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FINJAN, LLC

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 (OAKLAND DIVISION)
21

22 FINJAN, LLC, a Delaware Limited Liability
23 Company,

24 Plaintiff,

25 v.

26 QUALYS INC., a Delaware Corporation,

27 Defendant.
28

Case No. 4:18-cv-07229-YGR (TSH)
Hon. Yvonne Gonzalez Rogers

**DECLARATION OF JASON W. WOLFF
IN SUPPORT OF QUALYS INC.'S
MOTION TO FILE UNDER SEAL
PORTIONS OF QUALYS' MOTION TO
STRIKE PORTIONS OF PLAINTIFF
FINJAN LLC'S INFRINGEMENT AND
DAMAGES EXPERT REPORTS, AND
EXHIBITS 1-3, 8-9, AND 12**

1 I, Jason W. Wolff, hereby declare and state as follows:

2 1. I am a principal in the law firm of Fish & Richardson P.C., counsel of record for
3 Plaintiff Finjan, LLC in the above-captioned matter. I have personal knowledge of all the facts
4 contained herein and, if called as a witness, I could and would testify competently thereto.

5 2. As required under Civil L.R. 79-5(d)(1)(A), Civil L.R. 79-5(e), and this Court's
6 Standing Order, the basis for asserting confidentiality and the grounds for filing under seal the
7 documents listed below are as follows:

8 3. Sealed Exhibit 3 to the Declaration of Christopher Mays in Support of [Qualys']
9 Administrative Motion to File Documents Under Seal (ECF No. 156-1, "Mays Declaration")
10 includes confidential and proprietary financial and licensing information relating to agreements
11 between Finjan, LLC and multiple non-parties to the litigation. The agreements upon which the
12 information disclosed in Exhibit 3 is based are designated as confidential information with
13 disclosure obligations to non-parties to maintain their confidentiality. Accordingly, the summary
14 royalty rate information found at:

- 15 • page 3, middle paragraph revealing % rates;
- 16 • page 4, penultimate paragraph identifying % rates;
- 17 • page 91, Table 6, "Impact" field for GP factors 1 and 4 revealing % rates as well as
18 the rates in the first sentence of paragraph 126; and at
- 19 • page 92, second to last sentence of item "(2)" revealing % rates

20 is all information reflecting confidential licensing and financial information of Finjan, LLC and its
21 licensees that falls under the protective order. Moreover, it is not material for the resolution of the
22 pending motion, so the public would not be harmed by not having this confidential financial
23 information. Accordingly, good cause and compelling reasons exist to seal the rate information
24 found at pages 3, 4, 91 and 92 of Exhibit 3 to the Mays Declaration.

25 I declare under the penalty of perjury of the laws of the United States of America that the
26 foregoing is true and correct. Executed on January 26, 2021, in San Diego, California.

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28 */s/ Jason W. Wolff*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on January 26, 2021, to all counsel of record who are deemed to have consented to electronic service via the Court’s CM/ECF system. Any other counsel of record will be served by electronic mail and regular mail.

/s/ Jason W. Wolff
Jason W. Wolff