

patents, including Title 35 U.S.C. §271 and §§281-285. This court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§1 *et seq.*

5. This Court has personal jurisdiction over Juniper , as Juniper is incorporated in the State of Delaware.

6. Venue is proper in this federal district pursuant to 28 U.S.C. §§1391(b)-(c) and 1400(b), as Juniper is a Delaware corporation and therefore resides in this District, and in that Juniper has done business in this District, has committed acts of infringement in this District, and continues to commit acts of infringement in this District, entitling ESR and SRH to relief. More specifically, Juniper directly and/or through intermediaries (including resellers or distributors) distributes, offers for sale, sells, and/or advertises its products and services in the District of Delaware.

COUNT I — INFRINGEMENT OF U.S. PATENT NO. 6,119,236

7. On September 12, 2000, United States Patent No. 6,119, 236 (“the ’236 Patent”) was duly and legally issued for inventions entitled “Intelligent Network Security Device and Method.” By virtue of assignment from Peter Shipley, the individual inventor of the ’236 Patent, and Network Security Associates, a company owned by Peter Shipley, ESR acquired all rights, title and interest in and to the ’236 Patent, including the right to sue for infringement and recover past damages. By virtue of a Purchase Agreement, dated January 20, 2009, ESR has delegated to SRH the exclusive right to initiate, maintain, manage, resolve, conclude and settle all arrangements and activities in connection with any and all licensing or litigation or enforcement efforts relating to ESR’s rights in and to the ’236 Patent. On June 25, 2010, Judge Joseph J. Farnan, Jr. issued an order stating that “the Purchase Agreement provided Security Research

Holdings with all substantial rights to the patents-in-suit such that ESR lacks constitutional standing to bring [a patent infringement] action on its own.” ESR remains the owner of the ’236 Patent. SRH joins in this action to the extent it is ultimately determined that it is a necessary party. A true and correct copy of the ’236 Patent is attached hereto as Exhibit A.

8. Upon information and belief, Juniper has infringed, contributed to infringement, induced infringement, and continues to infringe the ’236 Patent by making, using, selling, or offering to sell within the United States past, present, and future versions of products and/or methods that embody one or more claims of the ’236 Patent, or by contributing to the infringement of the ’236 Patent, or carrying out other acts constituting infringement under 35 U.S.C. §§ 271(a), 271(b), 271(c), 271(f), and/or 271(g). Such infringing conduct includes, but is not limited to, making, using, selling, or offering to sell within the United States past, present, and future versions of Juniper Networks’ IDP appliances, software, updates, and related offerings, including but not limited to the following: Juniper IDP Series products 10/50/75/100/200/250/500/600/800/1000/1100/8200; ISG Series Products 1000/2000; SSG Series Products 5/20/140/320M/350M/520/520M/550/550M; J-Series Products 2300/2320/2350/4300/4350/6300/6350; SRX Series Products 100/210/240/650/3400/3600/5600/5800; NetScreen Series products HSC/5GT/5XT/5XP/10/25/50/100/200/204/208/500/600C/600F/1000/1000C/1000F/5200/5400; and Juniper network security appliances running IDP, Junos OS, or ScreenOS Software (collectively, “Juniper Network Security Appliances and Software”).

9. By way of example and without limitation, Juniper directly infringes claims of the ’236 Patent when it uses intrusion detection and prevention systems in a method described in the patent claims.

10. By way of example, and without limitation, Juniper contributorily infringes claims of the '236 Patent when it makes, sells, or offers to sell Juniper Network Security Appliances and Software because these products are configured by customers and/or end users into directly infringing products.

11. By way of example, and without limitation, Juniper induces infringement of the '236 Patent when it makes, sells, or offers to sell Juniper Network Security Appliances and Software because customers and/or end users of these products directly infringe the claims of the '236 Patent by using them for intrusion detection and prevention, as described in the patent claims, and because Juniper has knowledge of the '236 Patent and intends for its customers and/or end users to infringe as evidenced by its promotion of its product.

12. Juniper's acts of infringement have caused damage in an amount subject to proof at trial. Juniper's infringement of the '236 Patent will continue to cause damage and irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

COUNT II — INFRINGEMENT OF U.S. PATENT NO. 6,304,975 B1

13. On October 16, 2001, United States Patent No. 6, 304,975 B1 ("the '975 Patent") was duly and legally issued for inventions entitled "Intelligent Network Security Device and Method." By virtue of assignment from Peter Shipley, the individual inventor of the '975 Patent, and Network Security Associates, a company owned by Peter Shipley, ESR acquired all rights, title and interest in and to the '975 Patent, including the right to sue for infringement and recover past damages. By virtue of a Purchase Agreement, dated January 20, 2009, ESR has delegated to SRH the exclusive right to initiate, maintain, manage, resolve, conclude and settle all arrangements and activities in connection with any and all licensing or litigation or enforcement

efforts relating to ESR's rights in and to the '975 Patent. On June 25, 2010, Judge Joseph J. Farnan, Jr. issued an order stating that "the Purchase Agreement provided Security Research Holdings with all substantial rights to the patents-in-suit such that ESR lacks constitutional standing to bring [a patent infringement] action on its own." ESR remains the owner of the '975 Patent. SRH joins in this action to the extent it is ultimately determined that it is a necessary party. A true and correct copy of the '975 Patent is attached hereto as Exhibit B.

14. Upon information and belief, Juniper has infringed, contributed to infringement, induced infringement, and continues to infringe the '975 Patent by making, using, selling, or offering to sell within the United States past, present, and future versions of products and/or methods that embody one or more claims of the '975 Patent, or by contributing to the infringement of the '975 Patent, or carrying out other acts constituting infringement under 35 U.S.C. §§ 271(a), 271(b), 271(c), 271(f), and/or 271(g). Such infringing conduct includes, but is not limited to, making, using, selling, or offering to sell within the United States past, present, and future versions of Juniper Network Security Appliances and Software.

15. By way of example and without limitation, Juniper directly infringes claims of the '975 Patent when it uses intrusion detection and prevention systems in a method described in the patent claims.

16. By way of example, and without limitation, Juniper contributorily infringes claims of the '975 Patent when it makes, sells, or offers to sell Juniper Network Security Appliances and Software because these products are configured by customers and/or end users into directly infringing products.

17. By way of example, and without limitation, Juniper induces infringement of the '975 Patent when it makes, sells, or offers to sell Juniper Network Security Appliances and

Software because customers and/or end users of these products directly infringe the claims of the '975 Patent by using them for intrusion detection and prevention, as described in the patent claims, and because Juniper has knowledge of the '975 Patent and intends for its customers and/or end users to infringe as evidenced by its promotion of its product.

18. Juniper's acts of infringement have caused damage in an amount subject to proof at trial. Juniper's infringement of the '975 Patent will continue to cause damage and irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ESR and SRH request entry of judgment in their favor and against Juniper as follows:

- a) Declaration that Juniper has infringed U.S. Patent Nos. 6,119,236 and 6,304,975 B1 under 35 U.S.C. §§ 271(a), 271 (b), 271 (c), 271 (f), and/or 271 (g);
- b) Awarding the damages arising out of Juniper's infringement of U.S. Patent Nos. 6,119,236 and 6,304,975 B1, including enhanced damages pursuant to 35 U.S.C. § 284, together with prejudgment and post-judgment interest, in an amount according to proof;
- c) A post-judgment equitable accounting of damages for the period of infringement of U.S. Patent Nos. 6,119,236 and 6,304,975 B1 following the period of damages established by Plaintiffs at trial;
- d) Awarding attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;
- e) Permanently enjoining Juniper, its officers, agents, employees, and those acting in privity with Juniper, from further infringement, contributory infringement and/or inducing

infringement of U.S. Patent Nos. 6,119,236 and 6,304,975 B1;

- f) If a permanent injunction is not granted, a judicial determination of the conditions for future infringement or such other relief as the Court deems appropriate; and
- g) For such other costs and further relief as the Court may deem just and proper.

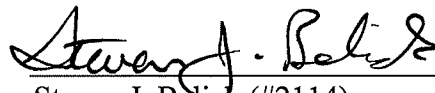
DEMAND FOR JURY TRIAL

ESR and SRH hereby demand a trial by jury on all issues, pursuant to Rule 38 of the Federal Rules of Civil Procedure.

ASHBY & GEDDES

OF COUNSEL:

Martin R. Lueck, Esq.
Sara A. Poulos, Esq.
Cole M. Fauver, Esq.
Julia Dayton Klein, Esq.
Brenda L. Joly, Esq.
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015



Steven J. Balick (#2114)
Tiffany Geyer Lydon (#3950)
Caroline Hong (#5189)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
sbalick@ashby-geddes.com
tlydon@ashby-geddes.com
chong@ashby-geddes.com

DATED: July 15, 2010

ATTORNEYS FOR PLAINTIFFS
Enhanced Security Research, LLC and
Security Research Holdings LLC