

DUANE MORRIS LLP
D. Stuart Bartow (CA SBN 233107)
dsbartow@duanemorris.com
Nicole E. Grigg (CA SBN 307733)
negrigg@duanemorris.com
2475 Hanover Street
Palo Alto, CA 94304-1194
Telephone: 650.847.4150
Facsimile: 650.847.4151

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 287789)
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 NE, Suite 2000
Atlanta, GA 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, LLC, a Delaware Limited Liability
Company,

Plaintiff,

v.

SONICWALL INC., a Delaware Corporation,

Defendant.

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

**SONICWALL'S SUBMISSION
REGARDING THE '926 PATENT'S
"TRANSMITTER LIMITATION"**

1 During the January 14, 2021 hearing on SonicWall, Inc.’s Motion for Partial Summary
 2 Judgment, the Court permitted SonicWall to submit a chart identifying, for each of Finjan’s five
 3 theories regarding the ’926 Patent’s “Transmitter Limitation,”¹ a single aspect of that Limitation for
 4 which Finjan has failed to come forward with any evidence. SonicWall thus submits the following
 5 chart:

	MISSING CLAIM ELEMENT
<p data-bbox="250 590 571 625"><u>FINJAN’S THEORY 1</u></p> <p data-bbox="250 653 545 814">GRID Server/Human Threat Research Team (TRT) as “Destination Computer” based on retrieval of the file</p> <p data-bbox="250 877 545 940">[Mitzenmacher Rep., ¶ 282]</p>	<p data-bbox="591 590 1422 653">“transmitting . . . a representation of the retrieved Downloadable security profile data”</p>
<p data-bbox="250 974 571 1010"><u>FINJAN’S THEORY 2</u></p> <p data-bbox="250 1037 558 1199">Sandbox Database as “destination computer”, based on “transmission by reference” via “a hash pointer”</p> <p data-bbox="250 1226 558 1289">[Mitzenmacher Rep., ¶¶ 283-285]</p>	<p data-bbox="591 974 1019 1010">“transport protocol transmission”</p>
<p data-bbox="250 1331 571 1367"><u>FINJAN’S THEORY 3</u></p> <p data-bbox="250 1394 558 1549">Known File Database as “destination computer” based on “transmission by reference” via “a hash pointer”</p> <p data-bbox="250 1549 545 1612">[Mitzenmacher Rep., ¶ 286]</p>	<p data-bbox="591 1331 1019 1367">“transport protocol transmission”</p>

24 _____

25 ¹ The Transmitter Limitation of the asserted claims of the ’926 Patent recites “a transmitter coupled
 26 with said receiver, for transmitting the incoming Downloadable and a representation of the retrieved
 27 Downloadable security profile data to a destination computer, via a transport protocol transmission.”
 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<p><u>FINJAN’S THEORY 4</u></p> <p>Cloud Database as “destination computer” based on data uploaded to the cloud database</p> <p>[Mitzenmacher Rep., ¶ 287]</p>	<p>“transport protocol transmission”</p>
<p><u>FINJAN’S THEORY 5</u></p> <p>Capture Database as “destination computer” based on data stored in Capture Database</p> <p>[Mitzenmacher Rep., ¶ 285]</p>	<p>“transport protocol transmission”</p>

Dated: January 19, 2021

DUANE MORRIS LLP

/s/ Nicole E. Grigg _____
 Nicole E. Grigg
 D. Stuart Bartow
 Matthew C. Gaudet (admitted *pro hac vice*)
 Robin McGrath (admitted *pro hac vice*)
 David C. Dotson (admitted *pro hac vice*)
 Jennifer H. Forte (admitted *pro hac vice*)
 Joseph A. Powers (admitted *pro hac vice*)
 Jarrad M. Gunther (admitted *pro hac vice*)

Attorneys for Defendant
 SONICWALL INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on January 19, 2021, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Nicole E. Grigg

Nicole E. Grigg

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28