

U.S. Patent No. 8,141,154  
Declaration in Support of Petition for *Inter Partes* Review

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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Palo Alto Networks, Inc.  
Petitioner

v.

Finjan, Inc.  
Patent Owner

Patent No. 8,141,154

Issue Date: Mar. 20, 2012

Title: System and Method for Inspecting Dynamically Generated Executable Code

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*Inter Partes* Review No. IPR2016-00151

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**DECLARATION OF DR. AVIEL D. RUBIN IN SUPPORT OF PETITION  
FOR *INTER PARTES* REVIEW**

**UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *et seq.***

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**Exhibit List for Declaration of Dr. Aviel Rubin**

| Exhibit Description   | Exhibit |
|---|---------|
| Dr. Aviel D. Rubin Curriculum Vitae   | A       |
| Fred Cohen, <i>Computer Viruses Theory and Experiments</i> , Elsevier Science Publishers, North-Holland, Computers & Security 6, at 22-35 (1987); Ex. C, David M. Chess and Steve R. White, An Undetectable Computer Virus, IBM Thomas J. Watson Research Center (2000) | B       |
| David M. Chess and Steve R. White, <i>An Undetectable Computer Virus</i> , IBM Thomas J. Watson Research Center (2000)  | C       |
| Fridrik Skulason, <i>Developing a Virus Scanner</i> , Virus Bulletin at 7-9 (March 1991)  | D       |
| David M. Chess, <i>Tools and Techniques</i> , Virus Bulletin (November 1991)  | E       |
| <i>Living Together – Without False Alarms!</i> , Virus Bulletin at 19 (November 1991); Ex. G, James Beckett, <i>Maltese Amoeba... Poetic Justice</i> , Virus Bulletin at 15-16 (December 1991)  | F       |
| James Beckett, <i>Maltese Amoeba... Poetic Justice</i> , Virus Bulletin at 15-16 (December 1991)  | G       |
| <i>The Shape Shifters</i> , Virus Bulletin at 13-15 (November 1993)   | H       |
| Dmitry Gryaznov, <i>Scanners of the Year 2000: Heuristics</i> , Proceedings of the Fifth Int'l Virus Bulletin Conference at 225, 228-30, and 233-34 (Sept. 1999.)   | I       |
| Sarah Gordon, <i>What a (Winword.) Concept</i> , Virus Bulletin at 8-9 (Sept. 1995)   | J       |
| <i>How Does An IBM PC Virus Infect A Computer</i> , Virus Bulletin at 11-12 (Apr. 1990)   | K       |
| Eric Chien, <i>Malware Do You Want To Go Today? Part 2</i> , Virus  | L       |

|   |   |
|---|---|
| Bulletin at 10-11 (Feb. 2000)   |   |
| Aviel D. Rubin and Daniel E. Greer, <i>Mobile Code Security</i> at 1 (1998) | M |

1. I, Aviel D. Rubin, Ph.D., submit the following declaration (the “Declaration”) in connection with the proceeding identified above.

**I. INTRODUCTION**

2. I have been retained by counsel for Palo Alto Networks, Inc., (“Palo Alto Networks”) as a technical expert in connection with the proceeding identified above. I submit this Declaration in support of Petitioner Palo Alto Networks’ Petition for *Inter Partes* Review (“Petition”) of United States Patent No. 8,141,154 (“the ’154 patent”) (Exhibit 1001) against Patent Owner Finjan, Inc. (“Finjan”).

All “Ex. 10\_\_” cites herein are to the Exhibits to the Petition. All “Ex. \_” cites with letters A through M herein are to Exhibits to this Declaration.

3. I understand that Finjan has filed a patent infringement lawsuit in the U.S. District Court for the Northern District of California alleging infringement by Palo Alto Networks of claims the ’154 patent. *Finjan, Inc. v. Palo Alto Networks, Inc.*, Civil Action No. 2:14-cv-01526-CB (W.D. Pa.).

4. For the purposes of this Declaration, I will address certain claims of the ’154 patent. Inclusion of a claim in my analysis is not an indication that I believe it could reasonably be asserted against Palo Alto Networks.

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