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13	FOR THE NORTHERN DISTRICT OF CALIFORNIA					
14	SAN JOSE DIVISION					
15	FINJAN, INC., a Delaware Corporation,	Case No.: 15-cv-3295-BLF-SVK				
16	Plaintiff,	PLAINTIFF FINJAN, INC.'S				
17	,	OPPOSITION TO BLUE COAT'S RULI				
18 19	V.	50(A) MOTION FOR JUDGMENT AS A MATTER OF LAW				
20	BLUE COAT SYSTEMS, LLC, a Delaware Corporation,					
21	Defendant.					
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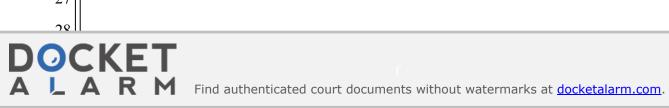
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I. INTRODUCTION

Finjan, Inc. ("Finjan") presented substantial evidence to support its claims of infringement and damages during its case, including sworn testimony on the stand from numerous fact and expert witnesses, deposition testimony of Blue Coat Systems LLC's ("Blue Coat") employees, source code testing of the accused products, and numerous Finjan and Blue Coat documents that were admitted into evidence. Blue Coat disagrees with the evidence that Finjan presented in its case, but its disagreement is not enough to prove that "as a matter of law" Finjan did not present substantial evidence to support its claims. Under Federal Rule of Civil Procedure Rule 50(a), when the evidence is viewed "in the light most favorable" to Finjan and "all reasonable inferences" are drawn in its favor, the Court should deny Blue Coat's motion for judgment as a matter of law ("Motion"). *Bell v. Clackamus County*, 341 F.3d 858, 865 (9th Cir. 2003); *Informatica Corp. v. Business Objects Data Integration, Inc.*, No. C 02-03378 EDL, 2007 WL 2344962, at *1 (N.D. Cal. Aug. 16, 2007).

II. FINJAN PRESENTED SUBSTANTIAL EVIDENCE OF BLUE COAT'S INFRINGEMENT OF THE ASSERTED CLAIMS

A. Finjan Presented Substantial Evidence That Blue Coat Infringes, Literally and Under the Doctrine of Equivalents, Claim 15 of the '844 Patent.

Finjan presented substantial evidence that Blue Coat is liable for infringement of Claim 15 of the '844 Patent, both literally and under the doctrine of equivalents. *See generally* Trial Tr. at 469:16-539:9, 560:9-23, 565:14-591:9, 603:18-605:11; PTX-49; PTX-105; PTX-211; PTX-216; PTX-290; PTX-295; PTX-368; PTX-423; PTX-427; PTX-499; PTX-516; PTX-564; PTX-575; PTX-1025; PTX-1274; JTX-3001; JTX-3043; JTX-3050; and JTX-3060. Blue Coat's assertions otherwise lack merit.

First, Finjan presented substantial evidence that Blue Coat's accused GIN/WebPulse product generates a Downloadable security profile in accordance with the Court's claim construction. Trial Tr. at 514:18-515:3, 517:11-537:13. Dr. Cole supported his opinion that GIN/WebPulse generates a Downloadable security profile that "identifies code in the received Downloadable that performs hostile or potentially hostile operations" with substantial evidence, including the testimony of Blue Coat

¹ Finjan incorporates by reference the arguments and evidence set forth in its (i) Motion for Judgment as a Matter of Law Pursuant to Fed. R. Civ. P. 50(a) (Dkt. No. 423) and (ii) oral opposition to Blue Coat's motion for JMOL regarding doctrine of equivalents.



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