

**APPENDIX A**  
**PLAINTIFF'S TRIAL EXHIBIT LIST**

**DEFENDANTS' OBJECTIONS KEY**

FRE 106	Incomplete
FRE 401/402	Relevance
FRE 403	Probative value outweighed by unfair prejudice, confusing the issues, misleading the jury
FRE 408	Compromise offers and negotiations
FRE 701/702/703	Improper opinion
FRE 802/805	Hearsay
FRE 901	Authentication

Defendants additionally reserve the right to object to the admission of any trial exhibit where Finjan has not laid a proper foundation at trial.

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United States District Court  
For the Southern District of California

*Finjan, Inc. v. Eset, LLC and Eset SPOL. S.R.O.*

Case No. 17-cv-00183-CAB      Trial Date: March 9, 2020

<b>Date Marked</b>	<b>Date Admitted</b>	<b>Bates Range</b>	<b>Description</b>	<b>Date</b>	<b>Deposition Exhibit No.</b>	<b>Defendants' Objections</b>
		ESET0063182 – 83	Email from industrynews-bounces@esetsoftware.com on behalf of Randy Abrams to Industry News Re: FW: Darkreading.com Stolen FTP Credentials Offered for Sale: Major Firms at Risk	02/28/2008	Albro Ex. 3	FRE 401/402; FRE 403; FRE 802/805
		ESET0063176 – 77	Email from Pierre-Marc Bureau to DL Publications Re: Hexzone / Big Botnet post with attachment	04/22/2009	Albro Ex. 4	FRE 401/402; FRE 403; FRE 802/805
		ESET0063179	Email from David Harley to DL Global Research Communications Re: The botnet that dare not speak its name	04/22/2009	Albro Ex. 5	FRE 401/402; FRE 403; FRE 802/805
			Exhibit A – Letter from Ivan Chaperot to Richard Marko re Finjan's patent portfolio  (Filed as Dkt. 15-2 on 07/27/2016)	01/22/2015	Albro Ex. 6	FRE 401/402; FRE 403; FRE 408; FRE 802/805; FRE 901

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			FINJAN-ESET 478207 – 21	Email from Nick Pisano to John Garland Re: RE: Finjan-ESET 1 Provided in accordance with Mutual Standstill & Confidentiality Agreement FRE 408	11/17/2015	Albro Ex. 7	FRE 401/402; FRE 403; FRE 408; FRE 802/805; FRE 901
				Declaration of Peter Kovac in Support of Defendant Eset Spol. S.R.O.'s Motion to Dismiss (Filed as Dkt. 55-1)	11/02/2016	Albro Ex. 8	FRE 401/402; FRE 403; FRE 802/805; FRE 901
			ESET0000996 – 1142	Eset Endpoint Security 6 User Guide	03/29/2016	Bono Ex. 2	FRE 401/402; FRE 403; FRE 802/805
			ESET0001245 – 412	Eset File Security for Microsoft Windows Server, Installation Manual and User Guide	11/16/2016	Bono Ex. 3	FRE 401/402; FRE 403; FRE 802/805
			ESET0001413 – 45	Eset Gateway Security Installation Manual and User Guide (intended for product version 4.5 and higher)	05/10/2016	Bono Ex. 4	FRE 401/402; FRE 403; FRE 802/805
			ESET0045474 – 76	MR HIPS DB Documentation	00/00/0000	Gabryszewski Ex. 1	FRE 401/402; FRE 403; FRE 802/805
			ESET0044452 – 60	Hips – documentation	00/00/0000	Gabryszewski Ex. 3	FRE 401/402; FRE 403; FRE 802/805

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		ESET0043703 – 10	ESET Intelligence Feeds	00/00/0000	Gabryszewski Ex. 4	FRE 401/402; FRE 403; FRE 802/805
		ESET0040764 – 69	ESET Core R&D Brainstorm6: "HIPS"	00/00/0000	Gabryszewski Ex. 5	FRE 401/402; FRE 403; FRE 802/805
		ESET0039461 – 70	ESET HIPS Engine – ESET Hips engine Overview	00/00/2009	Gabryszewski Ex. 6	FRE 401/402; FRE 403; FRE 802/805
		ESET0046673 – 80	HIPS – Sections 1 Obsah, 2 Foreword, 3 Introduction, 4 Logical parts	00/00/0000	Gabryszewski Ex. 7	FRE 401/402; FRE 403; FRE 802/805
		ESET0032910 – 62	NETSHIELD Version 1.6 for Novell NetWare v4.01 and NetWare for OS/2 V4.01	00/00/1992	Goretsky Ex. 1	FRE 401/402; FRE 403; FRE 802/805
		ESET0033438 – 45	VCOPY Version 0.7V82, Documentation by Aryeh Goretsky	00/00/1990	Goretsky Ex. 2	FRE 401/402; FRE 403; FRE 802/805
		ESET0032704 – 46	NETSCAN Version 9.14V102, Documentation by Aryeh Goretsky	00/00/1989	Goretsky Ex. 3	FRE 401/402; FRE 403; FRE 802/805
		ESET0033468 – 531	Version 3.00 by Alejandro L. Abello the High-flying Hard-lander	00/00/1990	Goretsky Ex. 4	FRE 401/402; FRE 403; FRE 802/805

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	Date Marked	Date Admitted	Bates Range	Description	Date	Deposition Exhibit No.	Defendants' Objections
			FINJAN-ESET 409852 – 903	NETSHIELD Version 1.61 Release Candidate for Novell NetWare v4.01 and Novell NetWare for OS/2 v4.01, Documentation by Aryeh Goretsky and Logical Arts	00/00/1992	Goretsky Ex. 5	FRE 401/402; FRE 403; FRE 802/805; FRE 901
			ESET0042942 – 91	Automating botnets' behavior at scale by Jean-Ian Boutin, Juraj Janosik – CARO Workshop – 2016	00/00/2016	Janosik Ex. 2	FRE 401/402; FRE 403; FRE 802/805
			ESET0043144 – 96	Machine Learning in security industry and ESET by Jakub Debski for Sales and Marketing Division	00/00/0000	Janosik Ex. 3	FRE 401/402; FRE 403; FRE 802/805
			ESET0072583 – 637	Presentation – [mK <sup>2</sup> ] Complex Malware Analysis Sandbox – by Miszczak Marcin, Krzywicki Mateusz, Kwiecien Tomasz	00/00/0000	Janosik Ex. 4	FRE 401/402; FRE 403; FRE 802/805
			ESET0072638 – 737	Presentation – Malware Analyzer [mK <sup>2</sup> Sandbox] – by Miszczak Marcin, Krzywicki Mateusz, Kwiecien Tomasz	00/00/0000	Janosik Ex. 5	FRE 401/402; FRE 403; FRE 802/805
			ESETSC0000000864 – 66	Source Code	00/00/0000	Janosik Ex. 9	
			ESETSC0000000867	Source Code	00/00/0000	Janosik Ex. 10	

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