

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yigal Mordechai EDERY, et al.

Group Art Unit: 2431

Serial No.: 13/290,708

Examiner: Christopher A. Revak

Filed: November 7, 2011

For: MALICIOUS MOBILE CODE RUNTIME MONITORING SYSTEM AND METHODS

**REQUEST FOR RECONSIDERATION OF THE DISMISSED RENEWED PETITION  
TO ACCEPT UNINTENTIONALLY DELAYED CLAIM OF PRIORITY UNDER 35  
U.S.C. §119(e) AND §120 FOR THE BENEFIT OF A PRIOR-FILED APPLICATION  
FILED UNDER 37 CFR § 1.78(a)(3)**

**Mail Stop PETITIONS**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the December 3, 2013 dismissal of the Assignee's renewed petition for the acceptance of an unintentionally delayed claim of priority under 35 U.S.C. § 119(e) and §120 for the benefit of prior-filed applications in the above-referenced patent application, the Assignee respectfully requests reconsideration of the petition dismissal in view of the revised priority language submitted in conjunction herewith as an Amendment to the Specification pursuant to 37 CFR 1.312.

In accordance with the Patent Office's suggestion in the December 3<sup>rd</sup> dismissal, the following amendment to the specification of the present application which adds a reference to prior-filed U.S. Patent Application No. 08/790,097, filed January 28, 1997, now U.S. Patent No. 6,167,520 which claims benefit of U.S. Provisional Patent Application No. 60/030,639, is submitted in conjunction with this Petition:

[0001] This application is a continuation of assignee's pending U.S. patent application serial no. 12/471,942, filed May 26, 2009 by inventors Yigal Mordechai Edery, et al., now U.S. Patent No. 8,079,086, entitled "Malicious

Mobile Code Runtime Monitoring System and Methods," which is a continuation of assignee's U.S. patent application serial no. 11/370,114, filed March 7, 2006 by inventors Yigal Mordechai Edery, et al., now U.S. Patent No. 7,613,926, entitled "Method and System for Protecting a Computer and a Network from Hostile Downloadables," which is a continuation of assignee's U.S. patent application serial no. 09/861,229, filed on May 17, 2001 by inventors Yigal Mordechai Edery, et al., now U.S. Patent No. 7,058,822, entitled "Malicious Mobile Code Runtime Monitoring System And Methods," all of which are hereby incorporated by reference. U.S. patent application serial no. 09/861,229, now U.S. Patent No. 7,058,822, claims benefit of provisional U.S. patent application serial no. 60/205,591, entitled "Computer Network Malicious Code Run-Time Monitoring," filed on May 17, 2000 by inventors Nimrod Itzhak Vered, et al., which is hereby incorporated by reference. U.S. patent application serial no. 09/861,229, now U.S. Patent No. 7,058,822, is also a Continuation-In-Part of assignee's U.S. patent application serial no. 09/539,667, entitled "System and Method for Protecting a Computer and a Network From Hostile Downloadables," filed on March 30, 2000 by inventor Shlomo Touboul, now U.S. Patent No. 6,804,780, and hereby incorporated by reference, which is a continuation of assignee's U.S. patent application serial no. 08/964,388, filed on November 6, 1997 by inventor Shlomo Touboul, now U.S. Patent No. 6,092,194, also entitled "System and Method for Protecting a Computer and a Network from Hostile Downloadables" and hereby incorporated by reference, which application claims the benefit of provisional U.S. application serial no. 60/030,639, filed November 8, 1996 by inventors Shlomo Touboul, entitled "System and Method For Protecting a Computer From Hostile Downloadables." U.S. Serial No. 09/861,229, now U.S. Patent No. 7,058,822, is also a Continuation-In-Part of assignee's U.S. patent application serial no. 09/551,302, entitled "System and Method for Protecting a Client During Runtime From Hostile Downloadables," filed on April 18, 2000 by inventor Shlomo Touboul, now U.S. Patent No. 6,480,962, which is hereby incorporated by reference, which is a continuation of U.S. application serial no. 08/790,097, filed January 29, 1997 by inventor Shlomo Touboul, now U.S. Patent No.

6,167,520, entitled “System and Method For Protecting a Client From Hostile Downloadables” which claims the benefit of U.S. provisional application no. 60/030,639, filed on November 8, 1996 by inventor Shlomo Touboul, entitled “System and Method For Protecting a Computer From Hostile Downloadables.”

This amendment has been submitted separately as an Amendment to the Specification under 37 CFR 1.312 and includes no new matter. In accordance with 37 CFR §1.78(a)(2)(i), the amendment identifies the prior filed application by application number and indicates the relationship of the applications.

Assignee understands that a petition for acceptance of a claim for late priority under 37 CFR §1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000 and after the expiration of the period specified in 37 CFR §1.78(a)(2)(ii). Assignee understands that the petition under 37 CFR §1.78(a)(3) must be accompanied by

- (1) the reference required by 35 U.S.C. §119(e), §120 and 37 CFR §1.78(a)(2)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in 37 CFR §1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §1.78(a)(2)(ii) and the date the claim was filed was unintentional.

The correction of the priority claim of the present application is made to complete the priority claim to include a specific reference to prior-filed U.S. Patent Application No. 08/790,097, filed January 28, 1997, now U.S. Patent No. 6,167,520 which also claims benefit of U.S. Provisional Patent Application No. 60/030,639, filed November 8, 1996. This request is made after the expiration of the period specified in 37 CFR §1.78(a)(2)(ii).

Assignee submits that the entire delay between the date the claim was due under 37 CFR §1.78(a)(2)(ii) and the date the claim was originally filed was unintentional.

Payment of \$1,410 fee as required under 37 CFR §1.17(t) was provided electronically via EFS-Web with the petition filed on October 23, 2012 and no additional fees are believed to be due. The Commissioner is authorized to charge any additional fees determined to be due to Deposit Account No. 50-6099.

Assignee submits that this request and the amendment to the specification are diligently made to correct the record of the present application. Granting of this renewed petition and entrance of the Amendment to the Specification are respectfully requested.

Respectfully submitted,

Date: December 6, 2013

By: /Dawn-Marie Bey - 44,442/  
Dawn-Marie Bey  
Reg. No. 44,442  
Attorneys for Assignee  
Finjan, Inc.

**Bey & Cotropia PLLC**  
213 Bayly Court  
Richmond, Virginia 23229  
(w) 804-441-8530