

EX 1016

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Attorneys for Defendant Fortinet, Inc.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

16 NETSKOPE, INC.,
17 Plaintiff and Counterclaim Defendant,
18 v.
19 FORTINET, INC.,
20 Defendant and Counterclaim Plaintiff.

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

**JOINT STIPULATION AND
[PROPOSED] ORDER RE: NARROWING
OF CLAIM TERMS AND EXTENSION
OF BRIEFING SCHEDULE**

1 Pursuant to Civil Local Rule 6-1(b) and 6-2, Plaintiff Netskope, Inc. (“Netskope”) and
2 Defendant Fortinet, Inc. (“Fortinet”) (collectively the “Parties”), by and through their attorneys,
3 jointly request the Court to modify the current claim construction briefing schedule in the
4 Court’s Scheduling Order (Dkt. 104). In support of that request, the Parties stipulate as follows:

5 WHEREAS, Fortinet filed an Administrative Motion to brief additional terms for claim
6 construction (“Motion”) on September 30, 2025 (Dkt. 51);

7 WHEREAS, Netskope filed its Opposition to Fortinet’s Motion on October 6, 2025 (Dkt.
8 58);

9 WHEREAS, During the Parties’ December 9, 2025 Case Management Conference
10 (“CMC”), the Court ordered the Parties to “meet and confer by December 19, 2025 to 1) identify
11 representative claims or otherwise narrow the cases scope and 2) propose a modified claims
12 construction briefing schedule.” (Dkt. 116);

13 WHEREAS, following the CMC, the Parties negotiated to narrow the case according to
14 the Court’s instruction;

15 WHEREAS, Netskope agrees to drop the following claims without prejudice:

- 16 1. U.S. Patent No. 7,593,936: claims 3-4, 14-15
- 17 2. U.S. Patent No. 8,635,697: claims 9, 21
- 18 3. U.S. Patent No. 8,397,282: all asserted claims

19 WHEREAS, Fortinet agrees to drop its Motion in light of Netskope’s case narrowing
20 proposal without prejudice as to any claim construction issues that may arise later in the case;

21 WHEREAS, Netskope filed its Opening Claim Construction Brief on December 3, 2025
22 (Dkt. 111);

23 WHEREAS, Netskope will need to refile its Opening Claim Construction Brief due to the
24 narrowing of the case and the changes to the top 10 terms for construction;

25 WHEREAS, the Parties agree to the following revised schedule to allow additional time
26 to complete claim construction briefing:
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Event	Current Deadline	New Deadline
Netskope’s Opening Claim Construction Brief	December 3, 2025	January 5, 2026
Fortinet’s Responsive Claim Construction Brief	December 17, 2025	January 16, 2026
Netskope’s Reply Claim Construction Brief	December 24, 2025	January 23, 2026
Technology Tutorial	January 30, 2026 at 10:00 a.m.	No change
<i>Markman</i> Hearing	February 6, 2026 at 10:00 a.m.	No change

WHEREAS, the revised schedule does not change any major deadlines for the Court, such as the Technology Tutorial or *Markman* hearing;

WHEREAS, given the above, good cause exists to modify the Scheduling Order to allow the Parties sufficient time to complete claim construction briefing;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES, subject to Court approval, that the Scheduling Order shall be modified as follows:

Event	Current Deadline	New Deadline
Netskope’s Opening Claim Construction Brief	December 3, 2025	January 5, 2026
Fortinet’s Responsive Claim Construction Brief	December 17, 2025	January 16, 2026
Netskope’s Reply Claim Construction Brief	December 24, 2025	January 23, 2026
Technology Tutorial	January 30, 2026 at 10:00 a.m.	No change
<i>Markman</i> Hearing	February 6, 2026 at 10:00 a.m.	No change

IT IS SO STIPULATED, through Counsel of Record.

1 DATED: December 19, 2025

Respectfully Submitted,

2 **PERKINS COIE LLP**

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Attorneys for Fortinet, Inc.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

The Honorable Haywood S. Gilliam, Jr.
U.S. District Court Judge

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ECF ATTESTATION

I, Thomas N. Millikan, am the ECF User whose ID and password are being used to file this Stipulation regarding Narrowing of Claim Terms and Extension of Briefing Schedule. In compliance with Civil Local Rule 5-1, I hereby attest that Ryan Iwahashi, counsel for Fortinet, Inc., has concurred in this filing.

Dated: December 19, 2025

By: /s/Thomas N. Millikan
Thomas N. Millikan

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