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12 Attorneys for Plaintiff
13 FINJAN LLC

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 (SAN JOSE DIVISION)

18 FINJAN LLC, a Delaware Limited Liability
19 Company,
20 Plaintiff,
21 v.
22 SONICWALL INC., a Delaware Corporation,
23 Defendant.

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

**DECLARATION OF K. NICOLE
WILLIAMS IN SUPPORT OF
DEFENDANT SONICWALL INC.'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL
(ECF NO. 319)**

Date: January 14, 2021
Time: 9:00 AM
Judge: Hon. Beth Labson Freeman
Dept: Courtroom 3, Fifth Floor

1 I, K. Nicole Williams, hereby declare and state as follows:

2 1. I am licensed to practice in the State of California and am an associate in the law
3 firm of Fish & Richardson P.C., counsel of record for Plaintiff Finjan LLC (“Finjan”) in the above-
4 captioned matter. I have personal knowledge of all the facts contained herein and, if called as a
5 witness, I could and would testify competently thereto.

6 2. I submit this declaration in support of SonicWall’s Administration Motion to File
7 Under Seal its Motion for Partial Summary Judgment (ECF No. 319), pursuant to Civil Local Rules
8 79-5(d)-(e) and this Court’s Standing Order. The basis for asserting confidentiality and the grounds
9 for filing the documents under seal are as follows:
10

11 ECF or 12 Exh. No.	Document	Portion(s) to Seal	Reason(s) for Sealing
13 Ex. 28 to 14 Gunther 15 Declaration; 16 ECF No. 17 319-24	July 31, 2020 Plaintiff Finjan Inc.’s Third Supplemental Objections and Responses to Defendant SonicWall Inc.’s First Set of Interrogatories (No 6)	Entirety	This document reflects information and testimony regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. <i>See</i> Declaration of K. Nicole Williams in Support of SonicWall’s Administrative Motion to File Under Seal (“Williams Decl.”) ¶ 3.
18 Ex. 29 to 19 Gunther 20 Declaration; 21 ECF No. 22 319-25	Excerpts from February 26, 2020 Deposition Transcript of John Garland	Entirety	This document reflects testimony regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES

			ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. <i>See</i> Williams Decl. ¶ 4.
Ex. 30 to Gunther Declaration; ECF No. 319-26	June 10-11, 2014 Email bearing BATES numbers Finjan-SW 047868 – Finjan-SW 047869	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. <i>See</i> Williams Decl. ¶ 5.
Ex. 31 to Gunther Declaration ECF No. 319-27	November 25, 2014 Finjan Presentation bearing BATES numbers Finjan-SW 047884 – Finjan-SW 047924	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. <i>See</i> Williams Decl. ¶ 6.
Ex. 32 to Gunther Declaration ECF No. 319-28	September 17, 2014 Email and Attachments bearing BATES numbers FINJAN-SW 047936 – FINJAN-SW 047946	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would

			cause harm to Finjan. See Williams Decl. ¶ 7.
Ex. 33 to Gunther Declaration ECF No. 319-29	October 12, 2016 Finjan Presentation bearing BATES numbers FINJAN-SW 047979 – FINJAN-SW 048008	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. See Williams Decl. ¶ 8.
Ex. 34 to Gunther Declaration ECF No. 319-30	March 28, 2017 Email and Attachments bearing BATES numbers SonicWall-Finjan_01044804 – SonicWall-Finjan_01044812	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. See Williams Decl. ¶ 9.
Ex. 36 to Gunther Declaration ECF No. 319-31	July 8, 2014 Email and Attachment bearing BATES numbers FINJAN-SW 047947 – FINJAN-SW 047952	Entirety	This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. See Williams Decl. ¶ 10.
Ex. 37 to Gunther Declaration	November 21, 2016 Email bearing BATES numbers FINJAN-SW	Entirety	This document reflects information regarding Finjan’s business practices

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	ECF No. 319-32	047959 – FINJAN- SW 047962	and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. See Williams Decl. ¶ 11.
	Ex. 38 to Gunther Declaration ECF No. 319-33	June 8, 2017 Finjan Presentation bearing BATES numbers FINJAN-SW 146162 – FINJAN-SW 146192	Entirety This document reflects information regarding Finjan’s business practices and licensing negotiations, which Finjan has designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” under the Protective Order (ECF No. 68). Public disclosure of this information would cause harm to Finjan. See Williams Decl. ¶ 12.

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3. I have reviewed Exhibit 28 to the Declaration of Jarrad M. Gunther in Support of Defendant SonicWall Inc.’s Motion for Partial Summary Judgment (“Gunther Declaration”). (ECF No. 319-24.) Exhibit 28 to the Gunther Declaration reflects information and testimony regarding Finjan’s business practices and licensing negotiations, which Finjan designated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” subject to the Protective Order. Finjan treats this confidential business and licensing information as highly confidential within its business and makes substantial efforts not to disclose such information to the public. Such information could be used by Finjan’s competitors, as it reveals information related to Finjan’s business practices and dealings. Accordingly, good cause and compelling reasons exist to seal Ex. 28 to the Gunther Declaration.

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