

QUALYS EXHIBIT E

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Attorneys for Plaintiff
FINJAN, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FINJAN, INC.,

Plaintiff,

v.

QUALYS, INC.,

Defendant.

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

**PLAINTIFF FINJAN, INC.'S INITIAL
DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS
AND DOCUMENT PRODUCTION
PURSUANT TO PATENT LOCAL RULES
3-1 AND 3-2**

1 such Accused Instrumentalities or other products and services. Finjan further reserves the right to rely
2 upon the opinions of one or more experts in support of its infringement contentions in accordance with
3 the Court's scheduling order.

4 **D. Identification Of Direct Infringement Underlying Allegations Of Indirect**
5 **Infringement And Description Of Acts Of Indirect Infringement.**

6 Finjan provides the following contentions pursuant to Patent Local Rule 3-1(d):

7 Defendant induced infringement of claims 1-9, 11, 22 and 23 of the '844 Patent pursuant to 35
8 U.S.C. § 271(b), by taking active steps to cause infringement of claims 1-9, 11, 22, and 23 of the '844
9 Patent, both with the knowledge of the '844 Patent and the specific intent to cause, instruct, direct or
10 require third parties, including its customers, subscribers, users and developers, to use the Accused
11 Instrumentalities of the '844 Patent in a manner that infringes claim 1-9, 11, 22, and 23 of the '844
12 Patent. Such steps include, but are not limited to, advising third parties to use the Accused
13 Instrumentalities of the '844 Patent in an infringing manner through product manuals and other product
14 documentation; providing a mechanism through which third parties may infringe the patent,
15 specifically through the use of the Accused Instrumentalities of the '844 Patent; requiring third parties
16 to agree to its terms and conditions; advertising and promoting the use of the Accused Instrumentalities
17 of the '844 Patent in an infringing manner; and distributing guidelines and instructions to third parties
18 on how to use the Accused Instrumentalities of the '844 Patent in an infringing manner. The materials
19 referenced in the Appendix are materials provided to third parties to use the Accused Instrumentalities
20 of the '844 Patent in a manner that infringes the claims identified above. As further proof of
21 Defendant's inducement of infringement, Finjan identifies the evidence identified in the Complaint.
22 *See, e.g.*, Dkt. Nos. 1-8; 1-9; 1-10; 1-11; 1-12; 1-13; 1-14; 1-15.

23 Defendant induces infringement of claims 13-15 of the '305 Patent pursuant to 35 U.S.C. §
24 271(b), by taking active steps to cause infringement of claims 13-15 of the '305 Patent, both with the
25 knowledge of the '305 Patent and the specific intent to cause, instruct, direct or require third parties,
26 including its customers, subscribers, users and developers, to use the Accused Instrumentalities of the
27 '305 Patent in a manner that infringes claims 13-15 of the '305 Patent. Such steps include, but are not
28

1 limited to, advising third parties to use the Accused Instrumentalities of the '305 Patent in an
2 infringing manner through product manuals and other product documentation; providing a mechanism
3 through which third parties may infringe the patent, specifically through the use of the Accused
4 Instrumentalities of the '305 Patent; requiring third parties to agree to its terms and conditions;
5 advertising and promoting the use of the Accused Instrumentalities of the '305 Patent in an infringing
6 manner; and distributing guidelines and instructions to third parties on how to use the Accused
7 Instrumentalities of the '305 Patent in an infringing manner. The materials referenced in the Appendix
8 are materials provided to third parties to use the Accused Instrumentalities of the '305 Patent in a
9 manner that infringes the claims identified above. As further proof of Defendant's inducement of
10 infringement, Finjan identifies the evidence identified in the Complaint. *See, e.g.*, Dkt. Nos. 1-8; 1-9;
11 1-10; 1-11; 1-12; 1-13; 1-14; 1-15.

12 Defendant induces infringement of claims 1, 3-8, and 23 of the '408 Patent pursuant to 35
13 U.S.C. § 271(b), by taking active steps to cause infringement of claims 1, 3-8, and 23 of the '408
14 Patent, both with the knowledge of the '408 Patent and the specific intent to cause, instruct, direct or
15 require third parties, including its customers, subscribers, users and developers, to use the Accused
16 Instrumentalities of the '408 Patent in a manner that infringes claims 1, 3-8, and 23 of the '408 Patent.
17 Such steps include, but are not limited to, advising third parties to use the Accused Instrumentalities of
18 the '408 Patent in an infringing manner through product manuals and other product documentation;
19 providing a mechanism through which third parties may infringe the patent, specifically through the
20 use of the Accused Instrumentalities of the '408 Patent; requiring third parties to agree to its terms and
21 conditions; advertising and promoting the use of the Accused Instrumentalities of the '408 Patent in an
22 infringing manner; and distributing guidelines and instructions to third parties on how to use the
23 Accused Instrumentalities of the '408 Patent in an infringing manner. The materials referenced in the
24 Appendix are materials provided to third parties to use the Accused Instrumentalities of the '408 Patent
25 in a manner that infringes the claims identified above. As further proof of Defendant's inducement of
26 infringement, Finjan identifies the evidence identified in the Complaint. *See, e.g.*, Dkt. Nos. 1-8; 1-9;
27 1-10; 1-11; 1-12; 1-13; 1-14; 1-15.

1 Defendant induces infringement of claims 13-15 and 26 of the '968 Patent pursuant to 35
2 U.S.C. § 271(b), by taking active steps to cause infringement of claims 13-15 and 26 of the '968
3 Patent, both with the knowledge of the '968 Patent and the specific intent to cause, instruct, direct or
4 require third parties, including its customers, subscribers, users and developers, to use the Accused
5 Instrumentalities of the '968 Patent in a manner that infringes claims 13-15 and 26 of the '968 Patent.
6 Such steps include, but are not limited to, advising third parties to use the Accused Instrumentalities of
7 the '968 Patent in an infringing manner through product manuals and other product documentation;
8 providing a mechanism through which third parties may infringe the patent, specifically through the
9 use of the Accused Instrumentalities of the '968 Patent; requiring third parties to agree to its terms and
10 conditions; advertising and promoting the use of the Accused Instrumentalities of the '968 Patent in an
11 infringing manner; and distributing guidelines and instructions to third parties on how to use the
12 Accused Instrumentalities of the '968 Patent in an infringing manner. The materials referenced in the
13 Appendix are materials provided to third parties to use the Accused Instrumentalities of the '968 Patent
14 in a manner that infringes the claims identified above. As further proof of Defendant's inducement of
15 infringement, Finjan identifies the evidence identified in the Complaint. *See, e.g.*, Dkt. Nos. 1-8; 1-9;
16 1-10; 1-11; 1-12; 1-13; 1-14; 1-15.

17 Defendant induces infringement of claims 14 and 15 of the '731 Patent pursuant to 35 U.S.C. §
18 271(b), by taking active steps to cause infringement of claims 14 and 15 of the '731 Patent, both with
19 the knowledge of the '731 Patent and the specific intent to cause, instruct, direct or require third
20 parties, including its customers, subscribers, users and developers, to use the Accused Instrumentalities
21 of the '731 Patent in a manner that infringes claims 14 and 15 of the '731 Patent. Such steps include,
22 but are not limited to, advising third parties to use the Accused Instrumentalities of the '731 Patent in
23 an infringing manner through product manuals and other product documentation; providing a
24 mechanism through which third parties may infringe the patent, specifically through the use of the
25 Accused Instrumentalities of the '731 Patent; requiring third parties to agree to its terms and
26 conditions; advertising and promoting the use of the Accused Instrumentalities of the '731 Patent in an
27 infringing manner; and distributing guidelines and instructions to third parties on how to use the

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