

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.  
Petitioner,

v.

VIRNETX, INC. AND SCIENCE APPLICATION INTERNATIONAL  
CORPORATION,  
Patent Owner

Patent No. 7,418,504

Issued: August 26, 2008

Filed: November 18, 2003

Inventors: Victor Larson, *et al.*

Title: AGILE NETWORK PROTOCOL FOR SECURE COMMUNICATIONS  
USING SECURE DOMAIN NAMES

---

*Inter Partes* Review No. IPR2013-00394

---

**PETITION FOR INTER PARTES REVIEW**

**TABLE OF CONTENTS**

I. COMPLIANCE WITH REQUIREMENTS FOR A PETITION FOR INTER PARTES REVIEW ..... 1

    A. Certification the '504 Patent May Be Contested by Petitioner..... 1

    B. Fee for Inter Partes Review (§ 42.15(a))..... 3

    C. Mandatory Notices (37 CFR § 42.8(b)) ..... 3

        1. Real Party in Interest (§ 42.8(b)(1))..... 3

        2. Other Proceedings (§ 42.8(b)(2))..... 4

        3. Designation of Lead and Backup Counsel..... 5

        4. Service Information (§ 42.8(b)(4)) ..... 5

    D. Proof of Service (§§ 42.6(e) and 42.105(a)) ..... 6

II. IDENTIFICATION OF CLAIMS BEING CHALLENGED (§ 42.104(B)) ..... 6

III. RELEVANT INFORMATION CONCERNING THE CONTESTED PATENT ..... 6

    A. Effective Filing Date and Prosecution History of the '504 patent..... 6

    B. Person of Ordinary Skill in the Art ..... 8

    C. Construction of Terms Used in the Claims ..... 8

        1. Domain Name (Claims 1-3, 5-8 and 14-60) ..... 9

        2. Domain Name Service System (Claims 1-3, 5-8 and 14-60) ..... 9

        3. Indication (Claims 1-3, 5-8 and 14-60) ..... 11

        4. Secure Communication Link (Claims 1-3, 5-8 and 14-60) ..... 12

        5. Secure Name (Claims 3, 24, 25, 48, and 49) ..... 15

IV. PRECISE REASONS FOR RELIEF REQUESTED ..... 16

    A. Claims 1-3, 5-8, and 14-60 Are Anticipated by Beser..... 16

        1. Beser Anticipates Claim 1 ..... 16

        2. Beser Anticipates Claim 36 ..... 19

        3. Beser Anticipates Claim 60 ..... 19

        4. Beser Anticipates Claims 2 and 37 ..... 20

Petition for *Inter Partes* Review of U.S. Patent No. 7,418,504

5.	Beser Anticipates Claim 3 .....	20
6.	Beser Anticipates Claim 5 .....	21
7.	Beser Anticipates Claim 6 .....	21
8.	Beser Anticipates Claim 7 .....	22
9.	Beser Anticipates Claim 8 .....	22
10.	Beser Anticipates Claims 14 and 38 .....	22
11.	Beser Anticipates Claims 15 and 39 .....	23
12.	Beser Anticipates Claims 16 and 40 .....	24
13.	Beser Anticipates Claims 17 and 41 .....	25
14.	Beser Anticipates Claims 18 and 42 .....	26
15.	Beser Anticipates Claims 19 and 43 .....	26
16.	Beser Anticipates Claims 20 and 44 .....	27
17.	Beser Anticipates Claims 21 and 45 .....	27
18.	Beser Anticipates Claims 22 and 46 .....	27
19.	Beser Anticipates Claims 23 and 47 .....	28
20.	Beser Anticipates Claims 24 and 48 .....	28
21.	Beser Anticipates Claims 25 and 49 .....	29
22.	Beser Anticipates Claims 26 and 50 .....	29
23.	Beser Anticipates Claims 27, 33, 51, and 57 .....	30
24.	Beser Anticipates Claims 28 and 52 .....	31
25.	Beser Anticipates Claims 29, 30, 31, 32, 53, 54, 55, and 56.....	31
26.	Beser Anticipates Claims 34 and 58 .....	32
27.	Beser Anticipates Claims 35 and 59 .....	33
B.	Beser Considered with RFC 2401 Renders Obvious Claims 1-3, 5-8, and 14-60.....	35
1.	Claims 1, 36, and 60 Would Have Been Obvious .....	36
2.	Dependent Claims 8, 28, and 52 .....	38
3.	Dependent Claims 16, 17, 22, 24, 26, 27, 35, 40, 41, 46, 48, 50, 51, and 59.....	38

Petition for *Inter Partes* Review of U.S. Patent No. 7,418,504

4.	Dependent Claims 2, 3, 5-7, 14, 15, 18-21, 23, 25, 29-34, 37-39, 42-45, 47, 49, and 53-58.....	39
C.	Claims 1-3, 5-8, and 15-60 Are Unpatentable Over <u>Provino</u> .....	39
1.	Provino Anticipates Claims 1 .....	39
2.	Provino Anticipates Claims 36 .....	42
3.	Provino Anticipates Claims 60 .....	43
4.	Provino Anticipates Claims 2 and 37 .....	44
5.	Provino Anticipates Claim 5 .....	45
6.	Provino Anticipates Claim 6 .....	45
7.	Provino Anticipates Claim 7 .....	45
8.	Provino Anticipates Claim 8 .....	46
9.	Provino Anticipates Claims 14 and 38 .....	46
10.	Provino Anticipates Claims 15 and 39 .....	47
11.	Provino Anticipates Claims 16 and 40 .....	47
12.	Provino Anticipates Claims 17 and 41 .....	48
13.	Provino Anticipates Claims 18 and 42 .....	48
14.	Provino Anticipates Claims 19 and 43 .....	49
15.	Provino Anticipates Claims 20 and 44 .....	49
16.	Provino Anticipates Claims 21 and 45 .....	50
17.	Provino Anticipates Claims 22 and 46 .....	50
18.	Provino Anticipates Claims 23 and 47 .....	51
19.	Provino Anticipates Claims 24 and 48 .....	51
20.	Provino Anticipates Claims 25 and 49 .....	52
21.	Provino Anticipates Claims 26 and 50 .....	52
22.	Provino Anticipates Claims 27, 33, 51, and 57 .....	53
23.	Provino Anticipates Claims 28 and 52 .....	53
24.	Provino Anticipates Claims 34 and 58 .....	54
25.	Provino Anticipates Claims 35 and 59 .....	54
D.	<u>Provino</u> in View of Beser Renders Obvious Claims 3, 25, 29-32, 49, and 53-56.....	55

Petition for *Inter Partes* Review of U.S. Patent No. 7,418,504

1.	Provino in view of Beser Renders Obvious Claims 3, 25, and 49 .....	57
2.	Provino in View of Beser Renders Obvious Claims 29, 30, 31, 32, 53, 54, 55, and 56.....	58
V.	CONCLUSION.....	60

**Attachment A. Proof of Service of the Petition**

**Attachment B. List of Evidence and Exhibits Relied Upon in Petition**

# 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.