

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PALO ALTO NETWORKS, INC.,
Petitioner,

v.

FINJAN, INC.,
Patent Owner.

Case IPR2015-02001
Case IPR2016-00157¹
U.S. Patent No. 8,255,408

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

¹ IPR2016-00157 has been consolidated with IPR2015-02001. Cases IPR2016-00955 and IPR2016-00956 have been consolidated and joined with this consolidated proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Board's March 29, 2016, Scheduling Order (Paper 8), Finjan, Inc., ("Patent Owner") requests an opportunity to present oral argument regarding the patentability of all claims that the Board instituted for U.S. Patent No. 8,255,408 ("the '408 Patent"). The oral argument is scheduled to be held on January 5, 2017. Paper 8 at 6. 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, 3–5, 9, 12–16, 18, 19, 22, 23, 29, and 35 are unpatentable under 35 U.S.C. § 103(a) over Chandnani and Kolawa;
2. Whether Petitioner has met its burden of proving that Instituted Claims 1, 3–5, 9, 12–16, 18, 19, 22, 23, 29, and 35 are unpatentable under 35 U.S.C. § 103(a) over Chandnani, Kolawa, and Walls;
3. Whether Petitioner has met its burden of proving that Instituted Claims 6, 7, 20, and 21 are unpatentable under 35 U.S.C. § 103(a) over Chandnani, Kolawa, and Huang;
4. Whether Petitioner has met its burden of proving that Instituted Claims 6, 7, 20, and 21 are unpatentable under 35 U.S.C. § 103(a) over Chandnani, Kolawa, Walls, and Huang;
5. Secondary considerations of non-obviousness;

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6. Patent Owner's and Petitioner's Motion to Exclude Evidence, if any;
7. Rebuttal of any arguments made by Petitioner;
8. Any additional issues on which the Board seeks clarification; and
9. 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 experts, Drs. Nenad Medvidovic and Harry Bims, may attend the hearing to answer any questions the Board may have.

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Respectfully submitted,

Dated: November 22, 2016

/James Hannah/

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(Case Nos. IPR2015-02001/
IPR2016-00157)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e) and 42.105(b), the undersigned certifies that on November 22, 2016, a complete and entire copy of Patent Owner's Request for Oral Argument was served by filing this document through the PTAB E2E system as well as delivering via electronic mail upon the following counsel of record for

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