In the *Inter Partes* Review of:)

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U.S. Patent No.: 8,074,115   )

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For: METHODS, MEDIA AND   )

     SYSTEMS FOR DETECTING)

     ANOMALOUS PROGRAM   )

     EXECUTIONS   )

)

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DECLARATION OF MICHAEL T. GOODRICH, Ph.D. IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,074,115

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Corporation ("Petitioner"), to provide my expert opinions in Appl.

captioned petition for *Inter Partes* review of U.S. Patent No. 8,074,115 (the "'115 patent"), challenging the patentability of claims 1-42 of the '115 patent.

2. I currently hold the opinions set forth in this declaration.

3. In summary, it is my opinion that the references cited below render obvious claims 1-42 of the '115 patent. My detailed opinions on the claims are set forth below.

II. BACKGROUND AND QUALIFICATIONS

4. I earned a Bachelor's Degree in Mathematics and Computer Science from Calvin College in 1983. I obtained my Master's Degree and Ph.D. in Computer Sciences from Purdue University in 1985 and 1987, respectively.

5. I currently hold the position of Chancellor's Professor for the Department of Computer Science at the University of California, Irvine. I have been employed by the University of California, Irvine since 2001 and have spent more than two decades teaching computer science at the University of California, Irvine and previously at Johns Hopkins University.

6. My research for more than 30 years has focused generally on algorithm and data structure design, information assurance and security, and parallel and

commutative Hashing," U.S. Patent No. 7,299,219, titled "High Refresh-Rate retrieval of Freshly Published Content using Distributed Crawling," and U.S. Patent No. 8,681,145, titled "Attribute Transfer Between Computer Models Including Identifying Isomorphic Regions in Polygonal Meshes." Additionally, I have published over 100 papers and books.

8.   My professional background and technical qualifications also are reflected in my Curriculum Vitae, which is attached as Exhibit 1004.

III.   COMPENSATION AND RELATIONSHIP WITH PARTIES

9.   I am being compensated for my time. This compensation is not contingent upon my performance, the outcome of this matter, or any issues involved in or related to this matter.

10.   I have no financial interest in Petitioner or any related parties. I have been informed that The Trustees of Columbia University in the City of New York ("Columbia") owns the '115 patent. I have no financial interest in and have no contact with Columbia. I similarly have no financial interest in the '115 patent and have not had any contact with any of its inventors.

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12.   I have reviewed and considered the Claim Construction Order issued by the district court in the ongoing litigation between the Petitioner and the Patentee. (*The Trustees of Columbia University in the City of New York v. Symantec Corp.*, Civil Action No. 3:13-cv-808, Oct. 7, 2014 Claim Construction Order (Dkt. No. 123), Ex. 1005). I have also reviewed the district court's clarification of its Claim Construction Order in the same litigation. (*The Trustees of Columbia University in the City of New York v. Symantec Corp.*, Civil Action No. 3:13-cv-808, October 23, 2014 Memorandum Order Clarifying Claim Construction (Dkt. No. 146), Ex. 1006).

13.   I understand that, for purposes of determining whether a reference will qualify as prior art, the challenged claims of the '115 patent are entitled to a priority date of no earlier than October 25, 2005.

14.   I have also reviewed and understand various publications as discussed herein, including the following references:

<blockquote>

a.   U.S. Patent Application Publication No. 2005/0208562 to Khazan *et al.* ("Khazan," Ex. 1010);

b.   U.S. Patent No. 5,440,723 to Arnold *et al.* ("Arnold," Ex. 1007);

c.   U.S. Patent No. 8,108,929 to Agrawal *et al.* ("Agrawal," Ex. 1008);

</blockquote>

for rejection set forth in the Petition for *Inter Partes* Review of the '115 patent. Additionally, I am aware of information generally available to, and relied upon by, persons of ordinary skill in the art at the relevant times, including technical dictionaries and technical reference materials (including, for example, textbooks, manuals, technical papers, articles, and relevant technical standards); some of my statements below are expressly based on such awareness.

16.   Due to procedural limitations for *Inter Partes* reviews, the grounds of invalidity discussed herein are based solely on prior patents and other printed publications. I understand that Petitioner and the other interested parties reserve all rights to assert other grounds for invalidity not addressed herein at a later time, for instance failure of the application to claim patentable subject matter under 35 U.S.C. § 101, failure to meet requirements under 35 U.S.C. § 112 (*e.g.*, lack of written description in support of the claims) and anticipation/obviousness under 35 U.S.C. §§ 102 and 103 not based solely on patents and printed publications (*e.g.*, evidence of prior use of combinations of elements claimed in the '115 patent). Thus, absence of discussion of such matters here should not be interpreted as indicating that there are no such additional grounds for invalidity of the '115 patent.

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