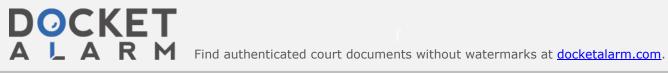
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13	SAN JOSE DIVISION					
14 15	FINJAN, INC., a Delaware Corporation,	Case No.: 5:1	7-cv-04467-BLF-VKD			
16	Plaintiff,	PLAINTIFF FINJAN, INC.'S OPPOSITION TO DEFENDANT SONICWALL, INC.'S				
17	v. MOTION TO STRIKE SECOND SUPPLEMENTAL INFRINGEMENT					
18	SONICWALL, INC., a Delaware Corporation,	CONTENTIO	ONS			
19	Defendant.	Date: Time:	October 29, 2019 10:00 a.m.			
20		Courtroom: Before:	Courtroom 2, 5 th Floor Mag. Virginia K. DeMarchi			
21 22						
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25	REDACTED VERSION OF DO	CUMENT SOU	GHT TO BE SEALED			
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I. INTRODUCTION

Defendant SonicWall, Inc.'s ("SonicWall") Motion to Strike should be denied because Plaintiff Finjan, Inc.'s ("Finjan") Second Supplemental Infringement Contentions (the "Second Supplement") provide a level of specificity and elaboration that directly follows the Court's May 1, 2019 Order and in fact goes beyond the requirements of the Patent Local Rules. Finjan specifically identified the "products, services, [and] components" that it contends infringe as required by the Court's Order, along with pinpoint citation to source code to the extent SonicWall has made the relevant source code available. Consistent with the Court's Order, Finjan also revised the formatting of the contentions to make clearer the accused theories and added explanation for the screenshots it included of SonicWall's public and internal documents. As the Order directed, Finjan also provided a single chart showing how the Gateway products infringe in combination with Capture ATP and a single chart showing how the Email Security products infringe with Capture ATP. Indeed, SonicWall does not dispute that Finjan complied with the Court's Order in these various respects. Thus, Finjan's supplement provides SonicWall with more than adequate notice of its infringement contentions.

Realizing it can no long dispute the sufficiency of Finjan's infringement contentions,

SonicWall now attempts in its Motion to fault Finjan for providing too much information. SonicWall
cannot have it both ways. Finjan simply provides in its Second Supplement the exact information that
SonicWall sought and the Court ordered, including identifying specific names for infringing
components and enumerating a finite set of specific contentions for the multiple ways that the accused
instrumentalities infringe. None of this supplemental information constitutes a new contention, since it
was all part of Finjan's prior contentions.

For instance, most of SonicWall's new complaints in its Motion concern Finjan's specific naming of SonicWall's sandboxes (i.e., CloudAV, GRID, and Capture ATP) in the Second Supplement's charts for the accused Gateway products (alone) and Email Security products (alone). Yet Finjan made this supplement in direct compliance with the Court's Order—first, separating the charts for Capture ATP (which is a standalone product/service) from the charts for the Gateway and Email Security products (which include the CloudAV and GRID sandboxes as components), and



second, specifically naming the CloudAV and GRID sandbox components in the charts for the Gateway and Email Security products. This is in no way an identification of a new infringement contention since Finjan had already identified these sandboxes as infringing in its prior infringement contentions.

For these reasons, as explained further below, SonicWall's Motion is baseless and should be denied.

II. FACTUAL BACKGROUND

A. Finjan's Second Supplemental Contentions Fully Comply With the Court's Order

On November 9, 2018, Finjan served its first supplemental infringement contentions (the "First Supplement") pursuant to agreement of the parties. SonicWall subsequently moved to compel additional detail and clarification regarding these contentions, which the Court granted in an Order dated May 1, 2019 (the "Order") (Dkt. No. 138). The Order set forth specific instructions for the supplemental information and clarification that Finjan was required to provide for its contentions.

On May 31, 2019, Finjan served second supplemental infringement contentions (the "Second Supplement") pursuant to the Order. Finjan carefully followed the Court's Order and updated its contentions to address every issue raised. In particular, Finjan split up the charts to specifically identify when the Gateway products were infringing by themselves (*see, e.g.*, Declaration of James Hannah ("Hannah Decl.") filed herewith, Ex. 1, Appendix A-1 (Second Supplement)), when the Gateway products were infringing in combination with Capture ATP service (*see, e.g., id.*, Ex. 2, Appendix A-2 (Second Supplement)), when Capture ATP service infringes by itself (*see, e.g., id.*, Ex. 3, Appendix A-3 (Second Supplement)), when the Email appliances were infringing in combination with Capture ATP service (*see, e.g., id.*, Ex. 4, Appendix A-4 (Second Supplement)), and when the Email appliances were infringing by themselves (*see, e.g., id.*, Ex. 5, Appendix A-5 (Second Supplement)). Finjan similarly provided charts for various other products (including Capture Client and the SMA products), but they are not at issue in SonicWall's motion. Finjan removed placeholder

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