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*Attorneys for Fortinet, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

NETSKOPE, INC.,  
*Plaintiff,*  
  
v.  
  
FORTINET, INC.,  
*Defendant.*

Case No. 4:25-cv-002360-HSG

**NOTICE OF SOTERA PLUS  
STIPULATION OF DEFENDANT  
FORTINET, INC.**

1 On October 7, 8, 10, and 13, 2025, Defendant Fortinet, Inc. ("Fortinet") filed petitions for  
 2 *Inter Partes* Review ("IPR") of seven of the nine asserted patents in this lawsuit with the Patent Trial  
 3 and Appeal Board of the United States Patent and Trademark Office ("PTAB").<sup>1</sup> Fortinet was  
 4 named as the Petitioner and the real-party-in-interest in each IPR proceeding. The table below  
 5 indicates the IPR number, challenged patent number, and challenged claims of the respective  
 6 petitions before the PTAB:

7 IPR No.	Date Filed	Asserted U.S. Patent	Challenged Claims
8 IPR2026-00025	October 7, 2025	8,117,639	1-27
9 IPR2026-00026	October 7, 2025	8,327,426	1-13
10 IPR2026-00027	October 7, 2025	7,593,936	1-22
11 IPR2026-00031	October 8, 2025	8,635,697	1-25
12 IPR2026-00040	October 10, 2025	8,356,336	1-20
13 IPR2026-00041	October 10, 2025	8,397,282	1-35
14 IPR2026-00042	October 13, 2025	8,543,710	1-20

15 The claims challenged in these IPR petitions include all of the asserted claims of the above-  
 16 listed patents asserted by Netskope, Inc. ("Netskope") against Fortinet in this litigation. Fortinet  
 17 hereby notifies the Court and Netskope that Fortinet is submitting the following broadened "*Sotera*  
 18 Plus Stipulations" for the IPR petitions discussed below. *See Sotera Wireless, Inc. v. Masimo Corp.*,  
 19 IPR2020-01019, Paper 12 at 18-19 (PTAB Dec. 1, 2020) ("*Sotera*") (describing the standard,  
 20 unbroadened *Sotera* stipulation).

21 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
 22 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
 23 petition against Netskope's U.S. Patent No. 8,117,639 (IPR2026-00025), Fortinet will not pursue  
 24 in this litigation (i) the specific grounds raised in IPR2026-00025, (ii) any other grounds that could  
 25 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
 26 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
 27 publications), or (iii) any ground based on a combination of system prior art and the references  
 28 asserted as part of a ground raised in IPR2026-00025.

<sup>1</sup> Netskope has since agreed to drop all claims from United States Patent No. 8,397,282. Dkt. No. 118.

1 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
2 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
3 petition against Netskope's U.S. Patent No. 8,327,426 (IPR2026-00026), Fortinet will not pursue  
4 in this litigation (i) the specific grounds raised in IPR2026-00026, (ii) any other grounds that could  
5 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
6 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
7 publications), or (iii) any ground based on a combination of system prior art and the references  
8 asserted as part of a ground raised in IPR2026-00026.

9 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
10 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
11 petition against Netskope's U.S. Patent No. 7,593,936 (IPR2026-00027), Fortinet will not pursue  
12 in this litigation (i) the specific grounds raised in IPR2026-00027, (ii) any other grounds that could  
13 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
14 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
15 publications), or (iii) any ground based on a combination of system prior art and the references  
16 asserted as part of a ground raised in IPR2026-00027.

17 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
18 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
19 petition against Netskope's U.S. Patent No. 8,635,697 (IPR2026-00031), Fortinet will not pursue  
20 in this litigation (i) the specific grounds raised in IPR2026-00031, (ii) any other grounds that could  
21 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
22 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
23 publications), or (iii) any ground based on a combination of system prior art and the references  
24 asserted as part of a ground raised in IPR2026-00031.

25 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
26 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
27 petition against Netskope's U.S. Patent No. 8,356,336 (IPR2026-00040), Fortinet will not pursue  
28 in this litigation (i) the specific grounds raised in IPR2026-00040, (ii) any other grounds that could

1 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
2 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
3 publications), or (iii) any ground based on a combination of system prior art and the references  
4 asserted as part of a ground raised in IPR2026-00040.

5 Fortinet hereby stipulates, consistent with the stipulation made by the Petitioner in *Sotera*  
6 that, if the PTAB institutes an IPR and issues a final written decision in response to Fortinet's  
7 petition against Netskope's U.S. Patent No. 8,543,710 (IPR2026-00042), Fortinet will not pursue  
8 in this litigation (i) the specific grounds raised in IPR2026-00042, (ii) any other grounds that could  
9 have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that  
10 could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed  
11 publications), or (iii) any ground based on a combination of system prior art and the references  
12 asserted as part of a ground raised in IPR2026-00042.

13 Fortinet's *Sotera Plus* Stipulations herein are not intended and should not be construed to  
14 limit Fortinet's ability to assert invalidity of any claims in the patents-at-issue in this lawsuit based  
15 on any other ground.

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1 DATED: January 9, 2026

By: /s/ Andrew D. Gish

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**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule 5-1, I hereby certify that, on January 9, 2026, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system and email.

Dated: January 9, 2026

By: /s/ Andrew D. Gish  
Andrew Gish