

# QUALYS EXHIBIT E

1 PAUL ANDRE (State Bar No. 196585)  
 2 pandre@kramerlevin.com  
 3 LISA KOBIALKA (State Bar No. 191404)  
 4 lkobialka@kramerlevin.com  
 5 JAMES HANNAH (State Bar No. 237978)  
 6 jhannah@kramerlevin.com  
 7 KRISTOPHER KASTENS (State Bar No. 254797)  
 8 kkastens@kramerlevin.com  
 9 KRAMER LEVIN NAFTALIS  
 10 & FRANKEL LLP  
 11 990 Marsh Road  
 12 Menlo Park, CA 94025  
 13 Telephone: (650) 752-1700  
 14 Facsimile: (650) 752-1800

15 *Attorneys for Plaintiff*  
 16 FINJAN, INC.

17 **IN THE UNITED STATES DISTRICT COURT**  
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 19 **SAN FRANCISCO DIVISION**

20 FINJAN, INC.,

21 Plaintiff,

22 v.

23 QUALYS, INC.,

24 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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