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FINJAN, INC.

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13 FINJAN, INC., a Delaware Corporation,  
14 Plaintiff,  
15 v.  
16 SONICWALL, INC., a Delaware Corporation,  
17 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 Demand for  
3 Jury Trial against SonicWall, Inc. (“Defendant” or “SonicWall”) and alleges as follows:

4 **THE PARTIES**

5 1. Finjan is a Delaware Corporation with its principal place of business at 2000 University  
6 Avenue, Suite 600 in E. Palo Alto, California 94303.

7 2. Defendant is a Delaware Corporation with its headquarters and principal place of  
8 business at 5455 Great American Parkway in Santa Clara, California 95054. Defendant may be served  
9 through its agent for service of process, CSC, at 2710 Gateway Oaks Dr. Ste. 150N in Sacramento,  
10 California 95833.

11 **JURISDICTION AND VENUE**

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

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

15 5. This Court has personal jurisdiction over Defendant. Upon information and belief,  
16 Defendant is headquartered and has its principal place of business in this District (Santa Clara,  
17 California). Defendant also regularly and continuously does business in this District and has infringed  
18 or induced infringement, and continues to do so, in this District. In addition, the Court has personal  
19 jurisdiction over Defendant because minimum contacts have been established with the forum and the  
20 exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

21 **INTRADISTRICT ASSIGNMENT**

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

24 **FINJAN’S INNOVATIONS**

25 7. Finjan was founded in 1997 as a wholly-owned subsidiary of Finjan Software Ltd., an  
26 Israeli corporation. In 1998, Finjan moved its headquarters to San Jose, California. Finjan was a  
27 pioneer in developing proactive security technologies capable of detecting previously unknown and  
28

1 emerging online security threats, recognized today under the umbrella term “malware.” These  
2 technologies protect networks and endpoints by identifying suspicious patterns and behaviors of  
3 content delivered over the Internet. Finjan has been awarded, and continues to prosecute, numerous  
4 patents covering innovations in the United States and around the world resulting directly from Finjan’s  
5 more than decades-long research and development efforts, supported by a dozen inventors and over  
6 \$65 million in R&D investments.

7 8. Finjan built and sold software, including application program interfaces (APIs) and  
8 appliances for network security, using these patented technologies. These products and related  
9 customers continue to be supported by Finjan’s licensing partners. At its height, Finjan employed  
10 nearly 150 employees around the world building and selling security products and operating the  
11 Malicious Code Research Center, through which it frequently published research regarding network  
12 security and current threats on the Internet. Finjan’s pioneering approach to online security drew  
13 equity investments from two major software and technology companies, the first in 2005 followed by  
14 the second in 2006. Finjan generated millions of dollars in product sales and related services and  
15 support revenues through 2009, when it spun off certain hardware and technology assets in a merger.  
16 Pursuant to this merger, Finjan was bound to a non-compete and confidentiality agreement, under  
17 which it could not make or sell a competing product or disclose the existence of the non-compete  
18 clause. Finjan became a publicly traded company in June 2013, capitalized with \$30 million. After  
19 Finjan’s obligations under the non-compete and confidentiality agreement expired in March 2015,  
20 Finjan re-entered the development and production sector of secure mobile products for the consumer  
21 market.

#### 22 **FINJAN’S ASSERTED PATENTS**

23 9. On November 28, 2000, U.S. Patent No. 6,154,844 (“the ‘844 Patent”), titled SYSTEM  
24 AND METHOD FOR ATTACHING A DOWNLOADABLE SECURITY PROFILE TO A  
25 DOWNLOADABLE, was issued to Shlomo Touboul and Nachshon Gal. A true and correct copy of  
26 the ‘844 Patent is attached to this Complaint as Exhibit 1 and is incorporated by reference herein.

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

3 11. The ‘844 Patent is generally directed towards computer networks, and more  
4 particularly, provides a system that protects devices connected to the Internet from undesirable  
5 operations from web-based content. One of the ways this is accomplished is by linking a security  
6 profile to such web-based content to facilitate the protection of computers and networks from  
7 malicious web-based content.

8 12. On June 6, 2006, U.S. Patent No. 7,058,822 (“the ‘822 Patent”), titled MALICIOUS  
9 MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued to Yigal  
10 Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct  
11 copy of the ‘822 Patent is attached to this Complaint as Exhibit 2 and is incorporated by reference  
12 herein.

13 13. All rights, title, and interest in the ‘822 Patent have been assigned to Finjan, who is the  
14 sole owner of the ‘822 Patent. Finjan has been the sole owner of the ‘822 Patent since its issuance.

15 14. The ‘822 Patent is generally directed towards computer networks and more particularly  
16 provides a system that protects devices connected to the Internet from undesirable operations from  
17 web-based content. One of the ways this is accomplished is by determining whether any part of such  
18 web-based content can be executed and then trapping such content and neutralizing possible harmful  
19 effects using mobile protection code. Additionally, the system provides a way to analyze such web-  
20 content to determine whether it can be executed.

21 15. On October 12, 2004, U.S. Patent No. 6,804,780 (“the ‘780 Patent”), titled SYSTEM  
22 AND METHOD FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE  
23 DOWNLOADABLES, was issued to Shlomo Touboul. A true and correct copy of the ‘780 Patent is  
24 attached to this Complaint as Exhibit 3 and is incorporated by reference herein.

25 16. All rights, title, and interest in the ‘780 Patent have been assigned to Finjan, who is the  
26 sole owner of the ‘780 Patent. Finjan has been the sole owner of the ‘780 Patent since its issuance.

1 17. The '780 Patent is generally directed towards methods and systems for generating a  
2 Downloadable ID. By generating an identification for each examined Downloadable, the system may  
3 allow for the Downloadable to be recognized without reevaluation. Such recognition increases  
4 efficiency while also saving valuable resources, such as memory and computing power.

5 18. On November 3, 2009, U.S. Patent No. 7,613,926 ("the '926 Patent"), titled METHOD  
6 AND SYSTEM FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE  
7 DOWNLOADABLES, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll,  
8 and Shlomo Touboul. A true and correct copy of the '926 Patent is attached to this Complaint as  
9 Exhibit 4 and is incorporated by reference herein.

10 19. All rights, title, and interest in the '926 Patent have been assigned to Finjan, who is the  
11 sole owner of the '926 Patent. Finjan has been the sole owner of the '926 Patent since its issuance.

12 20. The '926 Patent is generally directed towards methods and systems for protecting a  
13 computer and a network from hostile downloadables. One of the ways this is accomplished is by  
14 performing hashing on a downloadable in order to generate a downloadable ID, retrieving security  
15 profile data, and transmitting an appended downloadable or transmitting the downloadable with a  
16 representation of the downloadable security profile data.

17 21. On January 12, 2010, U.S. Patent No. 7,647,633 ("the '633 Patent"), titled  
18 MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued  
19 to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and  
20 correct copy of the '633 Patent is attached to this Complaint as Exhibit 5 and is incorporated by  
21 reference herein.

22 22. All rights, title, and interest in the '633 Patent have been assigned to Finjan, who is the  
23 sole owner of the '633 Patent. Finjan has been the sole owner of the '633 Patent since its issuance.

24 23. The '633 Patent is generally directed towards computer networks and, more  
25 particularly, provides a system that protects devices connected to the Internet from undesirable  
26 operations from web-based content. One of the ways this is accomplished is by determining whether  
27  
28

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