## 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)

[PROPOSED] ORDER GRANTING FINJAN LLC'S OMNIBUS ADMINISTRATIVE MOTION TO FILE UNDER SEAL



ECF or

Document

Plaintiff Finjan LLC's Omnibus Administrative Motion to File Under Seal portions of Finjan LLC's Motion to Preclude Trial Testimony from Stephen Becker, Ph.D and portions of Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description was brought before this Court. Upon consideration of this motion and the supporting declaration of K. Nicole Williams filed in support of the motion, the Court finds that good cause and compelling reasons exist for sealing certain documents.

Good cause and compelling reasons having been shown, the Court finds that there exist overriding confidentiality interests that overcome the right of public access to the record for the subject documents as follows:

Portion(s) to Seal

Reason(s) for Sealing

Exh. No.			
EXII. NO. ECF 348	Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description	Highlighted portions at page 2, lines 21-22; page 3, lines 16-19, 21-22; page 4, line 8	The highlighted portions of this document reflect information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order (ECF No. 68), and from which confidential information regarding SonicWall's accused products could potentially be discerned.
Exh. A (ECF 348-2)	Excerpts from the Expert Report of Dr. Avi Rubin Regarding Invalidity of U.S. Patent No. 8,225,408, U.S. Patent No. 7,975,305, U.S. Patent No. 7,613,926 and U.S. Patent No. 6,965,968 dated September 4, 2020	Entirety	This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order.
Exh. B (ECF 348-3)	Excerpts from the Expert Report of Dr. Kevin Almeroth on Invalidity of U.S.	Entirety	This document was designated by SonicWall as "Highly Confidential – Attorneys' Eyes Only"

1		Patent Nos. 6,154,844		pursuant to the Stipulated
_		and 8,141,154 dated		Protective Order.
2		September 4, 2020		
3	Exh. C	Excerpts from the	Entirety	This document was
	(ECF	Expert Report of Dr.		designated by SonicWall as
4	348-4)	Patrick McDaniel		"Highly Confidential –
5		Regarding the		Attorneys' Eyes Only"
<sup>3</sup>		Invalidity of the '494 and '780 Patents dated		pursuant to the Stipulated Protective Order.
6		September 4, 2020		Protective Order.
_	Exh. D	Excerpt from the	Entirety	This deposition transcript
7	(ECF	Deposition Transcript	Littlety	was designated by
$_{8}\parallel$	348-5)	of Avi Rubin, Ph.D.		SonicWall as "Highly
°		taken October 29, 2020		Confidential" pursuant to
9				the Stipulated Protective
10				Order.
10	Exh. F	Excerpt from the	Entirety	This deposition transcript
11	(ECF	Deposition Transcript		was designated by
	348-7)	of Patrick McDaniel,		SonicWall as "Highly
12		Ph.D. taken October		Confidential – Attorneys'
13		23, 2020		Eyes Only" pursuant to the
	ECE 250	Einian II C'a Matian	TI'-1-1'-1-4- d4'	Stipulated Protective Order.
14	ECF 350	Finjan LLC's Motion to Preclude Trial	Highlighted portions	The highlighted portions of this document reflect
1.		Testimony from	at page 3, lines 21-24; page 4, lines 9-11	information SonicWall has
15		Stephen Becker, Ph.D.	page 4, mes y-11	designated "Highly
16		Stephen Becker, Th.B.		Confidential – Attorneys'
				Eyes Only" pursuant to the
17				Stipulated Protective Order,
18				and from which confidential
				information regarding
19				SonicWall's accused
20				products could potentially
20	F 1 A	F ( C (1	F 4' 4	be discerned.
21	Exh. A (ECF	Excerpts from the	Entirety	This document was
	350-2)	Expert Report of Stephen L. Becker,		designated by SonicWall as "Confidential – Outside
22	330-2)	Ph.D. on Behalf of		Counsel Only" pursuant to
23		Defendant dated		the Stipulated Protective
-5		October 9, 2020		Order. Confidential
24		, -		information regarding
25				SonicWall's accused
25				products could potentially
26				be discerned from this
				document.
27	Exh. B	Excerpts from the	Entirety	This document was
28	(ECF	Errata to Expert Report		designated by SonicWall as
-0 II	350-3)	of Stephen L. Becker.	I	"Confidential – Outside



1		Ph.D. on Behalf of		Counsel Only" pursuant to
$_{2}\parallel$		Defendant dated		the Stipulated Protective
2		October 28, 2020		Order. Confidential
3				information regarding SonicWall's accused
_ ,				
4				products could potentially be discerned from this
5				document.
	Exh. C	Excerpts from the	Entirety	This deposition transcript
6	(ECF	Deposition Transcript		was designated by
7	350-4)	of Stephen Becker,		SonicWall as "Confidential
′		Ph.D. taken October		<ul><li>Outside Counsel Eyes</li></ul>
8		29, 2020		Only" pursuant to the
				Stipulated Protective Order,
9				and from which confidential
10				information regarding SonicWall's accused
				products could potentially
11				be discerned.
12	Exh. D	Excerpts from the	Entirety	This document reflects
	(ECF	Expert Report of		information SonicWall has
13	350-5)	DeForest McDuff,		designated "Highly
14		Ph.D. dated September		Confidential – Attorneys'
1		4, 2020		Eyes Only" pursuant to the
15				Stipulated Protective Order,
16				and from which confidential information regarding
10				SonicWall's accused
17				products could potentially
18				be discerned.
18	Exh. E	Plaintiff Finjan, Inc.'s	Entirety	This document reflects
19	(ECF	Third Supplemental		information regarding
20	350-6)	Objections and		Finjan's internal business
20		Responses to		practices and licensing
21		Defendant SonicWall, Inc.'s First Set of		negotiations, which Finjan has designated "HIGHLY
		Interrogatories (No. 6)		CONFIDENTIAL –
22		dated July 31, 2020		ATTORNEYS' EYES
23		•		ONLY" under the Protective
				Order (ECF No. 68). Public
24				disclosure of this
25				information would cause
				harm to Finjan. <i>See</i> Declaration of K. Nicole
26				Williams in Support of
27				SonicWall's Administrative
				Motion to File Under Seal
28				("Williams Decl.") ¶ 7.



1				This document also reflects information SonicWall has	
2				designated "Highly	
3				Confidential – Attorneys' Eyes Only" pursuant to the	
4				Stipulated Protective Order,	
5				and from which confidential information regarding	
6				SonicWall's accused	
7				products could potentially be discerned.	
	Exh. F (ECF	Excerpts from the Supplement to Expert	Entirety	This document was designated by SonicWall as	
8	350-7)	Report of Stephen L.		"Confidential – Outside	
9		Becker on Behalf of Defendant dated		Counsel Only" pursuant to the Stipulated Protective	
10		December 22, 2020		Order. Confidential	
11				information regarding SonicWall's accused	
12				products could potentially be discerned from this	
13				document.	
14					
15	The C	Court also finds that a substa	antial probability exists tha	at the overriding confidentiality	
16	interests will be prejudiced absent sealing, the sealing is narrowly tailored, and no less restrictive				
17	means exist to achieve these overriding interests.				
18	IT IS THEREFORE ORDERED that Finjan's Omnibus Administrative Motion to File				
19	Under Seal be, and hereby is, GRANTED with respect to the documents as set forth above.				
20					
21	Dated:	By	7: Hon. Beth Labson Fro	eeman	
22			U.S. District Judge		
23					
24					
25					
26					
27					
28					

