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11 *Attorneys for Plaintiff*
FINJAN, INC.

12 **IN THE UNITED STATES DISTRICT COURT**
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14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15
SAN JOSE DIVISION

16 FINJAN, INC.,
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18 Plaintiff,
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20 v.
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22 SONICWALL, INC.,
23
24 Defendant.

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

**DECLARATION OF AARON FRANKEL IN
SUPPORT OF PLAINTIFF FINJAN, INC.’S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

[RE: PLAINTIFF FINJAN, INC.’S
DECLARATION OF AARON FRANKEL IN
SUPPORT OF SUBMISSION OF
DOCUMENTS FOR *IN CAMERA* REVIEW
RELATING TO APRIL 17, 2020 JOINT
DISCOVERY LETTER BRIEF]

1 I, Aaron Frankel, declare as follows:

2 1. I am an attorney with the law firm of Kramer Levin Naftalis & Frankel LLP (“Kramer
3 Levin”), counsel of record for Plaintiff Finjan, Inc. (“Finjan”). I have personal knowledge of the facts
4 set forth in this declaration and can testify competently to those facts. I make this declaration in
5 support of Finjan’s Administrative Motion to File Documents Under Seal pursuant to Civil Local
6 Rules 79-5(d) and 79-5(e).

7 2. I have reviewed the following documents and confirmed that they contain information
8 that Finjan or third party Cisco Systems, Inc. designated as confidential pursuant to the stipulated
9 protective order in this litigation. Finjan relies on Cisco’s confidentiality designation.

Identification of Documents or Portions of Document to be Sealed	Portions of Document to be Sealed	Designating Party	Reasons for Sealing
Exhibit 1 to the Declaration of Aaron Frankel in Support of Submission of Documents for <i>In Camera</i> Review Relating to April 17, 2020 Joint Discovery Letter Brief (“Declaration”) (Finjan’s Consolidated Privilege and Redaction Log for <i>In Camera</i> Review)	Entirety	Finjan	This document contains Finjan’s highly confidential information relating to privileged and work product protected discussions with its counsel.
Exhibit 2 to the Declaration (Finjan’s Investors’ Rights Agreement)	Entirety	Finjan	This document contains Finjan’s highly confidential business information relating to its relationship with its investors, from before Finjan was a public company.

Identification of Documents or Portions of Document to be Sealed	Portions of Document to be Sealed	Designating Party	Reasons for Sealing
Exhibit 3 to the Declaration (Deposition of Daniel Chinn)	Entirety	Finjan	This document contains Finjan's highly confidential business information relating to its Board operations and licensing efforts.
Exhibit 4 to the Declaration (Deposition of Yoav Samet)	Entirety	Finjan; Cisco Systems, Inc.	This document contains highly confidential information relating to the business relationship between Cisco Systems, Inc. and Finjan, and confidential internal Cisco correspondence. The deponent is a former employee of Cisco Systems, Inc.

3. Finjan requests leave to file the documents set forth above under seal because Finjan or Cisco Systems, Inc. designated certain information in them as “Highly Confidential – Attorneys’ Eyes Only.” Finjan relies on Cisco’s designation. With respect to Finjan’s information, Finjan maintains as highly confidential within its business Finjan’s business information, financial information, information regarding its interactions with counsel, and information about its licensing practices and Board operations. If such information were made public, it will negatively impact Finjan’s business practice, the bargaining positions of Finjan in future licensing negotiations with competitors and no public interest will be served by requiring this information to be disclosed publicly.

1 I declare under the penalty of perjury under the laws of the United States of America that each
2 of the above statements is true and correct. Executed on May 4, 2020, in Allendale, New Jersey.

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4 /s/ Aaron Frankel
5 Aaron Frankel
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