

Exhibit 8

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

OAKLAND DIVISION

FINJAN LLC., a Delaware Limited
Liability Company,

Plaintiff,

v.

QUALYS INC., a Delaware
Corporation,

Defendant.

Case No. 4:18-cv-07229-YGR (TSH)

Hon. Yvonne Gonzalez Rogers

**EXPERT REPORT OF NENAD
MEDVIDOVIĆ, PH.D.
[HC-AEO]**

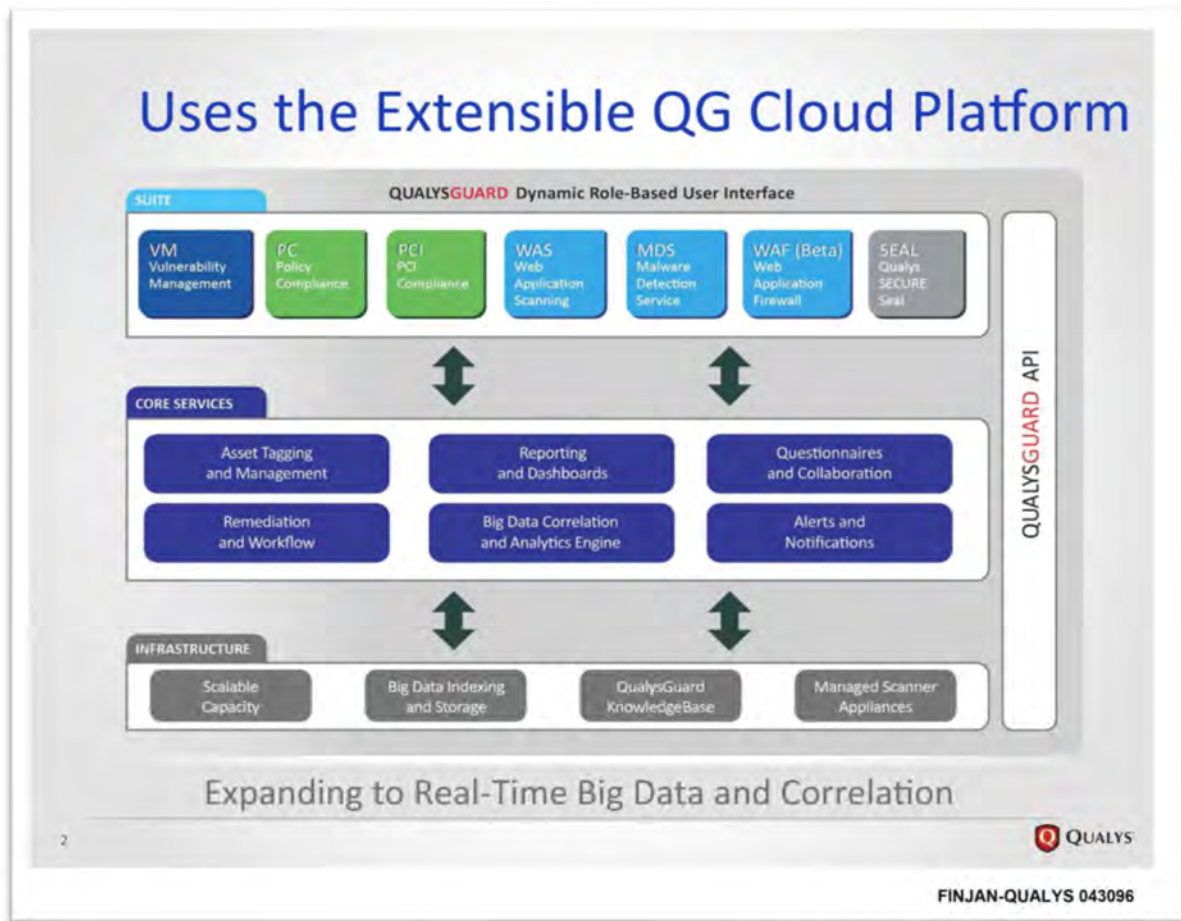


Nenad Medvidovic, PH.D.

December 1, 2020

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1 94. Qualys’s Cloud Platform supports a product suite that offers a set of
2 “core services”:



18 FINJAN-QUALYS 043095 and 096.

19 95. The Qualys products have three primary components: (1) the sensors
20 that are used to obtain data; (2) the various applications Qualys provides that
21 analyze this data, *i.e.*, Qualys’s cloud based applications; and (3) the backend
22 Qualys systems responsible for aggregating and storing data. I discuss each of these
23 in more detail below.

24 **■ Qualys Scanner Appliances and Cloud Agents**

25 96. The Qualys Cloud Platform collects data regarding the network through
26 the use of either scanners or cloud agents. Bachwani Tr. 46:12-47:12. A scanner is
27 an appliance that used to collect data from endpoints and scan that data. *Id.*

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1 By installing a scanner appliance within your network, you will have
2 the ability to do vulnerability assessments for your entire network. We
3 offer both physical appliances and virtual appliances for ease of
4 integration with your network environment. The scanner appliance
features a hardened OS kernel, is highly secure, and stores no data.

5 Qualys Cloud Platform, Evaluator’s Guide (April 13, 2020) (available at
6 <https://www.qualys.com/docs/qualys-evaluators-guide.pdf>) [FINJAN-QUALYS
7 419671].

8 98. A cloud agent is an application that is deployed on the endpoint itself,
9 which is then also used to collect data from that endpoint. Bachwani Tr. 46:12-
10 47:12; *see also* Cloud Agent, Getting Started Guide (available at
11 <https://www.qualys.com/docs/qualys-cloud-agent-getting-started-guide.pdf>)
12 [FINJAN-QUALYS 419160].

13 99. There is no functional difference in physical and virtual scanners—both
14 are devices in the network that are used to collect data. And both scanners and
15 cloud agents collect the same data:

16 Q. What is a scanner engine?

17 MR. SMITH: I'll object as outside the scope of the notice topics, if
18 this is a 30(b)(6) question.

19 THE WITNESS: It's -- it's a physical or virtual appliance that can do
20 vulnerability scans similar to what the cloud agent does.

21 BY MR. LEE:

22 Q. Are you aware of any difference between the scanner engine and
23 the cloud agent?

24 A. They generally collect the same data. And we do the same
25 vulnerability analysis for -- it's just a different data collection
26 mechanism. So in the case of the scanners, the scanners are
connecting to the different endpoints and collecting the data. In the
case of the cloud agent, the cloud agent is deployed on the endpoint
itself and collecting the data.

27 Bachwani Tr. 46:14-47:8; *id.* at 122:22-25.

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1 100. That is, just like the scanners collect data from endpoints and perform a
2 vulnerability on that data (*id.*), Qualys’s cloud agents do the same:

3 Q. What is the name of this code that runs on the system?

4 A. That's called Qualys cloud agent.

5 Q. How does Qualys cloud agent operate?

6 A. That's a pretty broad question. Like what part of that would you
7 like to know?

8 Q. Well, you mentioned that the Qualys cloud agent runs on the client
9 system?

9 A. Yeah.

10 Q. What does it do there?

11 A. So on the client system, it looks at the files that are on the system
12 that are installed by the customer, and the software that is installed,
13 and collect the information about those files, and assess them for any
14 issues or misconfigurations.

14 Thakar Tr. 9:2-19 (referring to collecting data from endpoints and “assess[ing] them
15 for any issues”); 11:16-12:2 (cloud agent collects the same type of information from
16 cloud agents and a scanner appliance).

17 101. Qualys uses a “scanning engine” to collect data for Vulnerability
18 Management Policy Compliance, and related features. Kruse Tr. 7:24-
19 8:12; Bachwani Tr. 119-16.

20 102. The scanning engine for Vulnerability Management and Policy
21 Compliance is “essentially the same”:

22 Q What's the difference between the scanner engine for VM versus
23 PC?

24 MR. MAYS: Objection. Form.

25 THE WITNESS: It's essentially the same scanner engine. It's the same
26 code. It's just that the functionality is a little different between
27 vulnerability management and policy compliance.

27 Kruse Tr. 31:18-25.

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