S.

11           16. Qualys objects to each separate topic as unreasonably cumulative or duplicative to  
12 the extent that more than one topic seeks the same information, or to the extent that Finjan's non-  
13 deposition discovery efforts seek the same information.

14           17. Qualys objects to each separate topic to the extent that it relates to facts, events, or  
15 activities outside of the United States.

16           18. Qualys objects to the definition of "document" to the extent it calls upon Qualys to  
17 testify regarding any information that is protected from discovery by the attorney-client privilege,  
18 the attorney work product doctrine, the common interest privilege, or any other applicable  
19 immunity, privilege, protection, or rule of confidentiality that makes information non-discoverable.

20           19. Qualys objects to Finjan's definition of "Plaintiff" or "Finjan" as overly broad and  
21 unduly burdensome. For purposes of these topics for examination, reference to "Plaintiff" or  
22 "Finjan" shall refer to Plaintiff Finjan, Inc. only.

23           20. Qualys objects to Finjan's definition of "Defendant," "You," "Your," or "Qualys" as  
24 overly broad and unduly burdensome. For purposes of these topics for examination, reference to  
25 "Defendant," "You," "Your," or "Qualys" shall refer to Defendant Qualys, Inc. only.

26           21. Qualys objects to Finjan's definition of the "Accused Instrumentalities" overly broad  
27 and unduly burdensome. For purposes of these topics for examination, reference to the "accused  
28 instrumentalities" shall refer to the Qualys products and services Finjan has specifically accused of

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