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7 *Attorneys for Plaintiff*
8 FINJAN, INC.

9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 FINJAN, INC., a Delaware Corporation,

14 Plaintiff,

15 v.

16 BLUE COAT SYSTEMS, INC., a Delaware
17 Corporation,

18 Defendant.

Case No.:

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 **COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff Finjan, Inc. (“Finjan”) files this Complaint for Patent Infringement and Jury Demand
3 against Defendant Blue Coat Systems, Inc. (“Defendant” or “Blue Coat”) and alleges as follows:

4 **THE PARTIES**

5 1. Finjan is a corporation organized and existing under the laws of Delaware, with its
6 principal place of business at 2000 University Ave., Ste. 600, East Palo Alto, California 94303.

7 2. Blue Coat is a corporation organized and existing under the laws of Delaware, with its
8 principal place of business at 420 North Mary Avenue, Sunnyvale, California 94085.

9 **JURISDICTION AND VENUE**

10 3. This action arises under the Patent Act, 35 U.S.C. § 101 *et seq.* This Court has
11 original jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338.

12 4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and/or 1400(b).

13 5. This Court has personal jurisdiction over Defendant. Upon information and belief,
14 Defendant has conducted business in this District and continues to infringe and/or induce the
15 infringement in this District. Defendant also markets its products primarily in and from this District.
16 In addition, the Court has personal jurisdiction over Defendant because it has established minimum
17 contacts with the forum and the exercise of jurisdiction would not offend traditional notions of fair
18 play and substantial justice.
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21 **INTRADISTRICT ASSIGNMENT**

22 6. Pursuant to Local Rule 3-2(c), Intellectual Property Actions are assigned on a district-
23 wide basis.
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25 **FINJAN’S INNOVATIONS**

26 7. Finjan was founded in 1997 as a wholly-owned subsidiary of Finjan Software Ltd., an
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1 Israeli corporation. Finjan was a pioneer in developing proactive security technologies capable of
2 detecting previously unknown and emerging online security threats, recognized today under the
3 umbrella of “malware.” These technologies protect networks and endpoints by identifying suspicious
4 patterns and behaviors of content delivered over the Internet. Finjan has been awarded, and continues
5 to prosecute, numerous patents in the United States and around the world as a result of Finjan’s more
6 than decade-long research and development efforts, supported by many inventors.

7
8 8. Finjan built and sold software, including application programming interfaces and
9 appliances for network security, using these patented technologies. Finjan’s licensing partners
10 continue to support these products and customers. At its height, Finjan employed nearly 150
11 employees around the world, building and selling security products, while operating the Malicious
12 Code Research Center through which it frequently published research regarding network security and
13 current threats on the Internet. Finjan’s pioneering approach to online security drew equity
14 investments from two major software and technology companies, the first in 2005 and the second in
15 2006.

16
17 9. Finjan generated millions of dollars in product sales and related services and support
18 revenues through 2009, when it spun off certain hardware and technology assets in a merger. Pursuant
19 to this merger, Finjan was bound to a non-compete and confidentiality agreement, under which it
20 could not make or sell a competing product or disclose the existence of the non-compete clause.

21
22 10. Finjan became a publicly traded company in June 2013, capitalized with \$30 million.
23 After Finjan’s obligations under the non-compete and confidentiality agreement expired in March
24 2015, Finjan re-entered the development and production sector of secure products for the consumer
25 market. On June 16, 2015, Finjan introduced its first Finjan Mobile Secure Browser, which offers
26 users security and awareness to keep their data safe while surfing the web on their mobile devices.

1 11. Finjan’s commitment to innovation in the security space continues through incubating
2 and investing in up-and-coming technology startups that are pioneering a new generation of security
3 technologies. Finjan has distributed \$1 million of a \$5 million commitment to one such startup so far.
4 Additionally, in June 2015, Finjan announced the expansion of its “Mobile Defense Challenge 2015”
5 for College Students, in which a \$40,000 grant will be awarded to develop a winning security
6 application. Also in June 2015, Finjan launched CybeRisk Security Solutions, a product that provides
7 cybersecurity risk advisory services to customers around the world.
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9 12. Finjan’s founder and original investors are still involved with and invested in the
10 company today, as are a number of other key executives and advisors. Finjan continues to work with
11 inventors, acquire technology companies, and invest in research laboratories, startups and
12 universities.

13 13. On March 18, 2014, U.S. Patent No. 8,677,494 (“the ‘494 Patent”), entitled
14 MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued
15 to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll and Shlomo Touboul. A true and
16 correct copy of the ‘494 Patent is attached to this Complaint as Exhibit A and is incorporated by
17 reference herein.
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19 14. All rights, title, and interest in the ‘494 Patent have been assigned to Finjan, who is the
20 sole owner of the ‘494 Patent. Finjan has been the sole owner of the ‘494 Patent since its issuance.

21 15. The ‘494 Patent is generally directed towards computer networks and more
22 particularly provides a system that protects devices connected to the Internet from undesirable
23 operations from web-based content. One of the ways in which this is accomplished is by deriving
24 security profiles for content and storing the profiles in a database.
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1 16. On October 22, 2013, U.S. Patent No. 8,566,580 (“the ‘580 Patent”), entitled
2 SPLITTING AN SSL CONNECTION BETWEEN GATEWAYS, was issued to Yuval Ben-Itzhak,
3 Shay Lang and Dmitry Rubinstein. A true and correct copy of the ‘580 Patent is attached to this
4 Complaint as Exhibit B and is incorporated by reference herein.

5 17. All rights, title, and interest in the ‘580 Patent have been assigned to Finjan, who is the
6 sole owner of the ‘580 Patent. Finjan has been the sole owner of the ‘580 Patent since its issuance.

7 18. The ‘580 Patent is generally directed towards a system for secure communication.
8 The ‘580 Patent generally discloses a system which uses an SSL connector to provide secure
9 communication.
10

11 19. On November 28, 2000, U.S. Patent No. 6,154,844 (“the ‘844 Patent”), entitled
12 SYSTEM AND METHOD FOR ATTACHING A DOWNLOADABLE SECURITY PROFILE TO
13 A DOWNLOADABLE, was issued to Shlomo Touboul and Nachshon Gal. A true and correct copy
14 of the ‘844 Patent is attached to this Complaint as Exhibit C and is incorporated by reference herein.

15 20. All rights, title, and interest in the ‘844 Patent have been assigned to Finjan, who is the
16 sole owner of the ‘844 Patent. Finjan has been the sole owner of the ‘844 Patent since its issuance.

17 21. The ‘844 Patent is generally directed towards computer networks, and more
18 particularly, provides a system that protects devices connected to the Internet from undesirable
19 operations from web-based content. One of the ways this is accomplished is by linking a security
20 profile to such web-based content to facilitate the protection of computers and networks from
21 malicious web-based content or to provide further analysis of potential threats on the Internet.
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23 22. On November 15, 2005, U.S. Patent No. 6,965,968 (“the ‘968 Patent”), entitled
24 POLICY-BASED CACHING, was issued to Shlomo Touboul. A true and correct copy of the ‘968
25 Patent is attached to this Complaint as Exhibit D and is incorporated by reference herein.
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