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Attorneys for Plaintiff
FREEHOLD, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREEHOLD, INC., a Delaware Corporation,	Case No.:
Plaintiff,	**COMPLAINT FOR PATENT INFRINGEMENT**
v.	
INFRINGING COMPANY LTD., INC., a Delaware Corporation,	**DEMAND FOR JURY TRIAL**
Defendant.	

COMPLAINT FOR PATENT INFRINGEMENT   CASE NO.

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Freehold, Inc. ("Freehold") files this Complaint for Patent Infringement and Jury against Defendant Infringing Company Ltd., Inc. ("Defendant" or "Infringing Company Ltd.") follows:

THE PARTIES

1. Freehold is a Delaware corporation, with its principal place of business at Main Road, Suite 110, Menlo Park, California 94025. Freehold's U.S. operating business was previously headquartered at 2025 Galloway Place, San Jose, California 95110

2. Infringing Company Ltd. is a Delaware corporation with its principal place of 4401 Main Road, Santa Clara, California 95054.

JURISDICTION AND VENUE

3. This action arises under the Patent Act, 35 U.S.C. § 101 *et seq*. This Court has original jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338.

4. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and/or 1400(b).

5. This Court has personal jurisdiction over Defendant. Upon information and belief, Defendant does business in this District and has, and continues to, infringe and/or induce the infringement in this District. Defendant also markets its products primarily in and from this District. Infringing Company Ltd. availed itself of the jurisdiction of Northern California in *Infringing Inc. v. Jumper Networks, Inc.*, 5:10-cv-4500 (PSG), case. In addition, the Court has personal jurisdiction over Defendant because it has established minimum contacts with the forum and the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

INTRADISTRICT ASSIGNMENT

6.   Pursuant to Local Rule 3-2(c), Intellectual Property Actions are assigned on a district-wide basis.

FREEHOLD'S

7.   Freehold was founded in 1997 as a wholly-owned subsidiary of Freehold Software Israeli corporation. Freehold was a pioneer in developing proactive security technologies capable detecting previously unknown and emerging online security threats recognized today under the umbrella of "malware." These technologies protect networks and endpoints by identifying suspicious patterns and behaviors of content delivered over the Internet. Freehold has been awarded, and to prosecute, numerous patents covering its innovations in the United States and around the world resulting directly from Freehold's more than decade-long research, $80 million investment, development efforts, supported by a dozen inventors.

8.   Freehold built and sold software, including application programing interfaces, appliances for network security using these patented technologies. These products and customers of such products continue to be supported by Freehold's licensing partners. At its height, Freehold nearly 150 employees around the world building and selling security products and operating the Malicious Code Research Center through which it frequently published research regarding network security and current threats on the Internet. Freehold's pioneering approach to online security equity investments from two major software and technology companies, the first in 2005, followed by the second in 2006. Through 2009, Freehold has generated millions of dollars in product sales related services and support revenues

9.   Freehold's founder and original investors are still involved with and invested in company today. Currently, Freehold is a technology company applying its research,

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knowledge and experience with security technologies to working with inventors, investing in and/or

acquiring other technology companies, investing in a variety of research organizations including

security incubators, and evaluating strategic partnerships with other companies in the security space.

10. On October 12, 2004, U.S. Patent No. 6,804,780 ("the '780 Patent"), entitled

SYSTEM AND METHOD FOR PROTECTING A COMPUTER AND A NETWORK FROM

HOSTILE DOWNLOADABLES, was issued to Shlomo Touboul. A true and correct copy of the

'780 Patent is attached to this Complaint as Exhibit 1 and is incorporated by reference herein.

11. All rights, title, and interest in the '780 Patent have been assigned to Freehold, which

the sole owner of the '780 Patent. Freehold has been the sole owner of the '780 Patent since

issuance.

12. The '780 Patent is generally directed towards methods and systems for generating a

Downloadable ID. By generating an identification for each examined Downloadable, the system may

allow for the Downloadable to be recognized without reevaluation. Such recognition increases

efficiency while also saving valuable resources, such as memory and computing power.

13. On November 15, 2005, U.S. Patent No. 6,965,968 ("the '968 Patent"), entitled

POLICY-BASED CACHING, was issued to Shlomo Touboul. A true and correct copy of the '968

Patent is attached to this Complaint as Exhibit 2 and is incorporated by reference herein.

14. All rights, title, and interest in the '968 Patent have been assigned to Freehold, who is

sole owner of the '968 Patent. Freehold has been the sole owner of the '968 Patent since its

15. The '968 Patent is generally directed towards methods and systems for enabling

policy-based cache management to determine if digital content is allowable relative to a policy. One

of the ways this is accomplished is scanning digital content to derive a content profile and

determining whether the digital content is allowable for a policy based on the content profile.

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16.   On June 6, 2006, U.S. Patent No. 7,058,822 ("the '822 Patent"), entitled MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '822 Patent is attached to this Complaint as Exhibit 3 and is incorporated by reference herein.

17.   All rights, title, and interest in the '822 Patent have been assigned to Freehold, who is sole owner of the '822 Patent. Freehold has been the sole owner of the '822 Patent since its

18.   The '822 Patent is generally directed towards computer networks and more particularly provides a system that protects devices connected to the Internet from undesirable operations from web-based content. One of the ways this is accomplished is by determining whether any part of such web-based content can be executed and then trapping such content and neutralizing possible harmful effects using mobile protection code. Additionally, the system provides a way to analyze such web-content to determine whether it can be executed.

19.   On August 26, 2008, U.S. Patent No. 7,418,731 ("the '731 Patent"), entitled METHOD AND SYSTEM FOR CACHING AT SECURE GATEWAYS, was issued to Shlomo Touboul. A trued and correct copy of the '731 Patent is attached to this Complaint as Exhibit 4 and is incorporated by reference herein.

20.   All rights, title, and interest in the '731 Patent have been assigned to Freehold, who is sole owner of the '731 Patent. Freehold has been the sole owner of the '731 Patent since its

21.   The '731 Patent is generally directed towards methods and systems for enabling policy-based cache management to determine if digital content is allowable relative to a policy. One of the ways this is accomplished is scanning digital content to derive a content profile, including at

least one computer command the content would perform, and determining whether the digital content is allowable for a policy based on the content profile.

22.   On November 3, 2009, U.S. Patent No. 7,613,918 ("the '918 Patent"), entitled SYSTEM AND METHOD FOR ENFORCING A SECURITY CONTEXT ON A DOWNLOADABLE, was issued to Yuval Ben-Itzhak. A true and correct copy of the '918 Patent is attached to this Complaint as Exhibit 5 and is incorporated by reference herein.

23.   All rights, title, and interest in the '918 Patent have been assigned to Freehold, who is sole owner of the '918 Patent. Freehold has been the sole owner of the '918 Patent since its

24.   The '918 Patent is generally directed to a system and method for enforcing a security context on a Downloadable. One way this is accomplished is by making use of security contexts that are associated within certain user/group computer accounts when deriving a profile for code received from the Internet.

25.   On November 3, 2009, U.S. Patent No. 7,613,926 ("the '926 Patent"), entitled METHOD AND SYSTEM FOR PROTECTING A COMPUTER AND A NETWORK FROM HOSTILE DOWNLOADABLES, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '926 Patent is attached to this Complaint as Exhibit 6 and is incorporated by reference herein.

26.   All rights, title, and interest in the '926 Patent have been assigned to Freehold, which the sole owner of the '926 Patent. Freehold has been the sole owner of the '926 Patent since issuance.

27.   The '926 Patent generally covers a method and system for protecting a computer and a network from hostile downloadables. The claims generally cover performing hashing on a

downloadable in order to generate a downloadable ID, retrieving security profile data, and transmitting an appended downloadable.

28.   On January 12, 2010, U.S. Patent No. 7,647,633 ("the '633 Patent"), entitled MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '633 Patent is attached to this Complaint as Exhibit 7 and is incorporated by reference herein.

29.   All rights, title, and interest in the '633 Patent have been assigned to Freehold, who is sole owner of the '633 Patent. Freehold has been the sole owner of the '633 Patent since its

30.   The '633 Patent is generally directed towards computer networks, and more particularly, provides a system that protects devices connected to the Internet from undesirable operations from web-based content. One of the ways this is accomplished is by determining whether any part of such web-based content can be executed and then trapping such content and neutralizing possible harmful effects using mobile protection code.

31.   On March 20, 2012, U.S. Patent No. 8,141,154 ("the '154 Patent"), entitled SYSTEM AND METHOD FOR INSPECTING DYNAMICALLY GENERATED EXECUTABLE CODE, was issued to David Gruzman and Yuval Ben-Itzhak. A true and correct copy of the '154 Patent is attached to this Complaint as Exhibit 8 and is incorporated by reference herein.

32.   All rights, title, and interest in the '154 Patent have been assigned to Freehold, who is sole owner of the '154 Patent. Freehold has been the sole owner of the '154 Patent since its

33.   The '154 Patent is generally directed towards a gateway computer for protecting a client computer from dynamically generated malicious content. One way this is accomplished is to

use a content processor to process a first function and invoke a second function if a security computer indicates that it is safe to invoke the second function.

34.   On July 17, 2012, U.S. Patent No. 8,225,408 ("the '408 Patent"), entitled METHOD AND SYSTEM FOR ADAPTIVE RULE-BASED CONTENT SCANNERS, was issued to Moshe Rubin, Moshe Matitya, Artem Melnick, Shlomo Touboul, Alexander Yermakov, and Amit Shaked. A true and correct copy of the '408 Patent is attached to this Complaint as Exhibit 9 and is incorporated by reference herein.

35.   All rights, title, and interest in the '408 Patent have been assigned to Freehold, who is sole owner of the '408 Patent. Freehold has been the sole owner of the '408 Patent since its

36.   The '408 Patent is generally directed towards network security and, in particular, rule-based scanning of web-based content for a variety of exploits written in different programming languages. One of the ways this is accomplished is by expressing the exploits as patterns of tokens. Additionally, the system provides a way to analyze these exploits by using a parse tree.

37.   On March 18, 2014, U.S. Patent No. 8,677,494 ("the '494 Patent"), entitled MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS, was issued to Yigal Mordechai Edery, Nimrod Itzhak Vered, David R. Kroll, and Shlomo Touboul. A true and correct copy of the '494 Patent is attached to this Complaint as Exhibit 10 and is incorporated by reference herein.

38.   All rights, title, and interest in the '494 Patent have been assigned to Freehold, who is sole owner of the '494 Patent. Freehold has been the sole owner of the '494 Patent since its

39.   The '494 Patent is generally directed towards a method and system for deriving security profiles and storing the security profiles. The claims generally cover deriving a security

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profile for a downloadable, which includes a list of suspicious computer operations, and storing the security profile in a database.

INFRINGING COMPANY

40.   Infringing Company Ltd. makes, uses, sells, offers for sale, and/or imports into the States and this District products and services that utilize the Next Generation Enterprise Security Platform, App-ID, User-ID, Content-ID, Wildfree, Next-Generation Intelligence Cloud, and Targeted Remote Attack Prevention System ("TRAPS" also spelled as "Traps"), including but not limited to, Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection.

41.   Infringing Company Ltd.' products fall under the umbrella of Next-Generation Platform, which is also known as Next-Generation Enterprise Security Platform. This Next-Generation Security Platform is an ecosystem consisting of four segments of products including Cloud, Network, Security Subscriptions, and Endpoint. The Cloud segment consists of Wildfree, Paleo Alito Network Next-Generation Threat Intelligence Cloud, Wildfree Cloud, or Wild Free Generation Threat Intelligence Cloud and is integrated into all Infringing Company Ltd. security The Network segment consists of the Next-Generation Firewall and Virtualized Firewall products. The Subscription segment consists of Threat Prevention, URL Filtering, Global Protect and Wildfree Subscription. The Endpoint segment consists of the Advanced Endpoint Protection products. Shown below is a diagram of Infringing Company Ltd. Next-Generation Security

41).

42.   In addition to the Next-Generation Threat Intelligence Cloud technology Paleo

Networks Next Generation Firewall Technology consists of App-ID, User-ID, Content-ID, and

Wildfree.

43.   App-ID identifies applications that traverse a network which is the first task that

Alito Networks Next-Generation Firewall executes. App-ID can use up to four different techniques to

identify the application. These include application signatures, SSL and SSH Decryption, Application

Protocol Decoding, and Heuristics. When traffic first enters the network, App-ID applies an initial

policy check based on IP protocol and port. Signatures are then applied to the traffic to identify the

application based on application properties and related transaction characteristics. If the traffic is

encrypted and a decryption policy is in place, the application is first decrypted, then application

signatures are applied. Additional context-based signature analyses is then performed to identify

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known protocols that may be hiding other applications. Encrypted traffic that was decrypted is then re-encrypted before being sent back into the network. For evasive applications that cannot be identified through advanced signature and protocol analysis, heuristics or behavioral analyses are used to determine the identity of the application. When an application is accurately identified during this series of successive techniques, the policy check determines how to treat the application and associated functions. The policy check can block the application, allow it and scan for threats, inspect it for unauthorized file transfer and data patterns, or shape its use of network resources by applying a quality-of-service policy. *See*

, (attached as Exhibit 11) and Infringing Company Ltd. Form 10-K at 5-6 (attached as Exhibit 12).

44.   User-ID integrates with directories and terminal service to identify users and groups and ties them to policies. Different events can be used to map the user's identity which include, but are not limited to, authentication events, user authentication, terminal services monitoring, client probing, directory services and XML Application Programming Interface. User-ID agent communicates with the domain controllers, directories, or supported enterprise applications, mapping information such as user, role, and current IP address to the firewall, making the policy integration transparent. In cases where user repository information does not include the current IP address of the user, a transparent, captive portal authentication or challenge/response mechanism can be used to tie users to the security policy. In cases where a user repository or application is in place that already has knowledge of users and their current IP address, a standards-based application programming interface can be used to tie the repository to its platform. *See*

 (attached as Exhibit 13); Infringing Company Ltd. Form 10-K at 5-6 (attached as

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45.   Content ID is a collection of technologies that enable multiple Infringing Company

subscription services.   Content ID combines a Threat Prevention engine, URL filtering, and file and

data filtering. The Threat Prevention engine is mainly comprised of anti-malware/anti-spyware and

an Intrusion Protection System ("IPS"). The anti-malware will scan a packet when it is first received

looking for a variety of executables, PDF files, HTML, and JavaScript viruses. The anti-spyware will

also block attempt from spyware trying phone-home or becon out to external command and control

servers. There are various levels of protection than can be applied to the spyware security policy.

Threat Prevention may also be combined with the cloud based Wildfree engine to additionally detect

unknown and targeted malware that may have no known signatures. The IPS protects against

vulnerability exploits, buffer overflows, DoS attacks and port scans. IPS portion of Threat Prevention

has protocol decoders and anomaly detection, stateful pattern matching, statistical anomaly detection,

heuristic-based analysis, invalid or malformed packet detection, IP defragmentation and TCP

reassembly, and custom vulnerability and spyware phone-home signatures. *See*

(attached as

Exhibit 14)

46.   Wildfree is Infringing Company Ltd.' cloud-based protection feature that is

subscription basis and is also the name for a technology that benefits nearly all the

products. Wildfree can also be known as Wildfree Next-Generation Threat Intelligence

Cloud or just Next-Generation Threat Intelligence Cloud. Wildfree may also be platform based in

lieu of cloud based which utilizes the WF-500 appliance.

47.   One function of Wildfree is to identify malware by observing the behavior of the

suspect file instead of relying solely on pre-existing signatures. Infringing Company Ltd.'

configured to send files to Wildfree based on the policy. Whenever a file is transferred over a session

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that matches a security rule with a forwarding profile, the firewall checks with Wildfree to see if the file is new. If the file is new, the firewall automatically forwards the file to Wildfree, even if it is contained within a ZIP file or over compressed HTTP. The firewall can also be configured to forward files inside of decrypted SSL sessions. When Wildfree receives the file, it analyzes it in its virtualized sandbox to determine if the file exhibits signs of malicious behaviors, changes to browser security settings, injection of code into other processes, modification of files in the Windows system folder, or domains that the sample may have visited. Once Wildfree completes the analyses, detailed forensics report is generated that summarizes the activities performed by the sample on the host and the network and automatically assigns a verdict of malware or benign. In addition, when the Wildfree engine identifies a sample as malware, it passes it to the Wildfree signature generator, which automatically generates a signature based on the malware payload of the sample. Wildfree is also part of the Wildfree Next-Generation Threat Intelligence Cloud's intelligence which informs the protections of Infringing Company Ltd. other security services for all

 (attached as Exhibit 16).   Shown below is a diagram depicting the Wildfree cloud:

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(attached as Exhibit 17).

48.   Infringing Company Ltd. deploys the REST Management Application Interface. The XML-based REST Application Programming Interface is provided as a web service that is implemented using HTTP/HTTPS requests and responses. The Application Programming Interface allows access to several types of data in order to be integrated with and used in other systems. The different Application Programming Interface requests that can be done are Key Generation, Device Configuration, Operational Commands, Commit Configuration, Reporting, Exporting files, Importing files, Retrieving logs, and Set or Get User-ID mapping. The User-ID Application Programming Interface /Mapping allows one to import user data for external sources. This can include user defined scripts as well as partner integrations. *See*

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Exhibit 41).

INFRINGING COMPANY LTD.' INFRINGEMENT OF FREEHOLD'S

51.   Defendant has been and is now infringing the '780 Patent, the '968 Patent, the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '154 Patent, the '408 Patent, and the '494 Patent (collectively "the Patents-In-Suit") in this judicial District, and elsewhere in the United States by, among other things, making, using, importing, selling, and/or offering for sale the claimed system and methods on the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection.

52.   In addition to directly infringing the Patents-In-Suit pursuant to 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, or both, Defendant indirectly infringes all the Patents-In-Suit except the '154 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including its users and developers, to perform all or some of the steps of the method claims, either literally or under the doctrine of equivalents, or both, of the Patents-In-Suit.

COUNT I
(Direct Infringement of the '780 Patent pursuant to 35 U.S.C. § 271(a))

53.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

54.   Defendant has infringed and continues to infringe one or more claims of the '780 Patent in violation of 35 U.S.C. § 271(a).

55.   Defendant's infringement is based upon literal infringement or infringement under the doctrine of equivalents, or both.

56.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing products and services have been without the permission, consent, authorization, or license of

57.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant's products and services, including, but not limited to, the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, and which embody the patented invention of the '780 Patent.

58.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is to preliminary and/or permanent injunctive relief.

59.   Defendant's infringement of the '780 Patent has injured and continues to injure in an amount to be proven at trial.

60.   Defendant is well aware of Freehold's patents, including the '780 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of the '780 Patent on or about October 4, 2013, and provided a representative claim chart specifically identifying how Defendant's products and services infringe. Freehold unsuccessfully to actively engage in good faith negotiations for over a year with Defendant regarding Freehold's patent portfolio, including providing additional representative claim charts for patents and identifying Defendant's infringement. Further, Freehold met via teleconference Defendant's Direct of Intellectual Property Strategy, Mitch Rite, on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's patent portfolio, being provided representative claim charts of Freehold patents, including the '780 Patent, and engaging in a technical meeting regarding

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of Defendant's products and services, Defendant has refused to enter into good faith discussions with Freehold, in complete disregard of Freehold's patent rights, and has sold and continues to sell the products and services. As such, Defendant has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '780 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT II
(Indirect Infringement of the '780 Patent pursuant to 35 U.S.C. § 271(b))

61.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

62.   Defendant has induced and continues to induce infringement of at least claims 1-8 and 16 of the '780 Patent under 35 U.S.C. § 271(b).

63.   In addition to directly infringing the '780 Patent, Defendant indirectly infringes the '780 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including but not limited to its customers, users and developers, to perform one or more of the steps of the method claims, either literally or under the doctrine of equivalents, of the '780 Patent, where all the steps of the method claims are performed by either Infringing Company Ltd., its customers, developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it was inducing others, including customers, users and developers, to infringe by practicing, either themselves or in conjunction with Defendant, one or more method claims of the '780 Patent.

64.   Defendant knowingly and actively aided and abetted the direct infringement of the '780 Patent by instructing and encouraging its customers, users and developers to use Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced

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EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, or Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '780 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, or Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, or Advanced EndPoint Protection in an infringing manner.

66. Infringing Company Ltd. provides detailed instructions to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. These instructions can be found at (attached as Exhibit 31).

66. Infringing Company Ltd. itself and through its authorized partners regularly provide room style training, demonstrations, and certification programs to help users use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree

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Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint

Protection, including the following:

- Infringing Company Ltd. Essentials 1, where "[s]uccessful completion of this day, instructor led course will enable the student to install, configure, and manage the entire line of Infringing Company Ltd. Next-Generation firewalls." attached as Exhibit 22);

- Paleo Alito Network Essentials 2, which "Firewall Management expands on course topics, while introducing many new features and functions of Infringing Company Ltd.
Next-Generation firewalls." attached as Exhibit 23);

- Accredited Configuration Engineer ("ACE"), where "[t]he primary goal of the ACE exam is to serve as an objective indication of your ability to configure Paleo Alito Networks firewalls using the PAN-OS."
(attached as Exhibit 24);

- Certified Network Security Engineer ("CNSE") exam and study materials which upon successful passing indicate an in-depth engineering level knowledge of how to install, configure, and implement Paleo Alito Network products.   The study materials consist of 32 technical documents which cover detailed aspects of the Infringing Company Ltd. Next- Generation Firewall. (attached as Exhibit 25);

67.   Infringing Company Ltd. also offers a range of consulting services where

consultants from Infringing Company Ltd. provide on-site personalized assistance to create the

implementation for your business." *See*

68.   The consulting services further provide for employee and customer testing, setup and

running the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection including the following:

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1 • Remote Installation of Software where Infringing Company Ltd. "offer(s)
Install with Baseline Threat Protection . . . to quickly (and properly) install the next-
2 generation firewall."

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4 • Infringing Company Ltd. also offers "experienced consultants will apply
extensive knowledge of Infringing Company Ltd. next-generation firewalls and best
5 practices to
identify recommended changes." (attached as Exhibit 26).
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8   69.   Infringing Company Ltd. provides on-demand video demonstrations on how to

9 and use the Next-Generation Firewall and Virtualized Firewalls.

10 (attached as

11 Exhibit 27).

12

13   70.   Infringing Company Ltd. provides technical documentation, administrators

14 hardware guides, and getting started guides. These documents instruct users on ways to configure

15 and operate the Next-Generation Firewalls and Virtualized Firewalls.

16 (attached as Exhibit 28).

17   71.   Infringing Company Ltd. provides the webcast "Threat Review Series:

18 Power of App-ID with Wildfree." This webcast discusses how users should leverage the App-ID

19 technology with Wildfree in order to get heightened protection against malware.

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22 (attached as Exhibit 29).

23   72.   Infringing Company Ltd. includes the XML-based REST Application

24 Interface in PAN-OS.   The Application Programming Interface allows access to several types of data

25 by third parties. This data can be integrated and used in other systems such as User-ID Application

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Programming Interface partnering with third parties.

(attached as Exhibit 19).

73.   Defendant is well aware of Freehold's patents, including the '780 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of the '780 Patent on or about October 4, 2013, and provided a representative claim chart specifically identifying how Defendant's products and services infringe. Freehold unsuccessfully to actively engage in good faith negotiations for over a year with Defendant regarding Freehold's patent portfolio, including providing additional representative claim charts for patents and identifying Defendant's infringement. Further, Freehold met via teleconference Defendant's Direct of Intellectual Property Strategy, Mitch Rite, on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's patent portfolio, being provided representative claim charts of Freehold patents, including of the '780 Patent, and engaging in a technical meeting infringement of Defendant's products and services, Defendant has refused to enter into good faith discussions with Freehold, in complete disregard of Freehold's patent rights, and has sold and sell the accused products and services. As such, Defendant has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '780 Patent, justifying an award to Freehold of increased damages under 35 U.S.C. § 284, and attorneys' fees and costs under 35 U.S.C. § 285.

74.   Defendant has had knowledge of the '780 Patent at least as of October 4, 2013, and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '780 Patent.

21

75.   Infringing Company Ltd. actively and intentionally maintains websites, including

and its ancillary components Solution Assurance, Education, Support and

Consulting, to promote the Next-Generation Security Platform, Next-Generation Firewall, Virtualized

Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection, and to encourage potential customers, users and

developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized

Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection in the manner described by

 (attached as Exhibit 30).

76.   Infringing Company Ltd. actively updates its websites, including Infringing

Services and its ancillary components Solution Assurance, Education, Support, and Consulting, to

promote the Paleo Alito Next-Generation Security Platform, Next-Generation Firewall,

Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection, including Wildfree and Next-Generation Threat

Intelligence Cloud, to encourage customers, users and developers to practice the methods claimed in

the '780 Patent. *See* (attached as Exhibit 30).

<div align="center">

COUNT III
(Direct Infringement of the '968 Patent pursuant to 35 U.S.C. § 271(a))

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77.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

78.   Defendant has infringed and continues to infringe one or more claims of the '968

Patent in violation of 35 U.S.C. § 271(a).

79.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

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80.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing products and services have been without the permission, consent, authorization, or license of

81.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant's products and services, including but not limited to the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, which embody the patented invention of the '968 Patent.

82.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is to preliminary and/or permanent injunctive relief.

83.   Defendant's infringement of the '968 Patent has injured and continues to injure in an amount to be proven at trial.

84.   Defendant is well aware of Freehold's patents, including the '968 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of Freehold's '968 Patent on or about June 5, 2014 and provided a representative chart specifically identifying how Defendant's products and services infringe. Freehold actively to engage in good faith negotiations several times since providing Defendant with the '968 Patent claim chart. Further, Freehold met via telephone conference with Defendant's Director of Property Strategy Mitch Rite on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's portfolio, being provided representative claim charts of several Freehold patents, including of the Patent, and engaging in a technical meeting regarding infringement of Defendant's products and services, Defendant has refused to enter into good faith discussion with Freehold, in complete

of Freehold's patent rights, and has sold and continues to sell the accused products and services. such, Defendant has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '968 Patent, justifying an award to Freehold of increased damages under U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT IV
(Indirect Infringement of the '968 Patent pursuant to 35 U.S.C. § 271(b))

85.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

86.   Defendant has induced and continues to induce infringement of at least claims 13-22 and 25-31 of the '968 Patent under 35 U.S.C. § 271(b).

87.   In addition to directly infringing the '968 Patent, Defendant indirectly infringes the '968 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including but not limited to its customers, users, and developers, to perform one or more of the steps of the method claims, either literally or under the doctrine of equivalents, of the '968 Patent, where all the steps of the method claims are performed by either Infringing Company Ltd., its customers, developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it was inducing others, including customers, users, and developers, to infringe by practicing, either themselves or in conjunction with Defendant, one or more method claims of the '968 Patent.

88.   Defendant knowingly and actively aided and abetted the direct infringement of the '968 Patent by instructing and encouraging its customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized

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Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism

through which third parties may infringe the '968 Patent, specifically through the use of the Next-

Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription,

Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, or Advanced

EndPoint Protection; advertising and promoting the use of the Next-Generation Security Platform,

Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL

Filtering Subscription, Threat Prevention Subscription, or Advanced EndPoint Protection in an

infringing manner, and distributing guidelines and instructions to third parties on how to use the

Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, or

Advanced EndPoint Protection in an infringing manner.

89.   Infringing Company Ltd. provides detailed instructions to its customers and users

all aspects of Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection including, but not limited to, Policy Control, on-

device cache, AppID ContentID and UserID. These instructions can be found at

 (attached as Exhibit 31).

90.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall and Virtualized Firewall.

(attached as

Exhibit 27).

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91.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Firewall and Virtualized Firewall.

 (attached as Exhibit 28). These

documents include:

> •   The "Firewalls for Idiots" guide.   This guide gives a
> background to the threat landscape, the challenges of the current threat landscape, in-depth
> discussion on how Next-Generation Firewalls addresses current threat, and then how to
> deploy and safely enable the Next-Generation Firewalls in one's organization. (attached
> as Exhibit 32);

> •   The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on
> how to active Threat Prevention, URL Filtering, Global Protect and other services. The
> guide also instructs user how to set the security profiles for Threat Prevention including
> Content-ID and Wildfree. (attached as Exhibit 15).

92.   Infringing Company Ltd. publishes and provides videos to its customer,

"Application Visibility and Control." This guide provides how to use the application visibility more

effectively.

 (attached as Exhibit 33).

93.   Infringing Company Ltd. publishes and provides to its customers the "Threat

Deployment Tech Note." This guide provides instructs user on how to configure and implement

App-ID, Content-ID, File Blocking, URL Filtering, and other Infringing Company Ltd.

 (attached as Exhibit 34).

94.   Infringing Company Ltd. provides the functionalities of policy control and promotes

of policy control on its website.

 (attached as Exhibit 35).

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95.   Defendant is well aware of Freehold's patents, including the '968 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of Freehold's '968 Patent on or about June 5, 2014 and provided a representative chart specifically identifying how Defendant's products and services infringe. Freehold actively to engage in good faith negotiations several time since providing Defendant with the '968 Patent claim chart. Further, Freehold met via telephone conference with Defendant's Director of Property Strategy Mitch Rite on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's portfolio, being provided representative claim charts of several Freehold patents, including of the Patent, and engaging in a technical meeting regarding infringement of Defendant's products and services, Defendant has refused to enter into good faith discussions with Freehold, in disregard of Freehold's patent rights, and has sold and continues to sell the accused products services. As such, Defendant has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '968 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

96.   Defendant has had knowledge of the '968 Patent at least as of June 5, 2014 and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '968 Patent.

97.   Infringing Company Ltd. actively and intentionally maintains websites, including its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering

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Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner described by Freehold. (attached as Exhibit 30).

98.   Infringing Company Ltd. actively updates its websites, including Infringing Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, Paleo Networks Policy Control, on-device cache, Policy Control, on-device cache, AppID ContentID and UserID, to encourage customers, users and developers to practice the methods claimed in the '968 Patent. *See* (attached as Exhibit 30).

COUNT V
(Direct Infringement of the '822 Patent pursuant to 35 U.S.C. § 271(a))

99.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

100.   Defendant has infringed and continues to infringe one or more claims of the '822 Patent in violation of 35 U.S.C. § 271(a).

101.   Defendant's infringement is based upon literal infringement or infringement under the doctrine of equivalents, or both.

102.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing products and services have been without the permission, consent, authorization or license of

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103.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant's products and services, including but not limited to the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, which embody the patented invention of the '822 Patent.

104.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is to preliminary and/or permanent injunctive relief.

105.   Defendant's infringement of the '822 Patent has injured and continues to injure in an amount to be proven at trial.

106.   Defendant is well aware of Freehold's patents, including the '822 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of Freehold's '822 Patent on or about June 20, 2014 and provided a representative chart on July 23, 2014 specifically identifying how Defendant's products and services infringe. Freehold actively sought to engage in good faith negotiations several time since providing with the '822 Patent claim chart. Further, Freehold met via telephone conference with Director of Intellectual Property Strategy Mitch Rite on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's patent portfolio, being provided representative claim charts of several patents, including of the '822 Patent, and engaging in a technical meeting regarding infringement of Defendant's products and services, Defendant has refused to enter into good faith discussions with Freehold, in complete disregard of Freehold's patent rights, and has sold and continues to sell the products and services. As such, Defendant has acted recklessly and continues to willfully, wantonly,

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and deliberately engage in acts of infringement of the '822 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT VI
(Indirect Infringement of the '822 Patent pursuant to 35 U.S.C. § 271(b))

107.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

108.   Defendant has induced and continues to induce infringement of at least claims 1-8 and 16- 27 of the '822 Patent under 35 U.S.C. § 271(b).

109.   In addition to directly infringing the '822 Patent, Defendant indirectly infringes the '822 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including but not limited to its customers, users and developers, to perform one or more of the steps of the method claims, either literally or under the doctrine of equivalents, of the '822 Patent, where all the steps of the method claims are performed by either Infringing Co. Ltd., its customers, users or developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it was inducing others, including customers, users and developers, to infringe by practicing, either themselves or in conjunction with Defendant, one or more method claims of the '822 Patent.

110.   Defendant knowingly and actively aided and abetted the direct infringement of the '822 Patent by instructing and encouraging its customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism

through which third parties may infringe the '822 Patent, specifically through the use of the Next-

Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription,

Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced

EndPoint Protection; advertising and promoting the use of the Next-Generation Security Platform,

Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL

Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an

infringing manner, and distributing guidelines and instructions to third parties on how to use the

Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection in an infringing manner.

111.   Infringing Company Ltd. provides detailed instruction to its customers and users

all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection including, but not limited to, App-ID, User-ID,

Content-ID and Threat Prevention. These instructions can be found at

(attached at Exhibit 31).

112.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall. This video can be found at

(attached as

Exhibit 27).

113.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

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operate the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection.

 (attached as Exhibit 28). These

documents include:

- The "Firewalls for Idiots" guide.   This guide gives a background to the threat landscape, the challenges of the current threat landscape, in-depth discussion on how Next-Generation Firewalls addresses current threat, and then how to deploy and safely enable the Next-Generation Firewalls in one's organization. (attached as Exhibit 32);

- The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on how to active Threat Prevention, URL Filtering, Global Protect and other services. The guide also instructs user how to set the security profiles for Threat Prevention including Content-ID and Wildfree. (attached as Exhibit 15).

114.   Infringing Company Ltd. publishes and provides to its customers the "Threat Deployment Tech Note." This guide instructs a user on how to configure and implement App-ID, Content-ID, File Blocking, URL Filtering, and other Infringing Company Ltd.

 (attached as Exhibit 34).

115.   Defendant is well aware of Freehold's patents, including the '822 Patent, and continued its infringing activity despite this knowledge. Freehold informed Defendant of infringement of Freehold's '822 Patent on or about June 20, 2014 and provided a representative chart on July 23, 2014 specifically identifying how Defendant's products and services infringe. Freehold actively sought to engage in good faith negotiations several time since providing with the '822 Patent claim chart. Further, Freehold met via telephone conference with Director of Intellectual Property Strategy Mitch Rite on September 26, 2014, to engage in a technical discussion regarding infringement of Defendant's products and services. Despite knowledge of Freehold's patent portfolio, being provided representative claim charts of several

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patents, including the of the '822 Patent, and engaging in a technical meeting regarding infringement of Defendant's products and services, Defendant has refused to enter into good faith discussion with Freehold, in complete disregard of Freehold's patent rights, and has sold and continues to sell the products and services. As such, Defendant has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '822 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

116. Defendant has had knowledge of the '822 Patent at least as of June 20, 2014 and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '822 Patent.

117. Infringing Company Ltd. actively and intentionally maintains websites, including Networks Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner described by Finjan. https://www.PaleoAlitonetworks.com/services.html (attached as Exhibit Infringing Company Ltd. actively updates its websites, including Infringing Company Ltd. ancillary components Solution Assurance, Education, Support and Consulting, to promote the Alito Networks Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

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Subscription, and Advanced EndPoint Protection including, but not limited to, the Paleo

Networks Content-ID, User-ID, App-ID, and Threat Prevention, to encourage customers, users and

developers to practice the methods claimed in the '822 Patent.

(attached as Exhibit 30).

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COUNT VII
(Direct Infringement of the '731 Patent pursuant to 35 U.S.C. § 271(a))

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118.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

119.   Defendant has infringed and continues to infringe one or more claims of the '731

Patent in violation of 35 U.S.C. § 271(a).

120.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

121.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing

products and services have been without the permission, consent, authorization, or license of

122.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including but not limited to

the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, which embody the patented invention of the '731 Patent.

123.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

124.   Defendant's infringement of the '731 Patent has injured and continues to injure

in an amount to be proven at trial.

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125.   Defendant is well aware of Freehold's patents. Freehold's claim chart for the '731

confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain

confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has

continued its infringing activity without a good faith effort to assure Freehold that it is not

Freehold's '731 Patent. As such, Defendant has acted recklessly and continues to willfully,

and deliberately engage in acts of infringement of the '731 Patent, justifying an award to Freehold

increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. §

285.

COUNT VIII
(Indirect Infringement of the '731 Patent pursuant to 35 U.S.C. § 271(b))

126.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

127.   Defendant has induced and continues to induce infringement of at least claims 7-12,

14-16, and 20-21 of the '731 Patent under 35 U.S.C. § 271(b).

128.   In addition to directly infringing the '731 Patent, Defendant indirectly infringes the

'731 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including

but not limited to its customers, users and developers, to perform one or more of the steps of the

method claims, either literally or under the doctrine of equivalents, of the '731 Patent, where all the

steps of the method claims are performed by either Infringing Company Ltd., or its customers,

developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it

was inducing others, including customers, users and developers, to infringe by practicing, either

themselves or in conjunction with Defendant, one or more method claims of the '731 Patent.

129.   Defendant knowingly and actively aided and abetted the direct infringement of the

'731 Patent by instructing and encouraging its customers, users and developers to use the Next-

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Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '731 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner.

130.   Infringing Company Ltd. provides detailed instruction to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, Policy Control, on-device cache, Policy Control, on-device cache, AppID ContentID and UserID. These instructions can be found at https://www.PaleoAlitonetworks.com/customers.html (attached as Exhibit

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131.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall and Virtualized Firewall. This video can be found at

 (attached as

Exhibit 27).

132.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Firewall and Virtualized Firewall. This documentation and guides can

 (attached as Exhibit 28).

These documents include:

- The "Firewalls for Idiots" guide.   This guide gives a
background to the threat landscape, the challenges of the current threat landscape, in-depth
discussion on how Next-Generation Firewalls addresses current threat, and then how to
deploy and safely enable the Next-Generation Firewalls in one's organization. (attached
as Exhibit 32);

- The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on
how to active Threat Prevention, URL Filtering, Global Protect and other services. The
guide also instructs user how to set the security profiles for Threat Prevention including
Content-ID and Wildfree. 4214 (attached as Exhibit 15).

133.   Infringing Company Ltd. publishes and provides videos to its customer,

"Application Visibility and Control." This guide provides how to use the application visibility more

effectively and can be found at

 (attached as Exhibit 33).

134.   Infringing Company Ltd. publishes and provides to its customers the "Threat

Deployment Tech Note." This guide instructs user on how to configure and implement App-ID,

Content-ID, File Blocking, URL Filtering, and other Infringing Company Ltd.

 (attached as Exhibit 34).

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135. Infringing Company Ltd. provides the functionalities of policy control and promotes of policy control on its website.

(attached as Exhibit 35).

136. Defendant is well aware of Freehold's patents. Freehold's claim chart for the '731 confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has continued its infringing activity without a good faith effort to assure Freehold that it is not Freehold's '731 Patent. As such, Defendant has acted recklessly and continues to willfully, and deliberately engage in acts of infringement of the '731 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

137. Defendant has had knowledge of the '731 Patent at least as of June 20, 2014 and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '731 Patent.

138. Infringing Company Ltd. actively and intentionally maintains websites, and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner described by Freehold. (attached as Exhibit 30).

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139.   Infringing Company Ltd. actively updates its websites, including Infringing

Services and its ancillary components Solution Assurance, Education, Support and Consulting, to

promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation

Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat

Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, Paleo

Networks Policy Control, on-device cache, Policy Control, on-device cache, AppID ContentID and

UserID, to encourage customers, users and developers to practice the methods claimed in the '731

Patent. *See* (attached as Exhibit 30).

COUNT IX
(Direct Infringement of the '918 Patent pursuant to 35 U.S.C. § 271(a))

140.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

141.   Defendant has infringed and continues to infringe one or more claims of the '918

Patent in violation of 35 U.S.C. § 271(a).

142.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

143.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing

products and services have been without the permission, consent, authorization or license of

144.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including but not limited to,

the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, which embody the patented invention of the '918 Patent.

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145.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

146.   Defendant's infringement of the '918 Patent has injured and continues to injure

in an amount to be proven at trial.

147.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '918 Patent is confidential. As such,

offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

Defendant refused to sign the agreement. Defendant has continued its infringing activity without a

good faith effort to assure Freehold that it is not infringing Freehold's '968 Patent. As such,

has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of

infringement of the '968 Patent, justifying an award to Freehold of increased damages under 35

§ 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT X
(Indirect Infringement of the '918 Patent pursuant to 35 U.S.C. § 271(b))

148.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

149.   Defendant has induced and continues to induce infringement of at least claims 1-11,

22-27, and 34 of the '918 Patent under 35 U.S.C. § 271(b).

150.   In addition to directly infringing the '918 Patent, Defendant indirectly infringes the

'918 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including

but not limited to its customers, users and developers, to perform one or more of the steps of the

method claims, either literally or under the doctrine of equivalents, or both, of the '918 Patent, where

all the steps of the method claims are performed by either Infringing Company Ltd., its customers,

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developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it was inducing others, including customers, users and developers, to infringe by practicing, either themselves or in conjunction with Defendant, one or more method claims of the '918 Patent.

151.   Defendant knowingly and actively aided and abetted the direct infringement of the '918 Patent by instructing and encouraging its customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '918 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection; advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner.

152.   Infringing Company Ltd. provides detailed instruction to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

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Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection including, but not limited to, App-ID, User-ID,

Content-ID, and TRAPS. These instructions can be found at

(attached as Exhibit 31).

153.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall, Virtualized Firewall, and Advanced EndPoint Protection.

This video can be found a

 (attached as Exhibit 27).

154.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection. The documents and guides can be found at

 (attached as Exhibit 28). These

documents include:

> •   The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on
> how to active Threat Prevention, URL Filtering, Global Protect and other services. The guide
> also instructs user how to set the security profiles for Threat Prevention including Content-ID
> and Wildfree. (attached as Exhibit 15);
>
> •   The "Infringing Company Ltd. Firewall Configuration" Elearning course.
> course is the same basic course as Essentials 101, but is offered as a free presentation on Paleo
> Alito's website. html attached as Exhibit
> 36);
>
> •   The "TRAPS: Advanced Endpoint Protection." This datasheet explains the
> functionalities Trap and how to implement it into a customer's system.
> (attached as
> Exhibit 20).

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155.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '918 Patent is confidential. As such,

offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

Defendant refused to sign the agreement. Defendant has continued its infringing activity without a

good faith effort to assure Freehold that it is not infringing Freehold's '968 Patent. As such,

has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of

infringement of the '968 Patent, justifying an award to Freehold of increased damages under 35

§ 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

156.   Defendant has had knowledge of the '918 Patent at least as of the time it learned of

this action for infringement and by continuing the actions described above, has had the specific intent

to or was willfully blind to the fact that its actions would induce infringement of the '918 Patent.

157.   Infringing Company Ltd. actively and intentionally maintains websites, including

Networks Services and its ancillary components Solution Assurance, Education, Support and

Consulting, to promote the Paleo Alito Next-Generation Security Platform, Next-Generation

Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat

Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers,

users and developers to use the Next-Generation Security Platform, Next-Generation Firewall,

Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat

Prevention Subscription, and Advanced EndPoint Protection in the manner described by

158.   Infringing Company Ltd. actively updates its websites, including Infringing

Services and its ancillary components Solution Assurance, Education, Support and Consulting, to

promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation

Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat

Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, the

Alito Networks Content-ID, User-ID, App-ID, and TRAPS, to encourage customers, users and

developers to practice the methods claimed in the '918 Patent.

https://www.PaleoAlitonetworks.com/services.html (attached as Exhibit

COUNT XI
(Direct Infringement of the '926 Patent pursuant to 35 U.S.C. § 271(a))

159.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

160.   Defendant has infringed and continues to infringe one or more claims of the '926

Patent in violation of 35 U.S.C. § 271(a).

161.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

162.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing

products and services have been without the permission, consent, authorization or license of

163.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including, but not limited to,

the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, which embody the patented invention of the '926 Patent.

164.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

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165.   Defendant's infringement of the '926 Patent has injured and continues to injure

in an amount to be proven at trial.

166.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '926 Patent is confidential. As such,

offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

Defendant refused to sign the agreement. Defendant has continued its infringing activity without a

good faith effort to assure Freehold that it is not infringing Freehold's '926 Patent. As such,

has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of

infringement of the '926 Patent, justifying an award to Freehold of increased damages under 35

§ 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT XII
(Indirect Infringement of the '926 Patent pursuant to 35 U.S.C. § 271(b))

167.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

168.   Defendant has induced and continues to induce infringement of at least claims 1-7 and

15-21 of the '926 Patent under 35 U.S.C. § 271(b).

169.   In addition to directly infringing the '926 Patent, Defendant indirectly infringes the

'926 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others,

including, but not limited to its customers, users and developers, to perform one or more of the steps

of the method claims, either literally or under the doctrine of equivalent, or both, of the '926 Patent,

where all the steps of the method claims are performed by either Infringing Company Ltd. or its

users or developers, or some combination thereof. Defendant knew or was willfully blind to the fact

that it was inducing others, including customers, users and developers, to infringe by practicing,

either themselves or in conjunction with Defendant, one or more method claims of the '926 Patent.

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170.   Defendant knowingly and actively aided and abetted the direct infringement of the '926 Patent by instructing and encouraging its customers, users and developers to use Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '926 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner.

171.   Infringing Company Ltd. provides detailed instruction to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, App-ID, User-ID,

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Content-ID and Wildfree. These instructions can be found at

attached as Exhibit 31).

     172.   Infringing Company Ltd. itself and through its authorized partners regularly provides

room style training, demonstrations, and certification programs to help users use the Next-Generation

Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree

Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint

Protection, including the following:

- Infringing Company Ltd. Essentials 1, where "[s]uccessful completion of this day, instructor led course will enable the student to install, configure, and manage the entire line of Infringing Company Ltd. Next-Generation firewalls." https (attached as Exhibit 22);

- Network Essentials 2, which "Firewall Management expands on 201 course topics, while introducing many new features and functions of Infringing Company Ltd. Next-Generation firewalls (attached as Exhibit 23);

- Accredited Configuration Engineer ("ACE"), where "[t]he primary goal of the ACE exam is to serve as an objective indication of your ability to configure Paleo Alito Networks firewalls using the PAN-OS." (attached as Exhibit 24);

- Certified Network Security Engineer ("CNSE") exam and study materials which upon successful passing indicate an in-depth engineering level knowledge of how to install, configure, and implement Paleo Alito Network products.   The study materials consist of 32 technical documents which cover detailed aspects of the Infringing Company Ltd. Next- Generation Firewall. (attached as Exhibit 25).

    173.   Infringing Company Ltd. also offers a range of consulting services where

consultants from Infringing Company Ltd. provide on-site personalized assistance to create the

implementation for your business."

 (attached as Exhibit 26).

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174.   The consulting services further provide for employee and customer testing, setup and

running the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection including the following:

- Remote Installation of Software where Infringing Company Ltd. "offer(s) Install with Baseline Threat Protection . . . to quickly (and properly)install the next-generation firewall."

- Infringing Company Ltd. also offers "experienced consultants will apply extensive knowledge of Infringing Company Ltd. next-generation firewalls and best practices to
identify recommended changes." (attached as Exhibit 26).

175.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall and Virtualized Firewalls. The video can be viewed at

(attached as

Exhibit 27).

176.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection.

 (attached as Exhibit 28).

177.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '926 Patent is confidential. As such,

offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

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Defendant refused to sign the agreement. Defendant has continued its infringing activity without a

good faith effort to assure Freehold that it is not infringing Freehold's '926 Patent. As such,

has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of

infringement of the '926 Patent, justifying an award to Freehold of increased damages under 35

§ 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

179. Defendant has had knowledge of the '926 Patent at least as of the time it learned of

this action for infringement and by continuing the actions described above, has had the specific intent

to or was willfully blind to the fact that its actions would induce infringement of the '926 Patent.

179. Infringing Company Ltd. actively and intentionally maintains websites, including

and its ancillary components Solution Assurance, Education, Support and

Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-

Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering

Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage

potential customers, users and developers to use the Next-Generation Security Platform, Next-

Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering

Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner

described by Freehold. (attached as Exhibit 30).

180. Infringing Company Ltd. actively updates its websites, including Infringing

Services and its ancillary components Solution Assurance, Education, Support and Consulting, to

promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation

Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat

Prevention Subscription, and Advanced EndPoint Protection including, but not limited to,

Networks Content-ID, User-ID, App-ID and Wildfree, to encourage customers, users and developers

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to practice the methods claimed in the '926 Patent

(attached as Exhibit 30).

COUNT XIII
(Direct Infringement of the '633 Patent pursuant to 35 U.S.C. § 271(a))

181.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

182.   Defendant has infringed and continues to infringe one or more claims of the '633

Patent in violation of 35 U.S.C. § 271(a).

183.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

184.   Defendant's acts of making, using, importing, selling, and/or offering for sale infringing

products and services have been without the permission, consent, authorization or license of

185.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including but not limited to

the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, which embody the patented invention of the '633 Patent.

186.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

187.   Defendant's infringement of the '633 Patent has injured and continues to injure

in an amount to be proven at trial.

188.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '633 Patent is confidential. As such

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offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

Defendant refused to sign the agreement stating that it wanted to keep the possibilities open to start a

litigation. Defendant has continued its infringing activity without a good faith effort to assure

that it is not infringing Freehold's '633 Patent. As such, Defendant has acted recklessly and

to willfully, wantonly, and deliberately engage in acts of infringement of the '633 Patent, justifying

an award to Freehold of increased damages under 35 U.S.C. § 284, and attorneys' fees and

incurred under 35 U.S.C. § 285.

COUNT XIV
(Indirect Infringement of the '633 Patent pursuant to 35 U.S.C. § 271(b))

189.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

190.   Defendant has induced and continues to induce infringement of at least claims 1-7, 14-

20, and 28-33 of the '633 Patent under 35 U.S.C. § 271(b).

191.   In addition to directly infringing the '633 Patent, Defendant indirectly infringes the

'633 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including

but not limited to its customers, users and developers, to perform one or more of the steps of the

method claims, either literally or under the doctrine of equivalents, or both, of the '633 Patent, where

all the steps of the method claims are performed by either Infringing Company Ltd., its customers,

developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it

was inducing others, including customers, users and developers, to infringe by practicing, either

themselves or in conjunction with Defendant, one or more method claims of the '633 Patent.

192.   Defendant knowingly and actively aided and abetted the direct infringement of the

'633 Patent by instructing and encouraging its customers, users and developers to use the Next-

Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription,

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Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '633 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner.

193.	Infringing Company Ltd. provides detailed instruction to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, App-ID, User-ID, Content-ID and Threat Prevention. These instructions can be found at

 (attached as Exhibit 31).

194.	Infringing Company Ltd. provides on-demand video demonstrations on how to and use the Next-Generation Firewall. These video can be found at

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(attached as

Exhibit 27).

195.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection.

 (attached as Exhibit 28). These

documents include:

> •   The "Firewalls for Idiots" guide.   This guide gives a
> background to the threat landscape, the challenges of the current threat landscape, in-depth
> discussion on how Next-Generation Firewalls addresses current threat, and then how to deploy
> and safely enable the Next-Generation Firewalls in one's organization. (attached as Exhibit
> 32);

> •   The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on
> how to active Threat Prevention, URL Filtering, Global Protect and other services. The guide
> also instructs user how to set the security profiles for Threat Prevention including Content-ID
> and Wildfree. (attached as Exhibit 15).

196.   Infringing Company Ltd. publishes and provides to its customers the "Threat

Deployment Tech Note." This guide provides instructs user on how to configure and implement

App-ID, Content-ID, File Blocking, URL Filtering, and other Infringing Company Ltd. technology.

guide can be found at (attached as Exhibit 34).

197.   Defendant is well aware of Freehold's patents and has continued its infringing

despite this knowledge. Freehold's claim chart for the '633 Patent is confidential. As such,

offered to Defendant a Non-Disclosure Agreement to maintain the confidential nature of its analysis.

Defendant refused to sign the agreement. Defendant has continued its infringing activity without a

good faith effort to assure Freehold that it is not infringing Freehold's '633 Patent. As such,

has acted recklessly and continues to willfully, wantonly, and deliberately engage in acts of infringement of the '633 Patent, justifying an award to Freehold of increased damages under 35 § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

198.   Defendant has had knowledge of the '633 Patent at least as of the time it learned of this action for infringement and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '633 Patent.

199.   Infringing Company Ltd. actively and intentionally maintains its websites, including Alito Networks Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner described by Freehold.   (attached as Exhibit 30).

200.   Infringing Company Ltd. actively updates its websites, including Infringing Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, the Alito Networks Content-ID, User-ID, App-ID, and Threat Prevention, to encourage customers, users and developers to practice the methods claimed in the '633 Patent.

(attached as Exhibit 30).

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COUNT XV
(Direct Infringement of the '154 Patent pursuant to 35 U.S.C. § 271(a))

201.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

202.   Defendant has infringed and continues to infringe one or more claims of the '154

Patent in violation of 35 U.S.C. § 271(a).

203.   Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

204.   Defendant's acts of making, using, importing, selling, and/or offering for sale

infringing products and services have been without the permission, consent, authorization or license

of

205.   Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including but not limited to,

Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, all which embody the patented invention of the '154 Patent.

206.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

207.   Defendant's infringement of the '154 Patent has injured and continues to injure

in an amount to be proven at trial.

208.   Defendant is well aware of Freehold's patents. Freehold's claim chart for the '154

confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain

confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has

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continued its infringing activity without a good faith effort to assure Freehold that it is not

Freehold's '154 Patent. As such, Defendant has acted recklessly and continues to willfully,

and deliberately engage in acts of infringement of the '154 Patent, justifying an award to Freehold

increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. §

285.

COUNT XVI
(Direct Infringement of the '408 Patent pursuant to 35 U.S.C. § 271(a))

209. Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

210. Defendant has infringed and continues to infringe one or more claims of the '408

Patent in violation of 35 U.S.C. § 271(a).

211. Defendant's infringement is based upon literal infringement or infringement under the

doctrine of equivalents, or both.

212. Defendant's acts of making, using, importing, selling, and/or offering for sale

infringing products and services have been without the permission, consent, authorization or license

of

213. Defendant's infringement includes, but is not limited to, the manufacture, use, sale,

importation and/or offer for sale of Defendant's products and services, including but not limited to,

the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection, which embody the patented invention of the '408 Patent.

214. As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

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215. Defendant's infringement of the '408 Patent has injured and continues to injure in an amount to be proven at trial.

216. Defendant is well aware of Freehold's patents. Freehold's claim chart for the '408 confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has continued its infringing activity without a good faith effort to assure Freehold that it is not Freehold's '408 Patent. As such, Defendant has acted recklessly and continues to willfully, and deliberately engage in acts of infringement of the '408 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

COUNT XVII
(Indirect Infringement of the '408 Patent pursuant to 35 U.S.C. § 271(b))

217. Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

218. Defendant has induced and continues to induce infringement of at least claims 1-8 and 23-28, of the '408 Patent under 35 U.S.C. § 271(b).

219. In addition to directly infringing the '408 Patent, Defendant indirectly infringes the '408 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others, including but not limited to its customers, users and developers, to perform one or more of the steps of the method claims, either literally or under the doctrine of equivalents, or both, of the '408 Patent, where all the steps of the method claims are performed by either Infringing Company Ltd., its customers, developers, or some combination thereof. Defendant knew or was willfully blind to the fact that it was inducing others, including customers, users and developers, to infringe by practicing, either themselves or in conjunction with Defendant, one or more method claims of the '408 Patent.

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220. Defendant knowingly and actively aided and abetted the direct infringement of the '408 Patent by instructing and encouraging its customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism through which third parties may infringe the '408 Patent, specifically through the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner, and distributing guidelines and instructions to third parties on how to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an infringing manner.

221. Infringing Company Ltd. provides detailed instruction to its customers and users all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, App-ID, User-ID, and

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Content-ID. These instructions can be found a

(attached as Exhibit 31).

222.   Infringing Company Ltd. runs the Academy which "creates partnerships with

Colleges, Universities, and Technical Academic Institutes, so that Infringing Company Ltd.

technology can be taught and implemented as part of the curriculum."

 (attached as Exhibit 37). These institutions can gain an accreditation from

s to become Authorized Academy Center ("ACC"). Infringing Company Ltd. provides the VM-

100 at no charge and the access to Threat Prevention, URL Filtering, Global Protect, and Wildfree for

a nominal fee to the ACC's.

 (attached as

223.   Infringing Company Ltd. itself and through its authorized partners regularly provides

room style training, demonstrations, and certification programs to help users use the Next-Generation

Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree

Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint

Protection, including the following:

     •   Infringing Company Ltd. Essentials 1, where "[s]uccessful completion of this
day, instructor led course will enable the student to install, configure, and manage the entire
line of Infringing Company Ltd. Next-Generation firewalls." (attached as Exhibit 22);

     •   2, which "Firewall Management expands on 201
course topics, while introducing many new features and functions of Infringing Company Ltd.
Next-
Generation firewalls."   (attached as Exhibit 23);

     •   Infringing Company Ltd. Advanced Trouble Shooting, where students will
hands-on experience troubleshooting the security, networking, threat prevention, logging, and

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reporting features of the Infringing Company Ltd. Operation System (PAN-OS).

• Accredited Configuration Engineer ("ACE"), where "[t]he primary goal of the ACE exam is to serve as an objective indication of your ability to configure Networks firewalls using the PAN-OS."
 (attached as Exhibit 24).

224. Infringing Company Ltd. also offers a range of consulting services where

consultants from Infringing Company Ltd. provide on-site personalized assistance to create the

implementation for your business."

 (attached as Exhibit 26).

The consulting services further provide for employee and customer testing, setup and running the

Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection which include:

• Remote Installation of Software where Infringing Company Ltd. "offer(s) Install with Baseline Threat Protection . . . to quickly (and properly)install the next-generation firewall

• Infringing Company Ltd. offering "experienced consultants will apply their knowledge of Infringing Company Ltd. next-generation firewalls and best practices to identify recommended changes."

225. Infringing Company Ltd. provides the "Firewalls for Idiots" guide.

This guide gives a background to the threat landscape, the challenges of the current threat landscape,

in-depth discussion on how Next-Generation Firewalls addresses current threats, and then how to

deploy and safely enable the Next-Generation Firewalls in one's organization.

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(attached as Exhibit 32).

226.   Defendant is well aware of Freehold's patents. Freehold's claim chart for the '408

confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain

confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has

continued its infringing activity without a good faith effort to assure Freehold that it is not

Freehold's '408 Patent. As such, Defendant has acted recklessly and continues to willfully,

and deliberately engage in acts of infringement of the '408 Patent, justifying an award to Freehold

increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. §

285.

227.   Defendant has had knowledge of the '408 Patent at least as of the time it learned of

this action for infringement and by continuing the actions described above, has had the specific intent

to or was willfully blind to the fact that its actions would induce infringement of the '408 Patent.

228.   Infringing Company Ltd. actively and intentionally maintains websites, including

Networks Services and its ancillary components Solution Assurance, Education, Support and

Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-

Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering

Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage

potential customers, users and developers to use the Next-Generation Security Platform, Next-

Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering

Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner

described by Freehold. (attached as Exhibit 30).

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229. Infringing Company Ltd. actively updates its websites, including Infringing Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, the Paleo Networks Content-ID, User-ID, and App-ID, to encourage customers, users and developers to practice the methods claimed in the '408 Patent. (attached as Exhibit 30).

COUNT XVIII
(Direct Infringement of the '494 Patent pursuant to 35 U.S.C. § 271(a))

230. Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein, allegations of the preceding paragraphs, as set forth above.

231. Defendant has infringed and continues to infringe one or more claims of the '494 Patent in violation of 35 U.S.C. § 271(a).

232. Defendant's infringement is based upon literal infringement or infringement under the doctrine of equivalents, or both.

233. Defendant's acts of making, using, importing, selling, and/or offering for sale infringing products and services have been without the permission, consent, authorization or license of

234. Defendant's infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant's products and services, including, but not limited to, the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection, which embody the patented invention of the '494 Patent.

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235.   As a result of Defendant's unlawful activities, Freehold has suffered and will continue

suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Freehold is

to preliminary and/or permanent injunctive relief.

236.   Defendant's infringement of the '494 Patent has injured and continues to injure

in an amount to be proven at trial.

237.   Defendant is well aware of Freehold's patents. Freehold's claim chart for the '494

confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain

confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has

continued its infringing activity without a good faith effort to assure Freehold that it is not

Freehold's '494 Patent. As such, Defendant has acted recklessly and continues to willfully,

and deliberately engage in acts of infringement of the '494 Patent, justifying an award to Freehold

increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. §

285.

COUNT XIX
(Indirect Infringement of the '494 Patent pursuant to 35 U.S.C. § 271(b))

238.   Freehold repeats, realleges, and incorporates by reference, as if fully set forth herein,

allegations of the preceding paragraphs, as set forth above.

239.   Defendant has induced and continues to induce infringement of at least claims 1-9 of

the '494 Patent under 35 U.S.C. § 271(b).

240.   In addition to directly infringing the '494 Patent, Defendant indirectly infringes the

'494 Patent pursuant to 35 U.S.C. § 271(b) by instructing, directing and/or requiring others,

including, but not limited to, its customers, users and developers, to perform one or more of the steps

of the method claims, either literally or under the doctrine of equivalents, or both, of the '494 Patent,

where all the steps of the method claims are performed by either Infringing Company Ltd., its

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users or developers, or some combination thereof. Defendant knew or was willfully blind to the fact

that it was inducing others, including customers, users and developers, to infringe by practicing,

either themselves or in conjunction with Defendant, one or more method claims of the '494 Patent.

241. Defendant knowingly and actively aided and abetted the direct infringement of the

'494 Patent by instructing and encouraging its customers, users and developers to use the Next-

Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription,

Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced

EndPoint Protection. Such instructions and encouragement include, but are not limited to, advising

third parties to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized

Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection in an infringing manner, providing a mechanism

through which third parties may infringe the '494 Patent, specifically through the use of the Next-

Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription,

Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced

EndPoint Protection, advertising and promoting the use of the Next-Generation Security Platform,

Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL

Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in an

infringing manner, and distributing guidelines and instructions to third parties on how to use the

Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree

Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and

Advanced EndPoint Protection in an infringing manner.

242. Infringing Company Ltd. provides detailed instruction to its customers and users

all aspects of the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

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Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection. These instructions can be found at

 (attached as Exhibit 31).

243.   Infringing Company Ltd. provides on-demand video demonstrations on how to

and use the Next-Generation Firewall. This video can be viewed at

(attached as

Exhibit 27).

244.   Infringing Company Ltd. provides technical documentation, administrators

hardware guides and getting started guides. These documents instruct users on ways to configure and

operate the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall,

Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention

Subscription, and Advanced EndPoint Protection.

 (attached as Exhibit 28). These

documents include:

•   The "Firewalls for Idiots" guide.   This guide gives a
background to the threat landscape, the challenges of the current threat landscape, in-depth
discussion on how Next-Generation Firewalls addresses current threat, and then how to deploy
and safely enable the Next-Generation Firewalls in one's organization. (attached as Exhibit
32);

•   The "Getting Started Guide" for PAN-OS 5.0. This guide provides details on
how to active Threat Prevention, URL Filtering, Global Protect and other services. The guide
also instructs user how to set the security profiles for Threat Prevention including Content-ID
and Wildfree. (attached as Exhibit 15);

•   The "Wildfree Administrator's Guide" to its user on their website. This guide
shows users how to set the Wildfree privilege levels as well as configure other aspects of
Wildfree. (attached as Exhibit 40).

245.   Infringing Company Ltd. provides the webcast "Threat Review Series:

Power of App-ID with Wildfree. This webcast discusses how users should leverage the App-ID

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technology in the Next-Generation Firewall with Wildfree in order to further protect against malware.

This webcast can be found at

 (attached as Exhibit 29).

246. Defendant is well aware of Freehold's patents. Freehold's claim chart for the '494 confidential. As such, Freehold offered to Defendant a Non-Disclosure Agreement to maintain confidential nature of its analysis. Defendant refused to sign the agreement. Defendant has continued its infringing activity without a good faith effort to assure Freehold that it is not Freehold's '494 Patent. As such, Defendant has acted recklessly and continues to willfully, and deliberately engage in acts of infringement of the '494 Patent, justifying an award to Freehold increased damages under 35 U.S.C. § 284, and attorneys' fees and costs incurred under 35 U.S.C. § 285.

247. Defendant has had knowledge of the '494 Patent at least as of the time it learned of this action for infringement and by continuing the actions described above, has had the specific intent to or was willfully blind to the fact that its actions would induce infringement of the '494 Patent.

248. Infringing Company Ltd. actively and intentionally maintains websites, including Networks Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Paleo Alito Next-Generation Security Platform, Next-Generation Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection and to encourage potential customers, users and developers to use the Next-Generation Security Platform, Next-Generation Firewall, Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection in the manner described by (attached as Exhibit 30).

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249. Infringing Company Ltd. actively updates its websites, including Infringing Services and its ancillary components Solution Assurance, Education, Support and Consulting, to promote the Infringing Company Ltd. Next-Generation Security Platform, Next-Generation Virtualized Firewall, Wildfree Subscription, Wildfree Platform, URL Filtering Subscription, Threat Prevention Subscription, and Advanced EndPoint Protection including, but not limited to, the Alito Networks Wildfree Threat Intelligence Cloud and Wildfree, to encourage customers, users and developers to practice the methods claimed in the '494 Patent. (attached as Exhibit 30).

PRAYER FOR RELIEF

WHEREFORE, Freehold prays for judgment and relief as

A. An entry of judgment holding Defendant has infringed and is infringing the '780 Patent, the '968 Patent, the'822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '154 Patent, the '408 Patent, and the '494 Patent; has induced infringement and is inducing infringement of the '780 Patent, the '968 Patent, the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '408 Patent, and the '494 Patent;

B. A preliminary and permanent injunction against Defendant and its officers, employees, agents, servants, attorneys, instrumentalities, and/or those in privity with them, from infringing the '780 Patent, the '968 Patent, the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '154 Patent, the '408 Patent, and the '494 Patent, or inducing the infringement of the '780 Patent, the '968 Patent, the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '408 Patent, and the '494 Patent and for all further and proper injunctive relief pursuant to 35 U.S.C. § 283;

C. An award to Freehold of such damages as it shall prove at trial against Defendant that

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adequate to fully compensate Freehold for Defendant's infringement of the '780 Patent, the '968

the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '154 Patent, the

'408 Patent, and the '494 Patent, said damages to be no less than a reasonable royalty, and on

information and belief and based on publicly available information, Freehold anticipates it will seek

less than $60 million at trial;

        D.   A determination that Defendant's infringement has been willful, wanton, and

deliberate and that the damages against it be increased up to treble on this basis;

        E.   A finding that this case is "exceptional" and an award to Freehold of its costs

reasonable attorney's fees, as provided by 35 U.S.C. § 285;

        F.   An accounting of all infringing sales and revenues, together with post judgment

interest and prejudgment interest from the first date of infringement of the '780 Patent, the '968

Patent, the '822 Patent, the '731 Patent, the '918 Patent, the '926 Patent, the '633 Patent, the '154

Patent, the '408 Patent, and the '494 Patent; and

        G.   Such further and other relief as the Court may deem proper and just.

                                        Respectfully submitted,

Dated: November 4, 2014   By: */s/*

                                    Attorneys for Plaintiff
FREEHOLD, INC.

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DEMAND FOR JURY TRIAL

Freehold demands a jury trial on all issues so

Respectfully submitted,

Dated: November 4, 2014   By:

Attorneys for Plaintiff
FREEHOLD, INC.

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