

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PALO ALTO NETWORKS, INC.,  
Petitioner,

v.

FINJAN, INC.,  
Patent Owner.

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Case IPR2016-00151  
Patent 8,141,154

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

QUINN, *Administrative Patent Judge*.

ORDER  
Oral Hearing  
*37 C.F.R. § 42.70(a)*

In our Order setting the schedule and procedure on remand, we provided the parties an opportunity to present oral argument, if requested. Paper 56. That opportunity, however, is in the form of a telephonic hearing. *Id.* Petitioner has requested a hearing. Paper 64. Patent Owner did not file a request. The request for oral argument is *granted*.

Presentation of oral argument will proceed telephonically, commencing at **11 AM Eastern Time**, on **March 26, 2019**. Each party will have twenty (20) minutes of total time to present argument. Because Petitioner bears the ultimate burden of proof, Petitioner will proceed first and may reserve a small portion of its time for rebuttal. Thereafter, Patent Owner will respond to Petitioner's case. After that, Petitioner may use the rest of its time for its rebuttal, responding to Patent Owner's specific arguments. If Patent Owner has reserved time for rebuttal and up to the time remaining, Patent Owner may present sur-rebuttal argument. No live testimony from any witness will be taken at the oral hearing.

If either party desires to rely on demonstratives, those must be filed as exhibits in accordance with 37 C.F.R. § 42.63, at least three business days prior to the hearing. Demonstrative exhibits are not evidence, but merely a visual aid at the oral hearing. The Board expects the parties will meet and confer in good faith to resolve any objections to demonstrative exhibits. For any issue that cannot be resolved after conferring with the opposing party, the parties may file jointly a one-page list of objections at least three business days prior to the hearing. The list should identify with particularity which demonstrative exhibits are subject to objection and include a short statement (no more than one short sentence) of the reason for each objection. No argument or further explanation is permitted.

We will consider the objections and schedule a conference call, if necessary. Otherwise, we will reserve ruling on the objections until the hearing or after the hearing. Any objection to demonstrative exhibits that is not presented timely will be considered waived.

Because oral argument will proceed telephonically, the parties are reminded that any demonstrative or exhibit in the record must be identified clearly and specifically to ensure the clarity and accuracy of the reporter's transcript, but also importantly, to ensure that the judges are able to follow along the presentation.

The Board expects lead counsel for each party to be present at the oral hearing. Any backup counsel, however, may make the actual presentation, in whole or in part. The Board will provide a court reporter, and the reporter's transcript will constitute the official record of the hearing. The oral hearing transcript will be entered in the record of the proceeding.

An email with the telephone conference information will be sent to the attorneys of record before the hearing commences. To ensure proper audio quality for all involved, the telephonic device must be placed on mute while the user is not presenting. The Board may ask for withdrawal of any attendee causing noise or other disturbance that compromises the integrity of the hearing.

IPR2016-00151  
Patent 8,141,154

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