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ESET, LLC and ESET, SPOL. S.R.O.

10  
11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 FINJAN, INC.,

14 Plaintiff,

15 v.

16 ESET, LLC, et al.,

17 Defendants.

Case No. 3:17-cv-0183-CAB-BGS

**DECLARATION OF NICOLA A.  
PISANO IN SUPPORT OF ESET, LLC  
AND ESET, SPOL. S.R.O.'S RENEWED  
MOTIONS FOR SUMMARY  
JUDGMENT REGARDING U.S.  
PATENT NO. 6,154,844**

Judge: Hon. Cathy Ann Bencivengo

18  
19 AND RELATED COUNTERCLAIMS.

PER CHAMBERS RULES, NO ORAL  
ARGUMENT UNLESS SEPARATELY  
ORDERED BY THE COURT

1 I, Nicola A. Pisano, declare and state as follows:

2 1. I am an attorney at law duly licensed in the States of California and New  
3 York, and before this Court. I am a partner at the law firm of Eversheds Sutherland  
4 (US) LLP, counsel of record for Defendants and Counter-Plaintiffs ESET, LLC and  
5 ESET, spol. s.r.o. (“ESET”). I make this declaration based upon my personal  
6 knowledge and am willing to testify to the truth of the matter asserted herein if called to  
7 do so.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of relevant excerpts  
9 from the Reporter’s Transcript of Jury Trial Day 3, Volume 3, held on March 12, 2020.

10 3. Attached hereto as **Exhibit B** is a true and correct copy of the Final Written  
11 Decision in IPR2019-00026, dated April 7, 2020.

12 4. Attached hereto as **Exhibit C** is a true and correct copy of relevant excerpts  
13 from the prosecution history for U.S. patent application Serial No. 08/995,648, which  
14 matured as U.S. Patent No. 6,154,844.

15 5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the  
16 Reporter’s Transcript of Motions Hearing of the Motion for Summary Judgment Hearing  
17 held on September 26, 2019.

18 I declare under penalty of perjury under the laws of the United States of America  
19 that the foregoing is true and correct.

20  
21 Dated: August 21, 2020

Respectfully submitted,

22  
23 EVERSHEDS SUTHERLAND (US) LLP

24 */s/ Nicola A. Pisano*  
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26 Nicola A. Pisano  
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