

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PALO ALTO NETWORKS, INC.,
Petitioner,

v.

FINJAN, INC.,
Patent Owner.

Case IPR2015-01979
Case IPR2016-00151¹
Patent 8,141,154 B2

Before THOMAS L. GIANNETTI, RICHARD E. RICE,
MIRIAM L. QUINN, and PATRICK M. BOUCHER, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

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

¹ This Order addresses issues affecting the captioned cases. The use of this caption herein does not authorize the parties to use this caption without express authorization from the Board.

Case IPR2015-01979
Case IPR2016-00151
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This Order addresses supplemental briefing requested by the Board in accordance with the following discussion. The facts concerning the captioned cases are as follows:

- 1) Case IPR2015-01979, filed by Palo Alto Networks, was instituted on March 21, 2016, and is scheduled for oral argument on December 15, 2016;
- 2) Case IPR2016-00151, also filed by Palo Alto Networks, was instituted on April 20, 2016, and is scheduled for oral argument on January 24, 2017;
- 3) Both ongoing trials involve claims 1–8, 10, and 11 of Patent No. 8,141,154;
- 4) The above-captioned cases are neither consolidated nor joined; and
- 5) The Final Written Decisions under 35 U.S.C. § 318(a) are due by March 21, 2017 for IPR2015-01979 and by April 20, 2017 for IPR2016-00151.

In consideration of the above and the upcoming oral arguments (if requested), the panel directs the filing of briefs concerning the potential impact of petitioner estoppel under 35 U.S.C. § 315(e)(1) on the captioned proceedings. 37 C.F.R. § 42.5(a). Petitioner and Patent Owner each shall file one brief, of no more than 10 pages, by November 15, 2016. This is a simultaneous briefing schedule, and no replies or other filings are authorized.

Case IPR2015-01979
Case IPR2016-00151
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ORDER

It is hereby ORDERED that Petitioner and Patent Owner are each directed to file one brief, of no more than 10 pages, addressing the potential impact of petitioner estoppel under § 315(e)(1) on these proceedings;

It is further ORDERED that each party shall file its brief in the record of the captioned cases, IPR2015-01979 and IPR2016-00151, by November 15, 2016; and

It is further ORDERED that no other filings are authorized.

Case IPR2015-01979
Case IPR2016-00151
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PETITIONER'S COUNSEL IN IPR2015-01979:

Orion Armon
Christopher Max Colice
Jennifer Volk
Brian Eutermoser
COOLEY LLP
oarmon@cooley.com
mcolice@cooley.com
jvolkfortier@cooley.com
beutermoser@cooley.com

PETITIONER'S COUNSEL IN IPR2016-00151:

Matthew I. Kreeger
Jonathan Bockman
Shouvik Biswas
MORRISON & FOERSTER LLP
MKreeger@mofo.com
FinjanPANMofoTeam@mofo.com

Nathaniel Hamstra
nathanhamstra@quinnemanuel.com

PATENT OWNER'S COUNSEL:

James Hannah
Jeffrey H. Price
KRAMER LEVIN NAFTALIS & FRANKEL LLP
jhannah@kramerlevin.com
jprice@kramerlevin.com

Michael Kim
Finjan, Inc.
mkim@finjan.com