

1:1 UNITED STATES PATENT AND TRADEMARK OFFICE
1:2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

1:3 PALO ALTO NETWORKS, INC.,

1:4
1:5 Petitioner,

1:6 -against-

1:7 FINJAN, INC.,

1:8 Patent Owner.

1:9 Patent No. 8,141,154

1:10 Inter Partes Review No. IPR2016-00151

1:11
1:12 November 10, 2016
1:13 7:59 a.m.

1:14 *** HIGHLY CONFIDENTIAL ***

1:15
1:16 DEPOSITION of YUVAL
1:17 BEN-ITZHAK, taken by Petitioner,
1:18 pursuant to Notice, held at the offices
1:19 of KRAMER, LEVIN, NAFTALIS & FRANKEL
1:20 LLP, 1177 Avenue of the Americas, New
1:21 York, New York before Wayne Hock, a
1:22 Notary Public of the State of New York.

1:23
1:24
1:25

2:1 A P P E A R A N C E S:

2:2

MORRISON & FOERSTER LLP

2:3 Attorneys for Petitioner

1650 Tysons Boulevard

2:4 McLean, Virginia 22102

2:5

BY: SHOUVIK BISWAS, ESQ.

2:6 sbiswas@mofo.com

2:7

2:8 KRAMER, LEVIN, NAFTALIS & FRANKEL LLP

Attorneys for Patent Owner

2:9 1177 Avenue of the Americas

New York, New York 10036

2:10

BY: AARON FRANKEL, ESQ.

2:11 afrankel@kramerlevin.com

2:12

ALSO PRESENT:

2:13

2:14 MICHAEL KIM

(via teleconference)

2:15

* * *

2:16

2:17

2:18

2:19

2:20

2:21

2:22

2:23

2:24

2:25

3:1
3:2
3:3
3:4
3:5
3:6
3:7
3:8
3:9
3:10
3:11
3:12
3:13
3:14
3:15
3:16
3:17
3:18
3:19
3:20
3:21
3:22
3:23
3:24
3:25

* * *

I N D E X

WITNESS	EXAMINED BY	PAGE
Y. Ben-Itzhak	Mr. Biswas	4
	Mr. Frankel	21

E X H I B I T S

FOR ID	DESCRIPTION	PAGE
Exhibit 1	Document entitled Declaration of Yuval Ben-Itzhak	9
Exhibit 2	E-mail dated December 6, 2005	11

* * *

4:1 Y U V A L B E N - I T Z H A K, having
4:2 been first duly sworn by a
4:3 Notary Public of the State of
4:4 New York, upon being examined,
4:5 testified as follows:

4:6 EXAMINATION BY

4:7 MR. BISWAS:

4:8 Q. What is your current address?

4:9 A. Malydvur 820, Nebusice,
4:10 Prague, Czech Republic.

4:11 Q. Mr. Ben-Itzhak, could you
4:12 please state your full name for the
4:13 record.

4:14 A. My name is Yuval Ben-Itzhak.

4:15 Q. And do you understand why you
4:16 are here today?

4:17 A. You can explain to me and
4:18 I'll tell you if that's my
4:19 understanding.

4:20 Q. Sure.

4:21 You are here in reference to
4:22 your deposition that you provided in
4:23 IPR 2016-00151.

4:24 Is that your understanding?

4:25 A. My understanding I'm here for

5:1 deposition based on my statement that I
5:2 signed, yes.

5:3 Q. Sure, sure.

5:4 Now, Mr. Ben-Itzhak, could
5:5 you describe to me your role with
5:6 Finjan with reference to the time
5:7 period in question, which is 2005?

5:8 A. I was the chief technology
5:9 officer of Finjan in 2005.

5:10 Q. And as chief technology
5:11 officer, what were your duties?

5:12 A. As a chief technology
5:13 officer, I was responsible for the
5:14 research team. They were doing malware
5:15 research; used to call malicious code
5:16 research center. I was responsible for
5:17 the technology of the company, the
5:18 development of the technology of the
5:19 company. I was responsible for some of
5:20 the work with analysts and markets,
5:21 press, and stuff like that.

5:22 Q. Can you describe your role in
5:23 terms of Finjan's work in developing
5:24 its IP portfolio?

5:25 MR. FRANKEL: Objection to

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.