

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., and  
BLUE COAT SYSTEMS, INC.,  
Petitioner,

v.

FINJAN, INC.,  
Patent Owner.

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Case IPR2016-00159<sup>1</sup>  
U.S. Patent No. 8,677,494

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**PATENT OWNER'S REQUEST FOR ORAL ARGUMENT**

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<sup>1</sup> Case IPR2016-01174 has been joined with the instant proceeding.

Pursuant to 37 C.F.R. § 42.70(a) and the Board's May 13, 2016 Scheduling Order (Paper No. 9), Finjan, Inc. ("Patent Owner") requests an opportunity to present oral argument regarding the patentability of claims 1–6 and 10–15 ("Instituted Claims") of U.S. Patent No. 8,677,494 ("the '494 Patent"). The oral argument is scheduled to be held on February 16, 2017. Paper No. 9 at 8. 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, 2, 6, 10, 11, and 15 are unpatentable as obvious over Swimmer;
2. Whether Petitioner has met its burden of proving that Instituted Claims 3–5 and 12–14 are unpatentable as obvious over the combination of Swimmer and Martin;
3. Whether Petitioner has met its burden of establishing that Swimmer is prior art to the '494 Patent;
4. Whether Petitioner has met its burden of establishing that Martin is prior art to the '494 Patent;
5. Secondary considerations of non-obviousness;
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. Medvidovic and Goodrich, may attend the hearing to answer any questions the Board may have.

Respectfully submitted,

Dated: January 9, 2017

/James Hannah/

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and correct copy of the foregoing Patent Owner's Request for Oral Argument was served on January 9, 2017, by filing this document through the Patent Review Processing System as well as delivering via electronic mail upon the following counsel of record for Petitioner and Joinder Petitioner:

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Patent Owner's Request for Oral Argument  
IPR2016-00159 (U.S. Patent No. 8,677,494)

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