

EXHIBIT 9

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE WILLIAM H. ORRICK, JUDGE

FINJAN, INC., a Delaware corporation,)

Plaintiff,)

VS.)

SOPHOS, INC., a Massachusetts corporation,)

Defendant.)

No. C 14-1197 WHO

San Francisco, California
Monday, September 12, 2016

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff:

KRAMER, LEVIN, NAFTALIS & FRANKEL LLP
990 Marsh Road
Menlo Park, California 94025

**BY: PAUL J. ANDRE, ESQUIRE
LISA KOBIALKA, ESQUIRE
JAMES HANNAH, ESQUIRE
HANNAH YUNKYUNG LEE, ESQUIRE**

For Defendant:

DLA PIPER LLP
401 B Street, Suite 1700
San Diego, California 92101

**BY: JOHN ALLCOCK, ESQUIRE
SEAN CUNNINGHAM, ESQUIRE
KATHRYN RILEY GRASSO, ESQUIRE**

Reported By: Katherine Powell Sullivan, CSR #5812, RMR, CRR
Pamela A. Batalo, CSR No. 3593, RMR, FCRR
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LAYNE-FARRAR - DIRECT / KOBIALKA

1 issue in that particular --

2 **Q.** Did you have any take-homes after reviewing all of these
3 agreements?

4 **A.** Yes. So I think that the evidence establishes that Finjan
5 has an established licensing rate: 8 percent of total revenues
6 on hardware; 16 percent of total revenues on software.

7 And just to be conservative, I then put ranges around
8 those. I said okay, let's go with 6 to 8 for hardware, and 8
9 to 16 percent for software Cloud products.

10 **Q.** So let's turn back to the Georgia-Pacific Factors and, we
11 have the Factors 8 through 11 under the benefits of the
12 technology.

13 What did you find with regard to the utility and
14 advantages of Finjan's patents over old modes or devices and
15 benefits of the technology?

16 **A.** Right. So this was another part of my conversation with
17 Dr. Medvidovic, but also Dr. Cole and Dr. Mitzenmacher. And my
18 understanding is, you know, the old modes were the
19 signature-based stuff. And the new stuff that Finjan has in
20 its patented technology is this zero-day behavioral analysis,
21 you know, realtime threat protection. So if you were to take
22 that piece away, you'd be left with sort of old school. It
23 would be just that one slice. It wouldn't be the layered
24 protection. It wouldn't be what customers and consumers are
25 demanding today, which is established in the industry analysts'