

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

PALO ALTO NETWORKS, INC.,  
Petitioner,

v.

FINJAN, INC.,  
Patent Owner.

---

Case IPR2016-00159  
U.S. Patent No. 8,677,494

---

**SUPPLEMENTAL DECLARATION OF MICHAEL GOODRICH, Ph.D.,  
IN SUPPORT OF PATENT OWNER'S RESPONSE TO PETITION**

I, Michael Goodrich, Ph.D., declare and state as follows:

## I. QUALIFICATIONS

1. I make this Declaration based upon my own personal knowledge, information, and belief, and I would and could competently testify to the matters set forth in this Declaration if called upon to do so.

2. I received a Bachelor of Arts (“BA”) degree in Mathematics and Computer Science from Calvin College in 1983 and a Ph.D. in Computer Sciences from Purdue University in 1987.

3. I am a Chancellor’s Professor in the Department of Computer Science at the University of California, Irvine (“UCI”), where I have been a faculty member since 2001. The Chancellor’s Professor title at UCI is designed for persons who have earned the title of Professor and who have demonstrated unusual academic merit and whose continued promise for scholarly achievement is unusually high. In addition, I am technical director for the Center for Algorithms and Theory of Computation in the Donald Bren School of Information and Computer Sciences at UCI. I was a professor in the Department of Computer Science at Johns Hopkins University from 1987-2001.

4. I have authored and coauthored over 300 publications, including several widely adopted books, such as *Introduction to Computer Security and Algorithm Design and Applications*. My research includes contributions to data

structures and algorithms, information security and privacy, networking, graph algorithms, computational geometry, distributed and parallel algorithms, and cloud security. For example, I have published research articles about tracing network attacks, authenticating users and data to prevent intrusions and viruses, and certifying email messages to stop malware attachments. My research is currently supported by a grant from the Defense Advanced Research Projects Agency (DARPA) to study new ways of discovering malware and a grant from the National Science Foundation (NSF) to study methods for secure and private data storage and retrieval in networks.

5. In addition, I have consulting experience in matters involving algorithms, cryptography, machine learning, digital rights management, computer security, networking, software, and storage technologies.

6. I am an ACM Distinguished Scientist, a Fellow of the American Association for the Advancement of Science (AAAS), a Fulbright Scholar, a Fellow of the institute of Electrical and Electronics Engineers (IEEE), and a Fellow of the Association for Computing Machinery (ACM). I am also a recipient of the IEEE Computer Society Technical Achievement Award and the Pond Award for Excellence in Undergraduate Teaching.

7. Attached to this Declaration as Appendix A is a true and correct copy of my *curriculum vitae* (CV).

8. In developing my opinions below, I have considered the materials cited herein, including the subject Petition and all the exhibits cited therein and identified on Petitioners' Exhibit List. In addition, I have reviewed the Patent Owner Response and the documents cited by Dr. Nenad Medvidovic in his declaration to the Patent Owner Response ("Medvidovic Declaration").

## II. OBVIOUSNESS

9. Counsel has informed me, and I understand, that an issued patent claim is invalid as obvious if it can be shown that the differences between the patented subject matter and the prior art are such that the subject matter as a whole would have been obvious, at the time the invention was made, to a person having ordinary skill in the art. Relevant considerations include the level of ordinary skill in the art; the scope and content of the prior art; differences between the prior art and the claims at issue; and the so-called objective secondary factors of nonobviousness.

10. Counsel has informed me, and I understand, that in order to evaluate the obviousness of any claim of the '494 Patent over a given prior art combination, I should analyze whether the prior art references, included collectively in the combination, disclose each and every element of the allegedly invalid claim as those references are read by the person of ordinary skill in the art at the time of the invention. Then, I am to determine whether that combination makes the claims of

the '494 Patent obvious to the person of ordinary skill in the art by a preponderance of the evidence, at the time of the invention. I understand that such preponderance of the evidence is satisfied if the proposition is more likely to be true than not true.

11. Counsel has informed me, and I understand, that the obviousness inquiry requires that the prior art be considered in its entirety. I am further informed and I understand that an invention cannot be obvious to try where “the breadth of the [] choices and the numerous combinations indicate that the [] disclosures would not have rendered the claimed invention obvious to try.”

12. Counsel has informed me, and I understand, that even where all of the claim limitations are expressly disclosed in the prior art references, there must be some showing that a person of ordinary skill in the art would have been motivated to combine such prior art references and that there would have been a reasonable expectation of successfully achieving the claimed invention from such combination.

13. Counsel has informed me, and I understand, in considering the obviousness of a claimed invention, one should not view the invention and the prior art with the benefit of hindsight. It is for that reason, I am informed and I understand, that obviousness is assessed by the person of ordinary skill in the art at the time the invention was made. In this regard, I am informed and I understand

# 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.