

Declaration of Aviel D. Rubin
Petition for *Inter Partes* Review of Patent No. 8,677,494

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Palo Alto Networks, Inc.
Petitioner

v.

Finjan, Inc.
Patent Owner

U.S. Patent No. 8,677,494

Filing Date: Nov. 7, 2011

Issue Date: Mar. 18, 2014

Title: Malicious Mobile Code Runtime Monitoring System and Methods

Inter Partes Review No. 2016-00159

**DECLARATION OF AVIEL D. RUBIN IN SUPPORT OF PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 8,677,494**

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I, Aviel Rubin, declare as follows:

I have personal knowledge of the facts stated in this declaration, and could and would testify to these facts under oath if called upon to do so.

I have been retained by counsel for Palo Alto Networks, Inc. (Petitioner) in this case as an expert in the relevant art. I am being compensated for my work at the rate of \$688 per hour. No part of my compensation is contingent upon the outcome of this petition.

I was asked to study U.S. Patent 8,677,494, its prosecution history, and the prior art and to render opinions on the obviousness or non-obviousness of the claims of the '494 patent in light of the teachings of the prior art, as understood by a person of ordinary skill in the art in the 1996 time frame.

Summary of Opinions

After studying the '494 patent, relevant excerpts of its file history, and the prior art, and considering the subject matter of the claims of the '494 patent in light of the state of technical advancement in security programs (including content scanners for program code), in the 1996 time frame, I reached the following conclusions. Each of the claims of the '494 patent addressed in this declaration were invalid as obvious in the 1996 time frame in light of the knowledge of skill in the art at that time and the teachings, suggestions, and motivations present in the prior art.

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