

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FINJAN LLC., a Delaware Limited Liability
Company,

Plaintiff,

v.

RAPID7, INC., a Delaware Corporation
and RAPID7 LLC, a Delaware Limited
Liability Company,

Defendants.

C.A. No. 1:18-cv-01519-MN

Jury Trial Demanded

**REDACTED VERSION
(Filed on October 30, 2020)**

**DECLARATION OF JOHN R. GIBSON IN SUPPORT OF DEFENDANTS RAPID7, INC.
AND RAPID7 LLC'S MOTION TO EXCLUDE THE OPINIONS AND TESTIMONY OF
PLAINTIFF'S EXPERTS RUSSELL L. PARR, MICHAEL MITZENMACHER,
NENAD MEDVIDOVIC, ERIC COLE, AND MICHAEL GOODRICH**

I, John R. Gibson, declare and state the following:

1. My name is John R. Gibson. I provide this declaration in support of Defendants' Motion to Exclude Finjan's Experts, Mr. Parr, Dr. Mitzenmacher, Dr. Medvidovic, Dr. Cole, and Dr. Goodrich. I have personal knowledge of the following based upon my representation of Rapid7 in this matter and, if called as a witness, I could and would testify competently thereto.

2. I am a partner at Duane Morris LLP, which represents Rapid7, Inc. and Rapid7 LLC in the above-captioned matter. I am a member of good standing of the State Bar of Georgia and the Commonwealth of Virginia, and am admitted *pro hac vice* in the District of Delaware for this matter.

3. Attached hereto as Exhibit 1 is excerpts from the Expert Report of Russell L. Parr, CFA, CLP, dated June 17, 2020.

4. Attached hereto as Exhibit 2 is excerpts from the September 11, 2020 deposition of Russell L. Parr.

5. Attached hereto as Exhibit 3 is excerpts from the March 20, 2019 deposition of John Garland. The parties agreed that Mr. Garland's testimony from *Finjan, Inc. v. Cisco Sys., Inc.*, 5:17-cv-00072 (N.D. Cal.) could be used for all relevant purposes in this matter. Mr. Garland served as Finjan's corporate representative on various topics, including Finjan's licensing practices.

6. Attached hereto as Exhibit 4 is a true and correct copy of FINNJAN-RPD 433165, which was also introduced as Exhibit 6 to Mr. Parr's deposition.

7. Attached hereto as Exhibit 5 is excerpts from the Expert Report of Michael Mitzenmacher, Ph.D. Regarding Infringement by Rapid7 of U.S. Patent Nos. 8,141,154, 7,757,289, and 8,225,408, dated June 17, 2020.

8. Attached hereto as Exhibit 6 is excerpts from the September 21, 2020 deposition of Dr. Mitzenmacher.

9. Attached hereto as Exhibit 7 is excerpts from the Rebuttal Expert Report of Michael T. Goodrich, Ph.D. Regarding Validity of U.S. Patent Nos. 7,613,918; 7,757,289; 7,975,305; and 8,225,408, dated July 31, 2020.

10. Attached hereto as Exhibit 8 is excerpts from the Expert Report of Dr. Nenad Medvidovic Regarding Technology Tutorial and Benefits of the Patent, dated June 17, 2002.

11. Attached hereto as Exhibit 9 is excerpts from the Expert Report of Dr. Eric Cole Regarding Infringement by Rapid7, Inc. and Rapid LLC of U.S. Patent Nos. 8,677,494, 8,079,086, 7,613,918, and 7,975,305, dated June 17, 2020.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 23rd day of October, 2020.

/s/ John R. Gibson.

John R. Gibson