

## EXHIBIT 3

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

BLUE COAT SYSTEMS, INC.,  
Petitioner,

v.

FINJAN, INC.,  
Patent Owner.

---

Case IPR2016-01443  
Patent 8,677,494

---

**DECLARATION OF NENAD MEDVIDOVIC, PH.D. ON THE  
VALIDITY OF CLAIMS 7–9 AND 16–18 OF U.S. PATENT NO. 8,677,494  
IN SUPPORT OF PATENT OWNER’S PRELIMINARY RESPONSE**

Declaration of Dr. Nenad Medvidovic  
IPR2016-01443 (U.S. Patent No. 8,677,494)

*Behavior Patterns*, Virus Bulletin Conference, September 1995 (Ex. 1005, “Swimmer”); Ji et al. U.S. Patent No. 5,983,348 (Ex. 1006, “Ji”); Ari Luotonen et al., *World-Wide Web Proxies* (1994) (Ex. 1007, “Luotonen”); Apperson et al. U.S. Patent No. 5,978,484 (Ex. 1008, “Apperson”); and Lo et al., *Towards a Testbed for Malicious Code Detection* (1991) (Ex. 1009, “Lo”). I have also reviewed the declaration of inventor, Shlomo Touboul, located on pgs. 288–90 of Ex. 1004.

18. I understand that I am submitting a declaration in connection with the above-referenced *Inter Partes* review (“IPR”) proceeding involving the ‘494 Patent.

## **II. SCOPE OF ASSIGNMENT AND APPROACH**

19. I have been retained as an expert on behalf of Patent Owner, Finjan, Inc., (“Finjan”), to provide information and opinions to the Patent Trial and Appeal Board (hereinafter “the Board”) to assist in the determination of the validity of certain of Finjan’s patent claims of the ‘494 Patent for which the Board has instituted an IPR proceeding. Specifically, counsel for Finjan asked me to provide opinions regarding the validity of claims 7–9 and 16–18 of the ‘494 Patent in view of certain prior art references cited by Petitioner, Blue Coat Systems, Inc. (“Blue Coat”).

20. I have been informed by counsel and I understand that the analysis of whether a patent is anticipated or obvious is performed from the perspective of a