

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 FINJAN, INC.,

12 Plaintiff,

13 v.

14 ESET, LLC and ESET SPOL. S.R.O.,

15 Defendants.

Case No.: 3: 17-cv-00183-CAB-BGS

**ORDER ON REQUEST FOR
JUDICIAL NOTICE
[Doc. No. 304]**

16
17 On July 27, 2018, Plaintiff Finjan, Inc. filed a Request for Judicial Notice. [Doc.
18 No. 304]. Plaintiff requests the Court take judicial notice of the Claim Construction Order
19 issued in the case *Finjan, Inc. v. Cisco Systems, Inc.*, No. 17-cv-00072-BLF (N.D. Cal.
20 2018) on July 23, 2018, which addresses construction for U.S. Patent Nos. 6,154,844 and
21 6,804,780. Defendants have not opposed the Court taking judicial notice of the proffered
22 claim construction order.

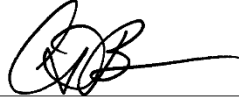
23 Finding the document submitted one that is appropriate for the Court to recognize¹,
24 **IT IS HEREBY ORDERED** that this Court will take notice of: Order Construing Claims
25

26
27 ¹ See *United Tactical Sys., LLC v. Real Action Paintball, Inc.* No. 14-CV-04050-MEJ, 2014 WL 6788310,
28 at *5 (N.D. Cal. Dec. 2, 2014) (taking judicial notice of orders and motions filed in different cases, but
not taking judicial notice of findings of fact); *Lee v. City of L.A.*, 250 F.3d 668, 690 (9th Cir. 2001) (“when
a court takes judicial notice of another court’s opinion, it may do so not for the truth of the facts recited

1 In U.S. Patent Nos. 6,154,844; 6,804,780; 7,647,633; 8,141,154; 8,677,494, entered at Dkt.
2 No. 134 in the case *Finjan, Inc. v. Cisco Systems, Inc.*, No. 17-cv-00072-BLF (N.D. Cal.
3 2018).

4 **IT IS SO ORDERED.**

5 Dated: August 24, 2018



6
7 Hon. Cathy Ann Bencivengo
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27
28 therein, but for the existence of the opinion, which is not subject to reasonable dispute over its
authenticity.” (citation and internal quotation marks omitted)).