

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PALO ALTO NETWORKS, INC.
Petitioner,

v.

TAASERA LICENSING LLC AND QUEST PATENT RESEARCH
CORPORATION,
Patent Owners.

Case No. IPR2023-00704
U.S. Patent No. 8,850,517

**PETITIONER'S REPLY TO
PATENT OWNER'S PRELIMINARY RESPONSE**

1) Patent Owners' Preliminary Response ("POPR") incorrectly argues that the "Challenged Claims ***are all*** at issue in the District Court Litigation." Paper 6, at 28-29. This is inaccurate and misleading. Claims 6-11 and 18-23 are challenged here but are not at issue in the litigation. *See* Ex. 2002, at 3.

2) The POPR incorrectly argues that the "parties' trial is scheduled for March 15, 2024" and "Petitioner does not contest that the proximity of the trial favors denial of institution." Paper 9, at 32-33. This is inaccurate and misleading. The March 15, 2024 trial date is for numerous defendants that are part of the multi-district litigation ("MDL") (*In re: Taasera Licensing LLC, Patent Litig.*, No. 2-22-md-03042-JRG (E.D. Tex.)) pending in the Eastern District of Texas ("EDTX"), ***each to be tried separately***, where Petitioner's is the ***last filed case*** among the five filed in EDTX. Which defendant will start trial on that date, or the order in which the cases will be tried, is not specified. But because Petitioner was sued last, its trial date will likely be last as well. Thus, it is unlikely, and speculative at best, that the Texas litigation against Petitioner will proceed to trial on March 15, 2024.

3) The POPR incorrectly argues only that the "Petitioner states that it 'will not pursue in parallel district court proceedings the same grounds as in the Petition.'" Paper 9, at 30. This is a misquotation and misleading. The Petition's broader *Sotera*-type stipulation additionally includes ***"or any grounds that could have reasonably been raised in the petition."*** *See* Paper 2, at 66.

Dated: August 10, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE** were served electronically via e-mail on August 10, 2023, in its entirety on the following counsel of record for Patent Owner:

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