

## **Declaration of John Hawes of Virus Bulletin**

I, John Hawes, declare as follows:

1. I am over the age of majority and make this declaration based on the business records of my employer, Virus Bulletin.
2. I am the Chief of Operations at Virus Bulletin, running the business side of the company since 2014 and managing all aspects of product testing and reviews since 2006. Virus Bulletin is an online magazine about the prevention, detection, and removal of malware and spam. It regularly features analyses of the latest virus threats, articles exploring new developments in the fight against viruses, interviews with anti-virus experts, and evaluations of current anti-malware products. Virus Bulletin has run an annual international conference on malware, anti-malware, and related subjects since 1991. Virus Bulletin is headquartered at The Pentagon, Abingdon Science Park, Abingdon, OX14 3YP, United Kingdom.
3. Attached as Exhibit A is a true and correct copy of a declaration I signed on or about October 15, 2015. Exhibit A includes a true and correct copy of the paper entitled “Dynamic Detection and Classification of Computer Viruses Using General Behaviour Patterns,” by Morton Swimmer, which Virus Bulletin published in 1995 and which is attached to my October 15, 2015 declaration.
4. As I stated in my October 15, 2015 declaration, the paper entitled “Dynamic Detection and Classification of Computer Viruses Using General Behaviour Patterns” was published to all 163 attendees of the Virus Bulletin International Conference at the Boston Park Plaza Hotel and Towers in September 1995. The paper was included in the conference proceedings book that was distributed to all conference attendees and subsequently made available for purchase by Virus Bulletin.

5. The copy of the Swimmer paper included with Exhibit A is part of the conference proceedings book that was prepared by Virus Bulletin employees in 1995 and that has been kept at Virus Bulletin's offices ever since. Virus Bulletin prepares and publishes a conference proceedings book for each of its annual conferences, which date back to 1991. Each conference proceedings book is prepared and maintained by Virus Bulletin employees in the course of Virus Bulletin's regularly conducted business activity.


6. Attached as Exhibit B is a true and correct copy of a list of 163 delegates, or attendees, who registered to attend the 1995 Virus Bulletin International Conference. The list was created by Virus Bulletin employees in 1995 and has been stored along with other conference materials, including the conference proceedings book, at Virus Bulletin's offices ever since. Virus Bulletin creates and maintains delegate lists for its annual conferences in the course of its regularly conducted business activity.

7. Attached as Exhibit C is a true and correct copy of a brochure for the 1995 Virus Bulletin International Conference that was created by Virus Bulletin employees in 1995 and that has been stored along with other conference materials, including the conference proceedings book, at Virus Bulletin's offices ever since. Virus Bulletin distributes brochures for its annual conferences as an insert in various industry publications. Virus Bulletin creates and maintains these brochures in the course of its regularly conducted business activity.

8. Attached as Exhibit D is a true and correct copy of the November 1995 issue of Virus Bulletin magazine, which was distributed by mail to all Virus Bulletin subscribers. The November 1995 issue of Virus Bulletin magazine was published and maintained in the course of Virus Bulletin's regularly conducted business activity.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001.

Executed in Denver, Colorado, U.S.A., on October 7, 2016.



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John Hawes

# EXHIBIT A

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3. According to Virus Bulletin's business records, which are maintained in the ordinary course of business, the paper entitled "Dynamic Detection and Classification of Computer Viruses Using General Behaviour Patterns" by Morton Swimmer was published by Virus Bulletin to all 163 attendees of the Virus Bulletin International Conference at the Boston Park Plaza Hotel and Towers in

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