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10 Attorneys for Plaintiff
11 FINJAN, INC.

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 FINJAN, INC., a Delaware Corporation,
16
17 Plaintiff,
18 v.
19 SYMANTEC CORP., a Delaware Corporation,
20 Defendant.

Case No.: 14-cv-02998-HSG
**HIGHLY CONFIDENTIAL –
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**PLAINTIFF FINJAN, INC.’S
OBJECTIONS AND RESPONSES TO
DEFENDANT SYMANTEC CORP.’S
SECOND SET OF INTERROGATORIES
(NOS. 12-16)**



1 Pursuant to Fed. R. Civ. P. 26 and 33, Plaintiff Finjan, Inc. (“Finjan”) responds to Defendant
2 Symantec Corporation (“Symantec” or “Defendant”)’s Second Set of Interrogatories
3 (“Interrogatories”). Finjan makes these objections and responses herein (collectively “Responses”)
4 based solely on its current knowledge, understanding, and belief as to the facts and information
5 reasonably available to it as of the date of the Responses.

6 Additional discovery and investigation may lead to additions to, changes in, or modifications of
7 these Responses. The Responses, therefore, are given without prejudice to Finjan’s right to
8 supplement these Responses pursuant to Fed. R. Civ. P. 26(e), or to provide subsequently discovered
9 information and to introduce such subsequently discovered information at the time of any trial or
10 proceeding in this action.

11 **GENERAL OBJECTIONS**

12
13 1. Finjan hereby incorporates by reference each and every general objection set forth
14 below into each and every specific Response. From time to time, a specific Response may repeat a
15 general objection for emphasis or for some other reason. The failure to include a general objection in a
16 specific Response shall not be interpreted as a waiver of that general objection to that Response.

17
18 2. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
19 that they are vague, ambiguous, unintelligible, or compound.

20
21 3. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
22 that they are overly broad and seek information not relevant to the claim or defense of any party.

23
24 4. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
25 that they are not reasonably calculated to lead to the discovery of admissible information.

26
27 5. Finjan objects to each and every Interrogatory, Definition and Instruction to the extent
28 they seek information that is not relevant to the issues in the litigation

1 6. Finjan objects to each and every Interrogatory, Definition and Instruction to the extent
2 they are not reasonably calculated to lead to the discovery of admissible evidence because they are not
3 properly limited in time.

4 7. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
5 that they are unduly burdensome and oppressive, to the extent they subject Finjan to unreasonable and
6 undue effort or expense.

7 8. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
8 that they seek information beyond Finjan's actual knowledge, custody, or control.

9 9. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
10 they are unreasonably cumulative or duplicative.

11 10. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
12 they seek information that is obtainable from some other source that is more convenient, less
13 burdensome, or less expensive.

14 11. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
15 that they seek information within Defendant's possession, custody or control.

16 12. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
17 they seek information in the public domain, information equally available to Symantec from another
18 source and/or information that can be obtained more efficiently by Symantec through other means of
19 discovery. Defendant can ascertain such information from its own records or from other sources at
20 least as readily as Finjan.

21 13. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
22 that they seek confidential, business, financial, proprietary or sensitive information, or trade secrets of
23 third parties, which may be subject to pre-existing protective order(s) and/or confidentiality
24

1 agreements or in which any third party has an expectation of privacy. Such information shall not be
2 provided absent an express order to the contrary from a court of competent jurisdiction, or an
3 authorization from the third party having the interest in the information's confidentiality.

4 14. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
5 they seek information protected by the attorney-client privilege, the work product doctrine, or any
6 other applicable law, privilege, doctrine or immunity. Finjan will not disclose any information so
7 protected, and the inadvertent disclosure or identification of any such information is not intended as,
8 and will not constitute, a waiver of such privilege, doctrine, or immunity.

9
10 15. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
11 they call for a legal conclusion. Finjan's responses shall not be construed as providing legal
12 conclusions concerning the meaning or application of any terms used in Defendant's Interrogatories.

13 16. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
14 that they are premature, as they seek documents that are set to be disclosed on scheduled dates directed
15 by the Court or the Northern District of California Patent Local Rules.

16
17 17. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
18 that they are premature as the Court has not yet construed the claim terms of the Patents-in-Suit.

19 18. Finjan objects to each and every Interrogatory, Definition, and Instruction as premature
20 to the extent they seek information that will be the subject of expert testimony.

21 19. Finjan objects to each and every Interrogatory, Definition, and Instruction to the extent
22 that they impose obligations inconsistent with the agreed upon portions of the Joint Case Management
23 Statement filed on October 13, 2014 at Dkt. No. 46.
24

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