

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

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

12 **GENERAL OBJECTIONS**

13 1. Finjan incorporates by reference its general objections set forth in its Responses to
14 Symantec’s First Set of Interrogatories, dated December 4, 2014.

15 **OBJECTIONS TO DEFINITIONS**

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17 1. Finjan incorporates by reference its objections to Definitions set forth in its Responses
18 to Symantec’s First Set of Interrogatories, dated December 4, 2014.

19 **INTERROGATORY RESPONSES**

20 Subject to and without waiving its general objections and objections to Definitions set forth
21 above, each of which is specifically incorporated into the specific Responses contained below, Finjan
22 hereby responds to Symantec’s Interrogatories as follows:

23 **INTERROGATORY NO. 1:**

24
25 State the date and location of the first conception and reduction to practice, whether actual or
26 constructive, of each asserted claim of the Asserted Patents and identify all factual and legal support
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1 therefor, including all evidence relating to diligence between the date of conception and reduction to
2 practice and description of each person's role and participation in the conception and reduction to
3 practice; all persons having knowledge of such conception, diligence, and reduction to practice; all
4 documents supporting your response (identified by the Bates numbers and including sufficient detail to
5 verify the date, source, and all recipients of the information); and if this information was
6 communicated in an oral or other unrecorded form, provide a complete statement of the
7 communication, the date and time of the communication, and identify all witnesses of this
8 communication.
9

10 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:**

11 Finjan incorporates by reference its prior served objections and response to this Interrogatory.
12 Subject to and without waiving the incorporated general and specific objections, Finjan responds as
13 follows:

14 The date of conception for the asserted claims of U.S. Patent No. 6,154,844 ("the '844 Patent")
15 is November 8, 1996 when Provisional Application No. 60/030,639 was filed. The date of reduction to
16 practice for the asserted claims of the '844 Patent is November 8, 1996. Shlomo Touboul and
17 Nachshon Gal were involved with, and may have knowledge related to, the conception and reduction
18 to practice of the '844 Patent. Relevant documents are: FINJAN-SYM 065928-60, FINJAN-SYM
19 000001-227.
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21 The date of conception for the asserted claims of U.S. Patent No. 7,613,926 ("the '926 Patent")
22 is November 8, 1996. The date of reduction to practice of the asserted claims of the '926 Patent is
23 November 6, 1997. Yigal Edery, Nimrod Vered, David Kroll, and Shlomo Touboul were involved
24 with, and may have knowledge related to the conception, diligence, and reduction to practice of the
25 '926 Patent. Mr. Edery, Mr. Vered, Mr. Kroll, and Mr. Touboul were reasonably diligent in reducing
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1 the inventions of the asserted claims to practice between the date of conception and reduction to
2 practice. The prosecuting attorney was reasonably diligent from the time of conception in working to
3 prepare U.S. Patent Application No. 08/964,388. Relevant documents are: FINJAN-SYM 065928-60,
4 FINJAN-SYM 000228-541, FINJAN-SYM 068465-702.

5 The date of conception for the asserted claims of U.S. Patent No. 7,757,289 (“the ‘289 Patent”)
6 is December 12, 2005. The date of reduction to practice of the asserted claims of the ‘289 Patent is
7 December 12, 2005. David Gruzman and Yuval Ben-Itzhak were involved with, and may have
8 knowledge related to the conception and reduction to practice of the ‘289 Patent. Relevant documents
9 are: FINJAN-SYM 000696-981.

11 The date of conception for the asserted claims of U.S. Patent No. 8,141,154 (“the ‘154 Patent”)
12 is December 12, 2005. The date of reduction to practice of the asserted claims of the ‘154 Patent is
13 December 12, 2005. David Gruzman and Yuval Ben-Itzhak were involved with, and may have
14 knowledge related to the conception and reduction to practice of the ‘154 Patent. Relevant documents
15 are: FINJAN-SYM 001797-2076; FINJAN-SYM 000696-981.

17 The date of conception for the asserted claims of U.S. Patent No. 8,667,494 (“the ‘494 Patent”)
18 is November 8, 1996. The date of reduction to practice of the asserted claims of the ‘494 Patent is
19 November 8, 1996. Yigal Edery, Nimrod Vered, David Kroll, and Shlomo Touboul were involved
20 with, and may have knowledge related to the conception and reduction to practice of the ‘494 Patent.
21 Relevant documents are: FINJAN-SYM 065928-60, FINJAN-SYM 002077-3051.

23 The date of conception for the asserted claims of U.S. Patent No. 7,930,299 (“the ‘299 Patent”)
24 is no later than November 30, 2005. The date of reduction to practice of the asserted claims of the
25 ‘299 Patent is no later than November 30, 2005. Yuval Ben-Itzhak and Limor Elbaz were involved
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1 with, and may have knowledge related to the conception and reduction to practice of the '299 Patent.
2 Relevant documents are: FINJAN-SYM 000982-1336; FINJAN-SYM 073484-96.

3 The date of conception for the asserted claims of U.S. Patent No. 7,756,996 ("the '996 Patent")
4 is no later than January 30, 2004. The date of reduction to practice of the asserted claims of the '996
5 Patent is no later than January 30, 2004. Shlomo Touboul was involved with, and may have
6 knowledge related to the conception and reduction to practice of the asserted claims of the '996 Patent.
7 Relevant documents are: FINJAN-SYM 000542-695.

8 The date of conception for the asserted claims of U.S. Patent No. 8,015,182 ("the 182 Patent")
9 is no later than November 30, 2005. The date of reduction to practice of the asserted claims of the
10 '182 Patent is no later than November 30, 2005. Yuval Ben-Itzhak and Limor Elbaz were involved
11 with, and may have knowledge related to the conception and reduction to practice of the asserted
12 claims of the '182 Patent. Relevant documents are: FINJAN-SYM 001337-1796, FINJAN-SYM
13 073484-96.

14 Finjan's investigation of this matter is ongoing and it will comply with Fed. R. Civ. P. 26(e)
15 should additional information become known to it.

16 **INTERROGATORY NO. 5:**

17 Describe the complete legal and factual basis for Finjan's allegation that it is entitled to a
18 preliminary and/or permanent injunction against Symantec under 35 U.S.C. § 282, as set forth in
19 Finjan's Amended Complaint, including the complete legal and factual basis for Finjan's position that
20 (1) Symantec's alleged infringement is causing Finjan irreparable harm, (2) money damages would be
21 inadequate to compensate Finjan for the alleged infringement, (3) the balance of hardships tips in
22 Finjan's favor, and (4) the public interest favors the entry of an injunction against Symantec, and
23 identify all documents and evidence that support your response.
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1 this Interrogatory to the extent it seeks expert testimony to be disclosed at a future date to be scheduled
2 by the Court. Finjan objects to this Interrogatory to the extent it its premature and discovery is
3 ongoing. Finjan objects to this Interrogatory to the extent it seeks information within Symantec's
4 possession, custody, or control.

5 Finjan incorporates by reference its response to Interrogatory Nos. 7 and 8. Finjan's
6 investigation of this matter is ongoing and it will comply with Fed. R. Civ. P. 26(e) should additional
7 information become known to it.
8

9 Respectfully submitted,

10
11 DATED: April 13, 2015

By: /s/ James Hannah

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