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Dear Director Vidal:

Pursuant to the Revised Interim Director Review Process, I write on behalf of Petitioner Netskope, Inc. to respectfully notify the Director of the attached Request for Director Review of the Board's Decision Denying Institution of *Inter Partes* Review of U.S. Patent No. 9,231,968, filed today by Petitioner in Case No. IPR2023-00457. Paper 11 ("Request").

As discussed in the Request, the Board abused its discretion in two independent ways. The issues are ranked with the first being most important.

First, contrary to established precedent and the intrinsic evidence, the Board abused its discretion in construing "**at least one** network interface device" as "**only one** network interface device." In particular, the Board misapplied how the antecedent basis rule applies to "**at least one**" by interpreting that phrase throughout the claims as "**only one**." The Board also violated rules of claim construction to support its construction by importing an example from the specification into the claims and overlooking disclosures that contradicted its construction.

Second, the Board abused its discretion in finding a reference did not qualify as prior art based on a facially improper priority determination. Specifically, the Board found the claim term "configuration data" had written description support in a parent application based on disclosures that actually, concerned two other claim terms: "an instruction set" and "content detection data." While the disclosures on which the Board relied concerned those two claim terms, they do not mention anything about "configuration data" or disclose how it can be used as claimed.

Petitioner appreciates the Director's consideration of its Request.

Respectfully submitted,

/Thomas N. Millikan/

Counsel for Petitioner Netskope, Inc.

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