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14 *Attorneys for Plaintiff*
 15 FINJAN, INC.

16 **IN THE UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **OAKLAND DIVISION**

19 FINJAN, INC.,

20 Plaintiff,

21 v.

22 QUALYS INC.,

23 Defendant.

Case No.: 4:18-cv-07229-YGR

**DECLARATION OF AARON FRANKEL IN
 SUPPORT OF PLAINTIFF FINJAN, INC.'S
 OPPOSITION TO DEFENDANT QUALYS
 INC.'S MOTION FOR LEAVE TO AMEND
 ANSWER AND AFFIRMATIVE DEFENSES**

Date: April 7, 2020
 Time: 2:00 PM
 Place: Courtroom 1, 4th Floor
 Before: Hon. Yvonne Gonzalez Rogers

1 I, Aaron Frankel, declare:

2 1. I am a partner with the law firm Kramer Levin Naftalis & Frankel LLP, counsel of record
3 for Finjan, Inc. (“Finjan”). I have personal knowledge of the facts stated herein and can testify
4 competently to those facts. I make this declaration in support of Plaintiff Finjan’s Opposition To
5 Defendant Qualys Inc.’s (“Qualys”) Motion For Leave To Amend Answer And Affirmative Defenses.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of Transaction History from the
7 Reexamination File (Control No. 90/013,660) initiated December 11, 2015 for the U.S. Patent No.
8 7,975,305 Patent.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of Finjan’s Form 8-K Report made
10 to the United States Securities and Exchange Commission pursuant to Section 13 or 15(d) of The
11 Securities Exchange Act of 1934 reported on July 2, 2018.

12 4. Attached hereto as Exhibit 3 is a true and correct copy Finjan’s public press release titled
13 “Finjan and Trend Micro Enter into Confidential Patent License Agreement,” published July 2, 2018.

14 5. Attached hereto as Exhibit 4 is a true and correct copy of Zacks Investment Research
15 profile of Finjan highlighting Finjan’s “\$13.4 Million License Deal” on July 2, 2018.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of the e-mail chain “Finjan
17 Licenses” between counsel for Finjan and counsel for Qualys showing Finjan’s diligence in informing
18 Qualys of its work in producing the Trend Micro Patent License Agreement.

19
20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct. Executed on March 13, 2020 in San Francisco, California.

22
23 /s/ Aaron Frankel
24 Aaron Frankel

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ATTESTATION PURSUANT TO L.R. 5-1(D)

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.

/s/ James Hannah
James Hannah