

1 UNITED STATES PATENT AND TRADEMARK OFFICE

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5 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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9 PALO ALTO NETWORKS, INC.,

10 Petitioner,

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12 v.

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14 FINJAN , INC.,

15 PATENT OWNER.

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17 Case IPR2015-01979

18 Patent 8,141,154 B2

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1 P R O C E E D I N G S

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3 JUDGE QUINN: All right. This is Judge Miriam
4 Quinn again. And with me is Judge Tom Eonetti. I'm going
5 to take rollcall at this time. Uh, who's on the line for
6 Petitioner?

7 MR. ARMON: Your Honor, it's Orien Armon, lead
8 counsel for Petitioner. Um, I do not believe that any of
9 my colleagues have joined, but if anyone else is on for,
10 uh, Palo Alto Networks please speak up.

11 JUDGE QUINN: All right. I don't hear anybody
12 so let's move on. Patent Owner, who do we have, on the
13 call?

14 MR. HANNAH: Good afternoon, Your Honor. This
15 is James Hannah for Patent Owner. And with me on the line
16 is Michael Lee, um, who will be handling, uh, the main
17 issue, uh, this afternoon.

18 JUDGE QUINN: Okay. And I understand there is a
19 court reporter on the line. Could you identify yourself,
20 ma'am?

21 COURT REPORTER: Yes, this is Earlina King with
22 Alderson.

1 JUDGE QUINN: Okay. all right. So we are
2 here for IPR 2015 1979. That is a, uh, Palo Alto versus
3 Finjan. And the call was requested by Patent Owner, at
4 least the initial one, requested by Patent Owner to
5 address dispute regarding discovery relevant to real party
6 interest. At this time I will give Patent Owner the
7 floor.

8 MR. LEE: Good afternoon, Your Honor. Uh, we
9 recently tried to take the deposition of Petitioner's
10 expert, Dr. Rubin. But during that deposition, counsel
11 for Petitioner instructed Dr. Rubin not to answer, uh,
12 when he has asked about information highly relevant to
13 real party. Particularly Dr. Rubin, uh, -- as an expert
14 for other companies -- Finjan. When he was asked to
15 identify his company, counsel, uh, for Petitioner, -- Dr.
16 Rubin -- confidential. Uh, we believe that counsel is not
17 entitled to instruct the witness not to answer based on
18 confidentiality. That is contrary to the -- guidelines.
19 Um, and Patent Owner is seeking relief from the Court on
20 additional discovery, uh, regarding -- interest.

21 JUDGE QUINN: So let me get this straight. You
22 want additional discovery in the form of what?

1 MR. LEE: Uh, deposition and a discovery
2 request.

3 JUDGE QUINN: Deposition of who?

4 MR. LEE: Dr. Rubin, an additional deposition.

5 JUDGE QUINN: And -- and discovery request of --
6 of what? I mean there has to be something more specific
7 than that.

8 MR. LEE: Sure. It's, uh, regarding his
9 engagements and regarding the -- the other, um, --
10 engagements that are, um, Dr. Rubin is, uh, involved in.
11 So it would be -- specifically it would be things like,
12 uh, like billing records, which is -- which the patent
13 office has accepted, um, as -- as reasonably performed.

14 JUDGE QUINN: Well, I'm -- I'm not interested in
15 what other panel -- I'm interested in what exactly you
16 are asking about. So you said records that show what,
17 engagement and -- and his billing record?

18 MR. LEE: Yeah, his engagements for --
19 So during the deposition, he said that there are -- there
20 are -- he was engaged and -- as an expert for -- with
21 other companies -- but wouldn't identify what those --

22 COURT REPORTER: I'm sorry, I can barely hear

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