

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FINJAN, INC.,  
Petitioner,

v.

FIREEYE, INC.,  
Patent Owner.

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Case IPR2014-00492  
Patent 8,171,553 B2

Before BRYAN F. MOORE, LYNNE E. PETTIGREW, and  
FRANCES L. IPPOLITO, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.05*

The initial conference call in the above proceeding was held on August 26, 2014. Counsel for Petitioner and Patent Owner participated in the call with Judges Moore, Pettigrew, and Ippolito. The purpose of the call was to discuss any issues the parties have regarding the Scheduling Order issued on July 25, 2014 (Paper 9) and any motion either party intends to file. On August 21, 2014, the parties stipulated to a revised schedule. Paper 11. Other than the aforementioned revisions, no objection was raised to the dates set forth in the Board's Scheduling Order. Both parties filed a proposed motions list. The following issues were discussed.

*A. Related Proceedings*

The Board was advised that district court litigation exists between the parties involving a patent that is neither involved in this proceeding nor related to U.S. Patent No. 8,171,553 at issue in this proceeding. The parties advised the Board that the district court litigation is currently stayed in favor of a reexamination proceeding.

*B. Settlement*

The parties advised the Board that there is no impending settlement.

*C. Motions*

Petitioner listed several motions in its proposed motion list. Nonetheless, Petitioner advised the Board that it did not have any present intention of filing those motions. The Board reminded Petitioner that it would have to seek specific authorization for those motions, if Petitioner decides to file them at some later date. Patent Owner indicated that it did not have any intent presently to file any motions.

IPR2014-00492  
Patent 8,171,553 B2

*D. Other Issues*

At this time, no other issues were identified by the parties.

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