

US 7.490.151 B2

Feb. 10, 2009

## (12) United States Patent

Munger et al.

### (54) ESTABLISHMENT OF A SECURE COMMUNICATION LINK BASED ON A DOMAIN NAME SERVICE (DNS) REQUEST

(75) Inventors: Edward Colby Munger, Crownsville,

MD (US); Robert Dunham Short, III, Leesburg, VA (US); Victor Larson, Fairfax, VA (US); Michael Williamson,

South Riding, VA (US)

Assignee: Virnetx Inc., Scotts Valley Drive, CA

(\*) Notice: Subject to any disclaimer, the term of this

patent is extended or adjusted under 35 U.S.C. 154(b) by 818 days.

Appl. No.: 10/259,494

Filed: Sep. 30, 2002 (22)

(65)**Prior Publication Data** 

> US 2003/0037142 A1 Feb. 20, 2003

### Related U.S. Application Data

- Division of application No. 09/504,783, filed on Feb. 15, 2000, now Pat. No. 6,502,135, which is a continuation-in-part of application No. 09/429,643, filed on Oct. 29, 1999, now Pat. No. 7,010,604.
- Provisional application No. 60/137,704, filed on Jun. 7, 1999, provisional application No. 60/106,261, filed on Oct. 30, 1998.
- (51) Int. Cl. G06F 15/173 (2006.01)
- (52) **U.S. Cl.** ...... **709/225**; 709/229
- 709/229; 713/201

Field of Classification Search ........ 709/217–225,

See application file for complete search history.

(10) **Patent No.:** 

(56)

(45) Date of Patent:

References Cited U.S. PATENT DOCUMENTS

4,933,846 A 6/1990 Humphrey et al.

(Continued)

FOREIGN PATENT DOCUMENTS

DE. 199 24 575 12/1999

(Continued)

OTHER PUBLICATIONS

Search Report (dated Aug. 23, 2002), International Application No. PCT/US01/13260.

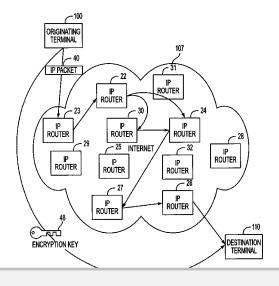
(Continued)

Primary Examiner—Krisna Lim (74) Attorney, Agent, or Firm—McDermott Will & Emery

(57)ABSTRACT

A plurality of computer nodes communicate using seemingly random Internet Protocol source and destination addresses. Data packets matching criteria defined by a moving window of valid addresses are accepted for further processing, while those that do not meet the criteria are quickly rejected. Improvements to the basic design include (1) a load balancer that distributes packets across different transmission paths according to transmission path quality; (2) a DNS proxy server that transparently creates a virtual private network in response to a domain name inquiry; (3) a large-to-small link bandwidth management feature that prevents denial-of-service attacks at system chokepoints; (4) a traffic limiter that regulates incoming packets by limiting the rate at which a transmitter can be synchronized with a receiver; and (5) a signaling synchronizer that allows a large number of nodes to communicate with a central node by partitioning the communication function between two separate entities.

### 16 Claims, 35 Drawing Sheets



VIRNETX EXHIBIT 2023 Apple v. Virnetx



| LLC DATENT                                   | DOCUMENTS                        | 6,502,135 B1* 12/2002 Munger et al                                                                                     |
|----------------------------------------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------|
| U.S. FATEIVI                                 | DOCUMENTS                        | 6,505,232 B1 1/2003 Mighdoll et al                                                                                     |
| , , , , , , , , , , , , , , , , , , ,        | Warrior                          | 6,510,154 B1 1/2003 Mayes et al.                                                                                       |
|                                              | Bright 380/273                   | 6,549,516 B1 4/2003 Albert et al.                                                                                      |
| , ,                                          | Boebert et al.<br>Carmi          | 6,557,037 B1 4/2003 Provino                                                                                            |
| , ,                                          | Walsh et al.                     | 6,571,296 B1 5/2003 Dillon                                                                                             |
| , ,                                          | Barney et al.                    | 6,571,338 B1 5/2003 Shaio et al.                                                                                       |
|                                              | Chang et al.                     | 6,581,166 B1 6/2003 Hirst et al.<br>6,606,708 B1 8/2003 Devine et al                                                   |
|                                              | Williams                         | 6,618,761 B2 9/2003 Munger et al                                                                                       |
| 5,561,669 A 10/1996                          | Lenney et al.                    | 6,671,702 B2 12/2003 Kruglikov et al.                                                                                  |
| 5,588,060 A 12/1996                          |                                  | 6,687,551 B2 2/2004 Steindl                                                                                            |
| * * *                                        | Umekita                          | 6,714,970 B1 3/2004 Fiveash et al.                                                                                     |
| , ,                                          | Olnowich et al.                  | 6,717,949 B1 4/2004 Boden et al.                                                                                       |
|                                              | Nakagawa<br>Nguyen               | 6,751,738 B2 * 6/2004 Wesinger et al                                                                                   |
|                                              | Dunne et al.                     | 6,760,766 B1 7/2004 Sahlqvist<br>6,826,616 B2 11/2004 Larson et al.                                                    |
| * * *                                        | Brendel et al.                   | 6,839,759 B2 1/2005 Larson et al.                                                                                      |
|                                              | Arnold                           | 7,010,604 B1 3/2006 Munger et al.                                                                                      |
|                                              | Sistanizadeh et al 370/401       | 7,133,930 B2 11/2006 Munger et al.                                                                                     |
| * * *                                        | Esbensen                         | 7,188,180 B2 3/2007 Larson et al.                                                                                      |
|                                              | Holloway et al.                  | 7,197,563 B2 3/2007 Sheymov et al.                                                                                     |
|                                              | Hughes et al. Dunne et al.       | 2002/0004898 A1 1/2002 Droge                                                                                           |
| , ,                                          | Osterman                         | 2003/0196122 A1* 10/2003 Wesinger et al                                                                                |
|                                              | Beyda et al.                     | 2005/0055306 A1 3/2005 Miller et al.<br>2006/0059337 A1* 3/2006 Poyhonen et al                                         |
|                                              | Baehr et al.                     | 2000/0039337 AT 3/2000 Toynonen et al /13/103                                                                          |
| 5,892,903 A 4/1999                           |                                  | FOREIGN PATENT DOCUMENTS                                                                                               |
|                                              | Wesinger et al 726/15            | EP 0 814 589 12/1997                                                                                                   |
|                                              | Holloway et al.                  | EP 0 814 589 A 12/1997                                                                                                 |
| , ,                                          | Valencia The library et al.      | EP 0 838 930 4/1998                                                                                                    |
| * * *                                        | Thalheimer et al. Adelman et al. | EP 0 838 930 A 4/1998                                                                                                  |
| , ,                                          | Aravamudan et al.                | EP 836306 A1 4/1998                                                                                                    |
|                                              | Tomoike                          | EP 0 858 189 8/1998                                                                                                    |
| 6,016,512 A 1/2000                           | Huitema                          | GB 2 317 792 4/1998                                                                                                    |
|                                              | Yamaguchi                        | GB 2 317 792 A 4/1998<br>GB 2 334 181 A 8/1999                                                                         |
|                                              | Wesinger, Jr. et al.             | GB 2334181 A 8/1999<br>GB 2334181 A 8/1999                                                                             |
|                                              | Smorodinsky et al.               | WO 9827783 A 6/1998                                                                                                    |
|                                              | Rochberger et al. Liu            | WO WO 98/27783 6/1998                                                                                                  |
|                                              | Muniyappa et al.                 | WO WO 9827783 A 6/1998                                                                                                 |
|                                              | Sistanizadeh et al 370/352       | WO WO 98 55930 12/1998                                                                                                 |
| 6,119,171 A 9/2000                           | Alkhatib                         | WO WO 98 59470 12/1998                                                                                                 |
| , , , , , , , , , , , , , , , , , , ,        | Aziz et al 713/201               | WO WO 99 38081 7/1999<br>WO WO 99 48303 9/1999                                                                         |
| * *                                          | Shand et al.                     | WO WO 99 48303 9/1999<br>WO WO 00/17775 3/2000                                                                         |
|                                              | Berthaud<br>Chen et al.          | WO WO 00/70458 11/2000                                                                                                 |
| 6,158,011 A 12/2000<br>6,168,409 B1 1/2001   |                                  | WO WO 01 50688 7/2001                                                                                                  |
|                                              | Taghadoss                        | OTHER BUILDING                                                                                                         |
|                                              | Weber et al.                     | OTHER PUBLICATIONS                                                                                                     |
| 6,178,505 B1 1/2001                          | Schneider et al.                 | Donald E. Eastlake, 3rd, "Domain Name System Security Exten-                                                           |
|                                              | Weber et al.                     | sions", Internet Draft, Apr. 1998, pp. 1-51.                                                                           |
|                                              | Sasyan et al.                    | D. B. Chapman et al., "Building Internet Firewalls", Nov. 1995, pp.                                                    |
|                                              | Arrow et al.<br>Shannon          | 278-375.                                                                                                               |
| , , , , , , , , , , , , , , , , , , ,        | Basilico                         | P. Srisuresh et al., "DNA extensions to Network address Translators                                                    |
|                                              | Sitaraman et al.                 | (DNS_ALG)", Internet Draft, Jul. 1998, pp. 1-27.  James E. Bellaire, "New Statement of Rules—Naming Internet           |
|                                              | Guerin et al.                    | Domains", Internet Newsgroup, Jul. 30, 1995, 1 page.                                                                   |
|                                              | Strentzsch et al 709/227         | D. Clark, "US Calls for Private Domain-Name System", Computer                                                          |
|                                              | Blumenau                         | Society, Aug. 1, 1998, pp. 22-25.                                                                                      |
| , , , , , , , , , , , , , , , , , , ,        | Ramanathan et al.                | August Bequai, "Balancing Legal Concerns Over Crime and Security                                                       |
|                                              | Hrastar et al.                   | in Cyberspace", Computer & Security, vol. 17, No. 4, 1998, pp.                                                         |
| 6,308,274 B1 10/2001<br>6,311,207 B1 10/2001 | Mighdoll et al.                  | 293-298.  Pick Winted "CAO" Networking With Speaker The NET & The                                                      |
| 6,324,161 B1 11/2001                         | -                                | Rich Winkel, "CAQ: Networking With Spooks: The NET & The Control Of Information", Internet Newsgroup, Jun. 21, 1997, 4 |
|                                              | Boden et al.                     | pages.                                                                                                                 |
|                                              | Risley et al 709/219             | Search Report (dated Jun. 18, 2002), International Application No.                                                     |
| 6,353,614 B1 3/2002                          | Borella et al.                   | PCT/US01/13260.                                                                                                        |
|                                              | Herzog et al 709/223             | Search Report (dated Jun. 28, 2002), International Application No.                                                     |
| 6,430,155 B1 8/2002                          | Davie et al.                     | PCT/US01/13261.                                                                                                        |



D. B. Chapman et al., "Building Internet Firewalls", Nov. 1995, pp. 278-297 and pp. 351-375.

P. Srisuresh et al., "DNS extensions to Network Address Translators", Jul. 1998, 27 pages.

Laurie Wells, "Security Icon", Oct. 19, 1998, 1 page.

W. Stallings, "Cryptography And Network Security", 2<sup>nd</sup> Edition, Chapter 13, IP Security, Jun. 8, 1998, pp. 399-440.

W. Stallings, "New Cryptography and Network Security Book", Jun. 8, 1998, 3 pages.

Search Report (dated Aug. 20, 2002), International Application No. PCT/US01/04340.

Shree Murthy et al., "Congestion-Oriented Shortest Multipath Routing", Proceedings of IEEE Infocom, 1996, pp. 1028-1036.

Jim Jones et al., "Distributed Denial of Service Attacks: Defenses", Global Integrity Corporation, 2000, pp. 1-14.

Fasbender, Kesdogan, and Kubitz: "Variable and Scalable Security: Protection of Location Information in Mobile IP", IEEE publication, 1996, pp. 963-967.

Laurie Wells (Lancasterbibelmail MSN COM); "Subject: Security Icon" Usenet Newsgroup, Oct. 19, 1998, XP002200606.

Davila J et al, "Implementation of Virtual Private Networks at the Transport Layer", Information Security, Second International Workshop, ISW '99. Proceedings (Lecture Springer-Verlag Berlin, Germany, [Online] 1999, pp. 85-102, XP002399276, ISBN 3-540-66695-B, retrieved from the Internet: URL: http://www.springerlink.com/content/4uac0tb0heccma89/fulltext.pdf> (Abstract).

Alan 0. Frier et al., "The SSL Protocol Version 3.0", Nov. 18, 1996, printed from http://www.netscape.com/eng/ssl13/ draft302.txt on Feb. 4, 2002, 56 pages.

Davila J et al, "Implementation of Virtual Private Networks at the Transport Layer", Information Security, Second International Workshop, ISW'99. Proceedings (Lecture Springer-Verlag Berlin, Ger-

many, [Online] 1999, pp. 85-102, XP002399276, ISBN 3-540-66695-B, retrieved from the Internet: URL: http://www.springerlink.com/content/4uac0tb0hecoma89/fulltext.pdf>.

Dolev, Shlomi and Ostrovsky, Rafil, Efficient Anonymous Multicast and Reception (Extended Abstract), 16 pages.

F. Halsall, "Data Communications, Computer Networks and Open Systems", Chapter 4, Protocol Basics, 1996, pp. 198-203.

Glossary for the Linux FreeS/WAN project, printed from http://liberty.freeswan.org/freeswan\_trees/freeswan-1.3/ doc/glossary.html on Feb. 21, 2002, 25 pages.

J. Gilmore, "Swan: Securing the Internet against Wiretapping", printed from http://liberty.freeswan.org/freeswan\_trees/freeswan-1. 3.doc/rationale.html on Feb. 21, 2002, 4 pages.

Linux FreeS/WAN Index File, printed from http://liberty.freewan.org/freeswan trees/freeswan-1.3/doc/ on Feb. 21, 2002, 3 pages.

Reiter, Michael K. and Rubin, Aviel D. (AT&T Labs—Research), Crowds: Anonymity for Web Transactions, pp. 1-23.

RFC 2401-Security Architecture for the Internet Protocol (RTP).

RFC 2543-SIP: Session Initiation Protocol (SIP or SIPS).

Rubin, Aviel D., Geer, Daniel, and Ranum, Marcus J. (Wiley Computer Publishing), "Web Security Sourcebook", pp. 82-94.

Search Report, IPER (dataed Nov. 13, 2002), International Application No. PCT/US01/04340.

Search Report, IPER (dated Feb. 6, 2002), International Application No. PCT/US01/13261.

Search Report, IPER (dated Jan. 14, 2003), International Application No. PCT/US01/13260.

Shankar, A.U. "A verified sliding window protocol with variable flow control". Proceedings of ACM SIGCOMM conference on Communications architectures & protocols. pp. 84-91, ACM Press, NY,NY 1986

\* cited by examiner



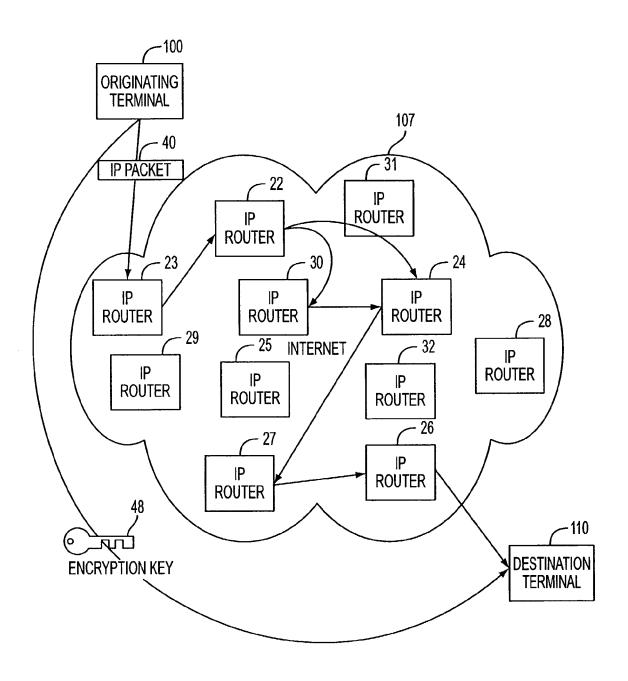


FIG. 1



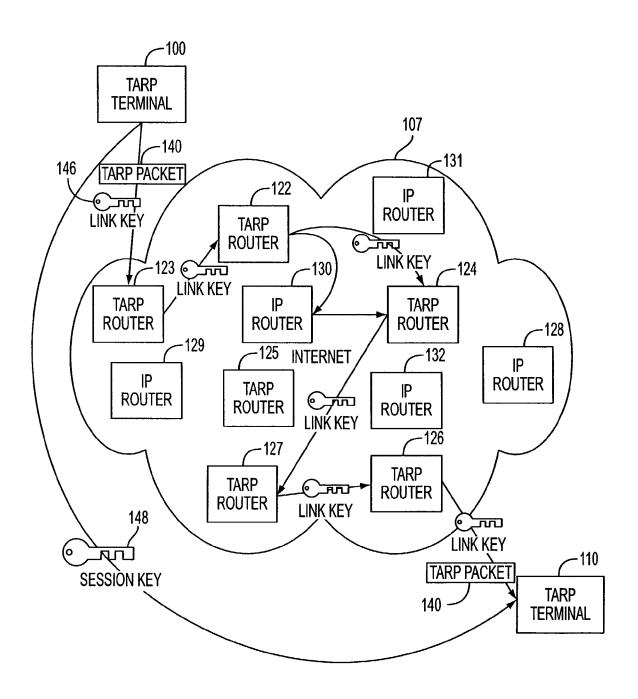


FIG. 2

# DOCKET A L A R M

## Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

