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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FINJAN, INC.,  
Plaintiff,  
v.  
ZSCALER, INC.,  
Defendant.

Case No. 17-cv-06946-JST

**ORDER TO SHOW CAUSE**

As shown in the attached table as Exhibit A, Plaintiff Finjan, Inc. has several active cases in this district. The cases assert overlapping claims within the same group of patents. The unmanaged simultaneous litigation of these cases presents the risk of redundant proceedings, inconsistent outcomes, and the inefficient use of judicial and litigant resources.

Accordingly, the parties, and each of them, are now ORDERED TO SHOW CAUSE why this case should not be stayed pending the resolution of the other cases construing identical claims from United States Patent Nos. 7,647,633; 7,975,305; and 8,677,494, as set forth on the attached table.

A written response to this order is due December 21, 2018. The court will hold a hearing on this order to show cause on January 2, 2019 at 2:00 p.m.

**IT IS SO ORDERED.**

Dated: December 11, 2018

  
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JON S. TIGAR  
United States District Judge

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# EXHIBIT A

1 The chart below identifies the Finjan Actions pending in this District in which Finjan is  
 2 asserting claims at issue in this action and the overlapping claims in each case.

Finjan Patent	Claims Currently Asserted Against Fortinet	Claims Currently Asserted in Other Pending N.D. Cal. Cases
'844 Patent	Claims 1-44	<b>Cisco Action</b> Claims 1, 7, 15, and 43
		<b>Sonicwall Action</b> Claims 1, 7, 15, 16, 41, and 43
		<b>Juniper Action</b> Claims 1, 15, and 41
		<b>Check Point Action</b> Claims 1, 15, 41, and 42
		<b>Qualys Action</b> Claims 1-44
'968 Patent	Claims 1-38	<b>PAN Action</b> Claims 1-38
		<b>Sonicwall Action</b> Claims 1, 7, and 11
		<b>Check Point Action</b> Claims 1, 9, 10, and 33
		<b>Qualys Action</b> Claims 1-38
'822 Patent	Claims 1-35	<b>PAN Action</b> Claims 1-35
		<b>Sonicwall Action</b> Claims 1, 2, 4, 5, 9, and 10

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<b>'731 Patent</b>	Claims 1-22	<b>PAN Action</b> Claims 1-22
		<b>Juniper Action</b> Claims 1 and 17
		<b>Check Point Action</b> Claims 1, 2, 14, 16, and 17
		<b>Qualys Action</b> Claims 1-22
<b>'633 Patent</b>	Claims 1-41	<b>Cisco Action</b> Claims 1, 8, 13, and 14
		<b>PAN Action</b> Claims 1-41
		<b>Zscaler Action</b> Claims 1-4, 8-11, 14, and 19
		<b>Soniewall Action</b> Claims 1, 8, 9, 14
		<b>Juniper Action</b> Claims 1, 8, 14, and 19
		<b>Check Point Action</b> Claims 8, 9, 14, 20, and 34
<b>'305 Patent</b>	Claims 3-4, 6-12, and 14-25	<b>Zscaler Action</b> Claims 1, 2, 5-9, and 11-13
		<b>Soniewall Action</b> Claims 6, 11, 12, and 13
		<b>Qualys Action</b> Claims 3-4, 6-12, and 14-25
<b>'086 Patent</b>	Claims 1-42	<b>Check Point Action</b> Claims 24, 33, and 42

1 2 3 4 5 <b>'408 Patent</b>	Claims 1-35	<b>PAN Action</b> Claims 1-35
		<b>Sonicwall Action</b> Claims 1, 3, 4, 9, and 22
		<b>Qualys Action</b> Claims 1-35
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 <b>'494 Patent</b>	Claims 3-5, and 7-18	<b>Cisco Action</b> Claims 10, 11, 14, and 15
		<b>PAN Action</b> Claims 1-18
		<b>Zscaler Action</b> Claims 10 and 14
		<b>Bitdefender Action</b> Claims 1, 2, 5, 6, 7, 10, 11, and 14-16
		<b>Sonicwall Action</b> Claims 10, 14, and 18
		<b>Juniper Action</b> Claims 10, 14, 16, and 18
		<b>Check Point Action</b> Claims 10, 14, and 15
		<b>Qualys Action</b> Claims 3-5, and 7-18

23 Courts in this District first addressed the issue of consolidation of actions involving Finjan's  
24 patents in *Finjan, Inc. v. FireEye, Inc.*, Case No. 4:13-cv-03133-SBA ("FireEye Action"), which  
25 eventually settled and is no longer pending. In the FireEye action, the defendant filed a motion  
26 (FireEye Action, Dkt. No. 25) seeking to relate the case to the then-pending Blue Coat and Websense  
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