

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

CONSOLIDATED FILING:

**PETITIONER'S RESPONSE TO
PATENT OWNER'S IDENTIFICATION OF ARGUMENTS ALLEGEDLY
EXCEEDING THE PROPER SCOPE OF REPLY**

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

LIST OF EXHIBITS

Exhibit No.	Description
Symantec 1001	U.S. Patent No. 8,677,494 to Edery <i>et al.</i> (“the ‘494 patent”)
Symantec 1002	U.S. Provisional Application No. 60/030,639 (“the ‘639 provisional”)
Symantec 1003	U.S. Patent No. 5,313,616 to David C. Cline <i>et al.</i> (“Cline”)
Symantec 1004	<i>A Sense of Self for Unix Processes</i> , by Stephanie Forrest <i>et al.</i> , Proceedings of the 1996 IEEE Symposium on Security and Privacy, IEEE Computer Society Press, 1996. (“Forrest”)
Symantec 1005	<i>Dynamic Detection and Classification of Computer Viruses Using General Behaviour Patterns</i> , by Morton Swimmer <i>et al.</i> , Virus Bulletin Conference, Virus Bulletin Ltd., September 1995. (“Swimmer”)
Symantec 1006	Declaration by Dr. Sylvia Hall-Ellis
Symantec 1007	<i>Curriculum Vitae</i> of Dr. Sylvia Hall-Ellis
Symantec 1008	Xplore Digital Library Database printout (Forrest)
Symantec 1009	MARC record OCLC record number 34969890 (Forrest)
Symantec 1010	1995 Virus Bulletin Proceedings
Symantec 1011	MARC record OCLC record number 33834197 (Swimmer)
Symantec 1012	U.S. Patent No. 5,623,600 to Shuang Ji <i>et al.</i> (“Ji”)
Symantec 1013	U.S. Patent No. 6,092,194 (“the ‘194 patent”)
Symantec 1014	Webster’s College Dictionary, 1999 Second Random House Edition, p. 339
Symantec 1015	Ninth New Collegiate Dictionary, 1991 Merriam-Webster Inc., p. 325
Symantec 1016	Webster’s New World Dictionary of Computer Terms, 4 th Edition 1992, Simon & Schuster, Inc., p. 95
Symantec 1017	Joint Claim Construction and Pre-Hearing Statement, Dkt. No. 68, Case No. 3:14cv2998
Symantec 1018	Declaration of Jack Davidson in Support of Petition (“Davidson Dec.”)

Exhibit No.	Description
Symantec 1019	<i>Curriculum Vitae</i> of Jack Davidson
Symantec 1020	Advanced MS-DOS
Symantec 1021	U.S. Patent No. 5,978,484 to Apperson <i>et al.</i> (“Apperson”)
Symantec 1022	U.S. Patent No. 5,892,904 to Atkinson <i>et al.</i> (“Atkinson”)
Symantec 1023	<i>Efficient Software-Based Fault Isolation</i> , by Robert Wahbe <i>et al.</i> , ACM SIGOPS (Special Interest Group on Operating Systems) Symposium on Operating Systems Principles, December 1993
Symantec 1024	Scott and Davidson, “Safe Virtual Execution Using Software Dynamic Translation”, 2002
Symantec 1025	Affidavit of Alexander Walden
Symantec 1026	Virus Bulletin Conference Proceedings Sept. 1995
Symantec 1027	Declaration of Dr. Jack Davidson in Support of Petitioner’s Reply
Symantec 1028	Updated <i>Curriculum Vitae</i> of Dr. Jack Davidson
Symantec 1029	Selected Definitions from Microsoft Computer Dictionary 3 rd Edition, 1997 (“MSCD”)
Symantec 1030	D. Comer, “The Flat File Database Generator ffg”, Computer Science Technical Reports, Purdue University, 1981 (“Comer”)
Symantec 1031	G. Fowler, “cql - A flat file Database Query Language”, In Proceedings of the Winter 1994 USENIX Conference , San Francisco, California, Jan. 1994 (“Fowler”)
Symantec 1032	D. Denning, “An intrusion detection model”, IEEE Transactions on Software Engineering, 13-2:222, Feb 1987 (“Denning”)
Symantec 1033	Intel 8086 Family User’s Manual (“8086 Manual”)
Symantec 1034	Transcript of Deposition of Dr. Medvidovic in IPR2015-01892 taken on Aug. 19, 2016
Symantec 1035	U.S. Patent No. 5,398,196 (“the ‘196 patent”)
Symantec 1036	A. Mounji <i>et al.</i> “Distributed Audit Trail Analysis”, In Proceedings of the Internet Society Symposium on Network

Exhibit No.	Description
	and Distributed System Security (ISOC'95), San Diego, California, Feb 1995, IEEE (“Mounji”)
Symantec 1037	Supplemental Declaration of Dr. Sylvia Hall-Ellis
Symantec 1038	Declaration of Dr. Richard Ford
Symantec 1039	Exhibit C to Declaration of Dr. Richard Ford - Excerpts from Virus Bulletin Conference Proceedings Sept. 1995
Symantec 1040	Exhibit E to Declaration of Dr. Richard Ford – Photograph
Symantec 1041	Declaration of Joseph Kiegel
Symantec 1042	MARC Record - Denning
Symantec 1043	MARC Record – Fowler
Symantec 1044	Declaration of John Hawes of Virus Bulletin, dated October 15, 2015
Symantec 1045	Declaration of John Hawes of Virus Bulletin, dated October 7, 2016
Symantec 1046	The Delegates, 1995 Virus Bulletin International Conference
Symantec 1047	Brochure - 1995 Virus Bulletin
Symantec 1048	Virus Bulletin magazine, November 1995

Pursuant to the Board's October 26, 2016 Order (Paper 37), Petitioner responds as follows to Patent Owner's identification of arguments allegedly exceeding the proper scope of reply (Paper 39)²:

1. Pet (Paper 1): p. 17, l. 11 - p. 18, l. 7. Ex. 1018, ¶153. POR (Paper 27): p. 11, l. 11 - p. 12, l. 6; p. 24, l. 6-11; p. 27, l. 16-19.³
2. Pet: p. 12, l. 19 - p. 14, l. 14.
3. Pet: p. 17, l. 11 - p. 18, l. 7. POR: p. 11, l. 8-10; p. 27, l. 20 - p. 28, l. 5.
4. Pet: p. 18, l. 8-15. Ex. 1018, ¶44-47. POR: p. 4, l. 7-10; p. 29, l. 11 - p. 30, l. 2.
5. Pet: p. 19, l. 2 - p. 20, l. 13. POR: p. 30, l. 5 - p. 33, l. 6.
6. Pet: p. 18, l. 8-15. Ex. 1018, ¶44-47. POR: p. 4, l. 7-10; p. 29, l. 11 - p. 30, l. 2; p. 3, l. 3 - p. 4, l. 3; p. 19, l. 12 - p. 20, l. 12; p. 32, l. 18-20.
7. *See response to #6.*
8. Pet: p. 20, l. 1-6. POR: p. 14, l. 2 - p. 15, l. 10; p. 19, l. 17 - p. 20, l. 3; p. 34, l. 5 - p. 35, l. 16.
9. Pet: p. 20, l. 1-6. POR: p. 45, l. 13-16; p. 46, l. 18 - p. 47, l. 6.

² Patent Owner failed to provide a “concise description” for its citations, as required in the Board’s order (Paper No. 37 at 2) and, therefore, Petitioner is unclear as to what the basis is for each of its objection.

³ The evidence cited to within the pin-cites to the POR is intended to be considered as part of the material to which the Reply arguments and evidence are responsive.

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