

1 Juanita R. Brooks (CA SBN 75934) brooks@fr.com  
Roger A. Denning (CA SBN 228998) denning@fr.com  
2 Jason W. Wolff (CA SBN 215819) wolff@fr.com  
John-Paul Fryckman (CA 317591) fryckman@fr.com  
3 K. Nicole Williams (CA291900) nwilliams@fr.com  
FISH & RICHARDSON P.C.  
4 12860 El Camino Real, Ste. 400  
San Diego, CA 92130  
5 Telephone: (858) 678-5070 / Fax: (858) 678-5099

6 Proshanto Mukherji (*Pro Hac Vice*) mukherji@fr.com  
FISH & RICHARDSON P.C.  
7 One Marina Park Drive  
Boston, MA 02210  
8 Phone: (617) 542-5070/ Fax: (617) 542-5906

9 Robert Courtney (CA SBN 248392) courtney@fr.com  
FISH & RICHARDSON P.C.  
10 3200 RBC Plaza  
60 South Sixth Street  
11 Minneapolis, MN 55402  
Phone: (612) 335-5070 / Fax: (612) 288-9696  
12

13 Attorneys for Plaintiff  
FINJAN LLC

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 (SAN JOSE DIVISION)

17 FINJAN LLC., a Delaware Limited Liability  
18 Company,

19 Plaintiff,

20 v.

21 SONICWALL, INC., a Delaware Corporation,

22 Defendant.  
23  
24

Case No. 5:17-cv-04467-BLF (VKD)

**OMNIBUS DECLARATION OF ROBERT  
COURTNEY IN SUPPORT OF  
PLAINTIFF FINJAN LLC'S  
OPPOSITIONS TO SONICWALL, INC.'S  
MOTIONS *IN LIMINE* NOS. 1-5**

Date: March 18, 2021  
Time: 1:30 PM  
Hon. Beth Labson Freeman  
Ctrm: 3, 5<sup>th</sup> Floor

1 I, Robert Courtney, hereby declare and state as follows:

2 1. I am a principal in the law firm of Fish & Richardson P.C., counsel of record for  
3 Plaintiff Finjan LLC in the above-captioned matter. I have personal knowledge of all the facts  
4 contained herein and, if called as a witness, I could and would testify competently thereto.

5 2. Attached as Exhibit A are true and correct copies of excerpts from the Expert Report  
6 of DeForest McDuff, Ph.D. dated September 4, 2020.

7 3. Attached as Exhibit B are true and correct copies of excerpts from the Expert  
8 Report of Dr. Eric Cole Regarding Technology Tutorial and Infringement by SonicWall, Inc. of  
9 Patent Nos. 6,154,844; 7,058,822; 7,647,633 and 8,677,494 dated September 3, 2020.

10 4. Attached as Exhibit C are true and correct copies of excerpts from the Expert  
11 Report of Michael Mitzenmacher, Ph.D. Regarding Infringement by SonicWall, Inc. of Patent  
12 Nos. 6,804,780; 6,965,968 and 7,613,926 dated September 3, 2020.

13 5. Attached as Exhibit D are true and correct copies of excerpts from the Expert  
14 Report of Dr. Nenad Medvidovic Regarding Infringement by SonicWall, Inc. of Patent Nos.  
15 8,225,408; 7,975,305 and 8,141,154 dated September 3, 2020.

16 6. Attached as Exhibit E are true and correct copies of excerpts from the deposition  
17 transcript of DeForest McDuff, Ph.D. taken November 2, 2020.

18 7. Attached as Exhibit F are true and correct copies of excerpts from the Expert  
19 Report of Dr. Aaron Striegel dated September 3, 2020.

20 8. Attached as Exhibit G are true and correct copies of excerpts from the deposition  
21 transcript of Aaron Striegel, Ph.D. taken November 3, 2020.

22 9. Attached as Exhibit H are true and correct copies of excerpts from Exhibit 4, the  
23 2018 SonicWall Cyber Threat Report (FINJAN-SW 433167-FINJAN-SW 433191), to  
24 Dr. DeForest McDuff's deposition taken November 2, 2020.

1 10. Attached as Exhibit I are true and correct copies of excerpts from the 2019  
2 SonicWall Cyber Threat Report (FINJAN-SW 433192-433226).

3 11. Attached as Exhibit J are true and correct copies of excerpts from the Expert Report  
4 of Dr. Kevin Almeroth on Invalidity of U.S. Patent Nos. 6,154,844 and 8,141,154 dated  
5 September 4, 2020.

6 12. Attached as Exhibit K are true and correct copies of excerpts from the Expert  
7 Report of Dr. Patrick McDaniel Regarding the Invalidity of the '494 and '780 Patents dated  
8 September 4, 2020.

9 13. Attached as Exhibit L are true and correct copies of excerpts from the Rebuttal  
10 Expert Report of Dr. Patrick McDaniel Regarding Non-Infringement of U.S. Patent Nos.  
11 6,804,780 and 8,677,494 dated October 9, 2020.

12 14. Attached as Exhibit M are true and correct copies of excerpts from the Decision  
13 Denying Institution of *Inter Partes* Review in *Cisco Systems, Inc. v. Finjan, Inc.*, Case No.  
14 IPR2017-02155, Paper No. 11, dated April 3, 2018.

15 15. Attached as Exhibit N are true and correct copies of excerpts from Defendant  
16 Sophos Inc.'s *Daubert* Motion to Exclude Certain Opinions of Finjan's Expert Witnesses and  
17 Motions *In Limine* dated July 25, 2016.

18 16. Attached as Exhibit O are true and correct copies of excerpts from the Expert  
19 Report of Stephen L. Becker, Ph.D. on Behalf of Defendant dated October 9, 2020.

20 I declare under the penalty of perjury of the laws of the United States of America that the  
21 foregoing is true and correct. Executed on March 11, 2021, in Plymouth, MN.

22 By: /s/ Robert Courtney  
23 Robert Courtney  
24