

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PALO ALTO NETWORKS, INC.,

Petitioner,

v.

TAASERA LICENSING LLC,

Patent Owner.

Patent No. 8,850,517

Filing Date: June 15, 2013

Issue Date: September 30, 2014

Inventor: Srinivas Kumar

Title: RUNTIME RISK DETECTION BASED ON USER, APPLICATION,
AND SYSTEM ACTION SEQUENCE CORRELATION

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

Case No. IPR2023-00704

LIST OF EXHIBITS

Exhibit No.	Description of Document
2001	Sixth Amended Docket Control Order, Dkt. 239, <i>In re: Taasera Licensing LLC, Patent Litigation</i> , No. 2:22-md-03042-JRG (E.D. Tex. June 27, 2023)
2002	Defendant Palo Alto Network, Inc.’s Patent L.R. 3-3 Invalidity Contentions and Subject Matter Ineligibility Contentions, <i>In re: Taasera Licensing LLC, Patent Litigation</i> , No. 2:22-md-03042-JRG, served April 29, 2023
2003	Joint Patent L.R. 4-3 Claim Constructions and Prehearing Statement, Dkt. No. 249, <i>In re: Taasera Licensing LLC, Patent Litigation</i> , No. 2:22-md-03042-JRG, filed July 13, 2023
2004	Redline Comparison of the Declaration of Kevin Jeffay, Ph.D. (Ex. 1003) to the Petition

1) Petitioner could have resolved Patent Owner's¹ inadvertent error by notifying Patent Owner without involving the Board but opted, instead, to email the Board directly on July 21, 2023 without any prior explanation to Patent Owner about its alleged dispute. Patent Owner had meant to state that: "Second, the *asserted claims of the '517 Patent* in the District Court Litigation are all at issue in the Petition ..." instead of "Second, the Challenged Claims are all at issue in the District Court Litigation. . . ." POPR, Paper 6 at 28-29, In view of the substantive section itself that describes how the "Petition is co-extensive with invalidity arguments that Petitioner has already raised in the District Court Litigation," it is clear that Patent Owner's error was inadvertent and does not impact the *Fintiv* analysis. *Id.* at 30-31.

2) Petitioner does not argue that the Docket Control Order for the Parties' multi-district litigation specifies a March 15, 2024 trial date. Ex. 2001. It is unclear how Patent Owner is "inaccurate and misleading." Reply, Paper 7 at 1. Petitioner's speculation that, since "Petitioner was sued last, its trial date will likely be last" should be disregarded. *Id.*

3) Petitioner does not point to any misquotation, and Patent Owner does not believe the Board would be misled by Patent Owner accurately quoting a portion of a sentence before an "or" conjunction.

¹ Petitioner's Reply incorrectly notes that Taasera Licensing LLC and Quest Patent Research Corporation are Patent Owners.

Respectfully submitted,

Dated: August 16, 2023

/ Peter Lambrianakos /

Peter Lambrianakos (Reg. No. 58,279)

Lead Counsel for Patent Owner

FABRICANT LLP

411 Theodore Fremd Avenue,

Suite 206 South

Rye, New York 10580

Tel. 212-257-5797

Fax. 212-257-5517

Email: plambrianakos@fabricantllp.com

Vincent J. Rubino, III (Reg. No. 68,594)

Alfred R. Fabricant (subject to motion to
appear *pro hac vice*)

Joseph M. Mercadante (Reg. No. 64,077)

Backup Counsel for Patent Owner

FABRICANT LLP

411 Theodore Fremd Avenue,

Suite 206 South

Rye, New York 10580

Tel. 212-257-5797

Fax. 212-257-5517

Email: vrubino@fabricantllp.com

Email: ffabricant@fabricantllp.com

Email: jmercadante@fabricantllp.com

CERTIFICATE OF SERVICE

A copy of PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY
TO PRELIMINARY RESPONSE has been served on Petitioner's counsel of record
as follows:

Juan Yaquian
Email: jyaquian@winston.com
Email: Winston-PAN-Taasera@winston.com
WINSTON & STRAWN LLP
800 Capital Street, Suite 2400
Houston, Texas 77002

Michael Rueckheim
Email: mrueckheim@winston.com
WINSTON & STRAWN LLP
255 Shoreline Drive, Suite 520
Redwood City, California 94065

Eimeric Reig-Plessis
Email: ereigplessis@winston.com
WINSTON & STRAWN LLP
101 California Street
San Francisco, California 94111

Attorneys for Palo Alto Networks, Inc.

August 16, 2023

By: / Peter Lambrianakos /
Peter Lambrianakos (Reg. No. 58,279)
Lead Counsel for Patent Owner
FABRICANT LLP
411 Theodore Fremd Avenue,
Suite 206 South
Rye, New York 10580
Tel. 212-257-5797
Fax. 212-257-5517