

PROTECTIVE ORDER MATERIAL

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PALO ALTO NETWORKS, INC.,
Petitioner,

v.

FINJAN, INC.,
Patent Owner.

Case IPR2016-00151
U.S. Patent No. 8,141,154

DECLARATION OF YUVAL BEN-ITZHAK

I, Yuval Ben-Itzhak, declare as follows:

1. I am over the age of majority and make this declaration of my own personal knowledge.

2. I am currently the Chief Technology Officer (“CTO”) at Outbrain Inc. Prior to my current position I was employed as the CTO of AVG Technologies (2009–2015); Finjan Software, Ltd., (2005–2009); KaVaDo Inc. (2000–2004); Ness Technologies. I was also employed from 1994–1996 an engineer at Intel Corp. From 1988–1992 I was a member of the Intelligence Services of the Israeli Defense Force.

3. In 1998, I obtained a Bachelor in Science in Industrial Engineering and Management and Information Systems from Ben Gureon University in Israel.

4. While employed as the CTO of Finjan Software, Ltd., my work included responsibility over Finjan’s Malicious Code Research Center, Technology development and innovation, intellectual property, strategy.

5. David Gruzman and I developed the invention claimed in U.S. Patent No. 8,141,154. We had identified a need to scan dynamically generated code, which could not be scanned with known static analysis tools, to determine whether it was malicious.

6. In October 2005, I prepared a draft patent application for the invention claimed in the U.S. Patent No. 8,141,154. I sent an email attaching the draft patent

application to Dr. Marc Berger, who worked for Finjan and drafted Finjan's patent applications at the time. Ex. 2007 at pg. 2. It was my understanding that Dr. Berger was working with the Eitan Law Group to file patent applications for Finjan.

7. From October 31 through December 12, 2005, I worked diligently with Dr. Berger to finalize the application. For example, on November 13, 2005, I emailed Dr. Berger regarding the patent application. Ex. 2007 at pg. 2. Dr. Berger responded on December 6, 2005 via email regarding the application. We also had several phone conversations between November 13, 2005 and December 12, 2005 regarding the patent application. In each of these conversations, we communicated regarding work to be done on the draft patent application.

8. The patent application for U.S. Patent Application Serial No. 11/298,475 was filed on December 12, 2005. Ex. 2006.

DECLARATION

I declare under penalty of perjury under the laws of the United States of America that this declaration is true, complete, and accurate to the best of my knowledge. I further acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001.

Executed at _____ Prague _____ on August 28, 2016.



Yuval Ben-Itzhak