

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYMANTEC CORP., and
BLUE COAT SYSTEMS, INC.,
Petitioner,

v.

FINJAN, INC.,
Patent Owner.

Case IPR2015-01892¹
Patent 8,677,494 B2

Before JAMES B. ARPIN, ZHENYU YANG, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

BOUDREAU, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5

¹ Case IPR2016-00890 has been joined with the instant proceeding.

In an email message dated October 23, 2016, Patent Owner requested a conference call with the Board under 37 C.F.R. § 42.5, to request permission to file a paper identifying portions of Petitioner's Reply (Paper 31) that Patent Owner believes raise new issues or belatedly present evidence.

The panel has considered Patent Owner's request, and a conference is not necessary. Patent Owner is authorized to file a paper calling the Board's attention to those portions of Petitioner's Reply that are believed by Patent Owner to raise new issues or belatedly present evidence. The paper should be in the form of a list providing the location and a concise description of any portion of the Petitioner's Reply that Patent Owner wishes to draw to the Board's attention, but it shall not contain argument. The paper is limited to two pages and should be filed by Due Date 4.

We also authorize Petitioner to file a paper in response to Patent Owner's submission. If filed by Petitioner, this paper should identify, in an itemized manner, what Petitioner regards as the material contained in the Patent Owner Response which triggered or caused the Petitioner to include in its Reply each item listed by Patent Owner or where each item listed by Patent Owner appears in the Petition, but it shall not contain argument. This paper is also limited to two pages and should be filed by Due Date 5.

In rendering its Final Written Decision, the Board will determine what weight, if any, is to be given to all of the presented evidence and arguments in accordance with the rules of the Board.

It is

ORDERED that the parties are authorized to file the above-discussed papers consistent with the requirements and deadlines set forth in this Order.

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