

EXHIBIT 6

Volume 5

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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

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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'

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1 6.3 million. If both -- if either the '154 or the '154 plus
2 the '494 are found valid and infringed, damages would be
3 increased to 5.1 to 10.2 million.

4 **Q.** And then the last one for Labs, if you could just give the
5 same kind of summary with the ranges?

6 **A.** Yeah. So the first three rows are the individual patent
7 amounts. Those ranges are about 1.2 to 3.1 for an individual
8 patent, if just one of them is found valid and infringed. And
9 then the last row is if all four of them that are asserted
10 against Labs are found valid and infringed, then the reasonable
11 royalty would be 1.9 to 3.7.

12 **Q.** For just the '844 Patent, is that range 1.6 to 3.2?

13 **A.** Right.

14 **Q.** Are these ranges as a result of the application of the
15 royalty rates we talked about earlier?

16 **A.** Right. So the UTM would be the 6 to 8 percent. If it's
17 the endpoint or Labs, it's the 8 to 16 percent, and that's why
18 you get a range because it's those two royalties rates.

19 **Q.** If we could go to Slide 53, and if you could just explain
20 what we're seeing here.

21 **A.** This is just the bottom line. If you assume all five
22 patents are valid and infringed, what range do you get for all
23 three accused products? And that's 8.7 million to
24 16.1 million.

25 **Q.** Did you do any checks or benchmarks to make sure that your