EXHIBIT 12

1 IN THE UNITES STATES DISTRICT COURT

2 IN AND FOR THE DISTRICT OF DELAWARE

3 - - -

4 FINJAN SOFTWARE LTD., : Civil Action
5 : No. 06-369(GMS)
Plaintiff, :
6 :
v. :
7 :
SECURE COMPUTING CORPORATION, :
8 CYBERGUARD CORPORATION, :
WEBWASHERE AG and DOES 1 :
9 THROUGH 100, :
:
10 Defendants. :

11 - - -

12 Wilmington, Delaware
Tuesday, March 4, 2008
13 8:30 a.m.
Day Two of Trial

14 - - -

15 BEFORE: HONORABLE GREGORY M. SLEET, Chief Judge,
16 and a Jury

17 APPEARANCES:

18 PHILIP A. ROVNER, ESQ.
Potter Anderson & Corroon LLP
19 -and-
PAUL J. ANDRE, ESQ.,
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KRIS KASTENS, ESQ., and
22 HANNAH LEE, ESQ.
King & Spalding
23 (Silicon Valley, California)

24 Counsel for Plaintiff

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Q. With respect to Claim 65, do you find that every element of Claim 65 literally infringes -- strike that.

Do you find that the Webwasher product literally infringes every claim element of Claim 65?

A. Yes, I think so.

Q. At least does the Webwasher product perform substantially the same function as that described in Claim 65?

A. Yes, it does.

Q. Does at least the Webwasher product perform substantially the same way as in Claim 65?

A. Yes, it does.

Q. And at least does the Webwasher product yield the same result as that which is claimed in Claim 65?

A. Yes, it does.

Q. Is that for every single element in Claim 65?

A. Yes.

Q. Thank you.

All right. So that's it for the '194 patent. I would like to turn your attention to the '780 patent.

Dr. Vigna, could you just give a very brief description of what is claimed in Claim 1 of the '780 patent?

A. Yes.

So in this patent, a method is disclosed to

compute a unique ID of a downloadable for md5, a downloadable itself. The idea is that is that a downloadable is retrieved and an ID is computed. But the downloadable also references other components. Also together with the first component, other components are also analyzed and an ID is generated.

This ID is then used to identify or to determine if a downloadable has been seen before. And the way in which this ID is created is by performing a hash function.

Here I have to do a very short digression on what a hash function is.

So, again, a hash function is, it's a way to take an object and generate in a secure way a unique idea. A secure way means that if two objects are different, then they will have different IDs. And it is very hard computationally, given an ID, to generate another object that will have the same ID. You have to sort of believe me here because there are actually pretty complex mathematics behind these type of functions. Here we are not really discussing these functions working or not. They are used in computer science and programs every day.

One, for example, of the most known functions is called md5. Shawan (phonetic) is another example of such type of functions. They are used to generate unique IDs for these downloadables.