

DUANE MORRIS LLP
Patrick S. Salceda (CA SBN 247978)
psalceda@duanemorris.com
One Market Plaza
Spear Tower, Suite 2200
San Francisco, CA 94105
Telephone: 415.957.3000
Facsimile: 650.618.2713

DUANE MORRIS LLP
Joseph A. Powers (PA SBN 84590)
Admitted *Pro Hac Vice*
japowers@duanemorris.com
Jarrad M. Gunther (PA SBN 207038)
Admitted *Pro Hac Vice*
jmgunther@duanemorris.com
30 South 17th Street
Philadelphia, PA 19103
Telephone: 215.979.1000
Facsimile: 215.979.1020

Attorneys for Defendant
SONICWALL INC.

DUANE MORRIS LLP
Matthew C. Gaudet (GA SBN 287759)
Admitted *Pro Hac Vice*
mcgaudet@duanemorris.com
Robin L. McGrath (GA SBN 493115)
Admitted *Pro Hac Vice*
rlmcgrath@duanemorris.com
David C. Dotson (GA SBN 138040)
Admitted *Pro Hac Vice*
dcdotson@duanemorris.com
Jennifer H. Forte (GA SBN 940650)
Admitted *Pro Hac Vice*
jhforte@duanemorris.com
1075 Peachtree Street, Ste. 2000
Atlanta, GA 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation,

Plaintiff,

vs.

SONICWALL INC., a Delaware
Corporation

Defendant.

Case No.: 5:17-cv-04467-BLF-VKD

**DECLARATION OF PATRICK S.
SALCEDA IN SUPPORT OF
DEFENDANT SONICWALL INC.'S
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL**

1 I, Patrick S. Salceda, declare as follows:

2 1. I am an attorney at the law firm of Duane Morris LLP and am counsel for Defendant
3 SonicWall Inc. (“SonicWall”). I have personal knowledge of the matters set forth in this
4 Declaration, and if called as a witness, could and would testify competently to such facts under oath.
5 I submit this Declaration in support of SonicWall’s Administrative Motion to File Documents Under
6 Seal pursuant to Civil L.R. 79-5(e). In making this Declaration, it is not my intention, nor the
7 intention of SonicWall, to waive the attorney-client privilege, the attorney work-product immunity,
8 or any other applicable privilege.

9 2. I have reviewed the following documents and confirmed that they are either
10 designated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the
11 Stipulated Protective Order in this litigation or discuss materials which are designated “HIGHLY
12 CONFIDENTIAL – ATTORNEYS’ EYES ONLY”.

| Document to Be Filed Under Seal | Designating Party |
|--|---------------------------------|
| Exhibits 3-15 to Declaration of Robin L. McGrath in Support of SonicWall Inc.’s Motion to Compel Further Supplemental Infringement Contentions (“McGrath Decl.”) | Finjan, Inc. and SonicWall Inc. |
| SonicWall Inc.’s Motion to Compel Further Supplemental Infringement Contentions, at: Page 6, lines 21-25; Page 7, lines 21-22; Page 8, lines 23-27; Page 9, lines 1-6; Page 10, lines 10-21; 24-27; Page 11, lines 4-10; 16-20; 24; 26; 28; Page 12, lines 6-11; Page 13, lines 7-9; 12-15; 17-19; 21-22; Page 14, lines 19-23; Page 15, lines 3-5; 7-9; 20-27; Page 17, lines 27-28; Page 18, lines 1-6; 12; 24-25; 27-28; Page 19, lines 5-11; 24-26; Page 20, lines 3-11; 13-20; 21-28; Page 21, lines 1-2; 4-9; 12-19; Page 22, lines 1-3; 11-14; 25-28; Page 23, lines 1; 18-20; 23; Page 24, lines 1-4; 6-10; 19-21. | Finjan, Inc. and SonicWall Inc. |

1 3. Exhibit 3 to the McGrath Declaration is a true and correct copy of Appendix A-1 to
2 Plaintiff Finjan, Inc.'s First Supplemental Disclosure of Asserted Claims and Infringement
3 Contentions and Documents Production Pursuant to Patent Local Rules 3-1 and 3-2, served
4 November 9, 2018 ("First Supplemental Infringement Contentions") and designated as "HIGHLY
5 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

6 4. Exhibit 4 to the McGrath Declaration is a true and correct copy of Appendix A-2 to
7 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
8 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

9 5. Exhibit 5 to the McGrath Declaration is a true and correct copy of Appendix A-3 to
10 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
11 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

12 6. Exhibit 6 to the McGrath Declaration is a true and correct copy of Appendix D-1 to
13 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
14 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

15 7. Exhibit 7 to the McGrath Declaration is a true and correct copy of Appendix E-1 to
16 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
17 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

18 8. Exhibit 8 to the McGrath Declaration is a true and correct copy of Appendix E-2 to
19 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
20 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

21 9. Exhibit 9 to the McGrath Declaration is a true and correct copy of Appendix F-1 to
22 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
23 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

24 10. Exhibit 10 to the McGrath Declaration is a true and correct copy of Appendix G-1 to
25 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY
26 CONFIDENTIAL – ATTORNEYS' EYES ONLY" by Finjan.

27 11. Exhibit 11 to the McGrath Declaration is a true and correct copy of Appendix G-2 to
28 Finjan's First Supplemental Infringement Contentions and designated as "HIGHLY

1 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan.

2 12. Exhibit 12 to the McGrath Declaration is a true and correct copy of Appendix G-3 to
3 Finjan’s First Supplemental Infringement Contentions and designated as “HIGHLY
4 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan.

5 13. Exhibit 13 to the McGrath Declaration is a true and correct copy of Appendix H-2 to
6 Finjan’s First Supplemental Infringement Contentions and designated as “HIGHLY
7 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan.

8 14. Exhibit 14 to the McGrath Declaration is a true and correct copy of Appendix H-4 to
9 Finjan’s First Supplemental Infringement Contentions and designated as “HIGHLY
10 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan.

11 15. Exhibit 15 to the McGrath Declaration is a true and correct copy of Appendix I-1 to
12 Finjan’s First Supplemental Infringement Contentions and designated as “HIGHLY
13 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan.

14 16. Exhibits 3-15 to the McGrath Declaration contain screenshot images of SonicWall’s
15 confidential documentation, which were produced to Finjan in accordance with the operative
16 protective order entered in this litigation (Dkt. No. 68). If filed publicly, I am informed and believe
17 that this confidential information could be used by SonicWall’s competitors to SonicWall’s
18 disadvantage, as it reveals the identification, organization, and operation of SonicWall’s proprietary
19 products. In particular, I am further informed and believe that SonicWall’s competitors could use
20 these confidential documents to re-create the features of SonicWall’s products. SonicWall Inc.’s
21 Motion to Compel Further Supplemental Infringement Contentions, at Page 6, lines 21-25; Page 7,
22 lines 21-22; Page 8, lines 23-27; Page 9, lines 1-6; Page 10, lines 10-21; 24-27; Page 11, lines 4-10;
23 16-20; 24; 26; 28; Page 12, lines 6-11; Page 13, lines 7-9; 12-15; 17-19; 21-22; Page 14, lines 19-
24 23; Page 15, lines 3-5; 7-9; 20-27; Page 17, lines 27-28; Page 18, lines 1-6; 12; 24-25; 27-28; Page
25 19, lines 5-11; 24-26; Page 20, lines 3-11; 13-20; 21-28; Page 21, lines 1-2; 4-9; 12-19; Page 22,
26 lines 1-3; 11-14; 25-28; Page 23, lines 1; 18-20; 23; Page 24, lines 1-4; 6-10; 19-21 discusses the
27 contents of Exhibits 3-15 to the McGrath Declaration; materials which are designated “HIGHLY
28 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Finjan and which cite to and quote from

1 various internal SonicWall documents that SonicWall considers confidential and proprietary.

2 I declare under penalty of perjury under the laws of California and the United States that the
3 foregoing is true and correct.

4 Executed on January 31, 2019, in San Francisco, California.

5
6 /s/ Patrick S. Salceda
Patrick S. Salceda

7 DM29580914.1

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28