

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

FINJAN, INC.,  
Patent Owner.

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Case IPR2015-01892<sup>1</sup>  
U.S. Patent No. 8,677,494

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**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

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<sup>1</sup> Case IPR2016-00890 has been joined with the instant proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Board's March 18, 2016

Scheduling Order (Paper 10), Patent Owner Finjan, Inc. ("Patent Owner") requests an opportunity to present oral argument regarding the patentability of Claims 1, 2, 5, 6, 10, 11, 14, and 15 ("Instituted Claims") of U.S. Patent No. 8,677,494 ("the '494 Patent"). The oral argument is scheduled to be held on December 16, 2016.

Without waiving consideration of any issue not identified below, Patent Owner requests one hour to address the following issues:

1. Whether Petitioner has met its burden of proving that Instituted Claims 1, 2, 5, 6, 10, 11, 14, and 15 of the '494 Patent are unpatentable as obvious over Swimmer (Ex. 1005);
2. Whether Petitioner has met its burden that Swimmer is prior art to the '494 Patent;
3. Secondary considerations of non-obviousness of the '494 Patent;
4. Patent Owner's and Petitioner's Motion to Exclude Evidence, if any;
5. Rebuttal of any arguments made by Petitioner;
6. Any additional issues on which the Board seeks clarification; and
7. Response to any issues Petitioner raises in its Request for Oral Argument.

Patent Owner respectfully reserves the right to supplement and/or amend the foregoing statement of issues to the extent the Rules permit.

At oral argument, Patent Owner requests the use of audio/visual equipment to display demonstrative exhibits, including the use of a projector and screen. In addition, Patent Owner's expert, Dr. Medvidovic, may attend the hearing to answer any questions the Board may have.

Respectfully submitted,

Dated: November 9, 2016

/James Hannah/

James Hannah (Reg. No. 56,369)  
[jhannah@kramerlevin.com](mailto:jhannah@kramerlevin.com)  
Kramer Levin Naftalis & Frankel LLP  
990 Marsh Road  
Menlo Park, CA 94025  
Tel: 650.752.1700 Fax: 650.752.1800

Jeffrey Price (Reg. No. 69,141)  
[jprice@kramerlevin.com](mailto:jprice@kramerlevin.com)  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
Tel: 212.715.7502 Fax: 212.715.8302

Michael Kim (Reg. No. 40,450)  
[mkim@finjan.com](mailto:mkim@finjan.com)  
Finjan, Inc.  
2000 University Ave., Ste. 600  
E. Palo Alto, CA 94303  
Tel: 650.397.9567

(Case No. IPR2015-01892) *Attorneys for Patent Owner*

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and correct copy of the foregoing Patent Owner's Request for Oral Argument was served on November 9, 2016, by filing this document through the Patent Review Processing System as well as delivering via electronic mail upon the following counsel of record for Petitioner and Joinder Petitioner:

Joseph J. Richetti  
BRYAN CAVE LLP  
1290 Avenue of the Americas  
New York, NY 10104  
[joe.richetti@bryancave.com](mailto:joe.richetti@bryancave.com)

Daniel A. Crowe  
BRYAN CAVE LLP  
One Metropolitan Square  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102  
[dacrowe@bryancave.com](mailto:dacrowe@bryancave.com)

Michael T. Rosato  
Andrew S. Brown  
WILSON SONSINI GOODRICH  
& ROSATI  
701 Fifth Ave., Ste. 5100  
Seattle, WA 98104  
[mrosato@wsgr.com](mailto:mrosato@wsgr.com)  
[asbrown@wsgr.com](mailto:asbrown@wsgr.com)

/James Hannah/  
James Hannah (Reg. No. 56,369)  
Kramer Levin Naftalis & Frankel LLP  
990 Marsh Road,  
Menlo Park, CA 94025  
(650) 752-1700