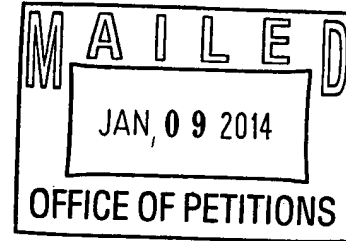




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Bey & Cotropia PLLC (Finjan Inc.)
213 Bayly Court
Richmond VA 23229



In re Patent No. 8,141,154 : DECISION GRANTING PETITION
Issue Date: March 20, 2012 : UNDER 37 CFR 1.78(a)(3) AND
Application No. 12/814,584 : REQUEST FOR CERTIFICATE OF
Filed: June 14, 2010 : CORRECTION
Atty Docket No. FIN0008-DIV1 :

This is in response to the PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM OF PRIORITY UNDER 35 U.S.C. § 120 FOR THE BENEFIT OF A PRIOR-FILED APPLICATION FILED UNDER 37 C.F.R. §1.78(a)(3), filed October 16, 2013, to add a late claim under 35 U.S.C. § 120 to prior-filed nonprovisional application No. 11/298,475 by way of a certificate of correction.

The petition under 37 CFR 1.78 is **GRANTED**.

The application was filed after November 29, 2000 and prior to September 16, 2012. The claim for priority set forth on petition was not submitted on filing in the first sentence of the specification or in an application data sheet. The four and sixteen-month periods specified in 37 CFR § 1.78(a)(2)(ii) expired without correction. Thus, the instant petition is appropriate. In addition, the petition includes the required statement of unintentional delay. Receipt of the required surcharge is acknowledged.

By decision mailed October 2, 2013, a prior request for certificate of correction filed September 19, 2013 was denied as the patent was printed with the priority information of record in the Office.

In this pre-AIA case, petitioner submitted an amendment containing the reference required by 35 U.S.C. § 120 and 37 CFR

1.78(a)(2)(i) for acceptance of an unintentionally delayed claim for the benefit of priority under 35 U.S.C. § 120 to the above-noted, prior-filed nonprovisional applications. The reference is in compliance with former 37 CFR 1.78(a)(2) (iii), with the relationship stated as a divisional.

All of the above requirements having been satisfied, the late claim for benefit of priority to the prior-filed application under 35 U.S.C. §120 is accepted as being unintentionally delayed.

A corrected Filing Receipt, which includes the priority claim to the above-noted, prior-filed nonprovisional application, accompanies this decision on petition.

Petitioner is advised that the granting of this petition and the mailing of a corrected Filing Receipt should not be viewed as an indication that a determination has been made that this application is entitled to claim benefit of the prior-filed application. A determination that applicant is entitled to claim benefit of the prior-filed application will be made by the Examiner prior to the issuance of a certificate of correction.

Receipt of the \$1420 surcharge fee and the \$100 certificate of correction fee are acknowledged.

This application is being referred to the Certificates of Correction Branch for processing the request for a certificate of correction in accordance with this decision (with examiner approval as noted above) on the petition under 37 CFR 1.78(a)(3).

Any questions concerning this decision may be directed to the undersigned at (571) 272-3219.

/Nancy Johnson/

Nancy Johnson
Attorney Advisor
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/814,584, 06/14/2010, 2435, 1390, FIN0008-DIV1, 3, 2

CONFIRMATION NO. 9667

CORRECTED FILING RECEIPT



Date Mailed: 01/02/2014

115222
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Richmond, VA 23229

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

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Applicant(s)

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Assignment For Published Patent Application

Finjan, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 74877

Domestic Priority data as claimed by applicant

This application is a DIV of 11/298,475 12/12/2005 PAT 7757289

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 06/21/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/814,584

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

SYSTEM AND METHOD FOR INSPECTING DYNAMICALLY GENERATED EXECUTABLE CODE

Preliminary Class

726

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications:

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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