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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

VIRNETX INC.
Patent Owner

Case IPR2013-00393
Patent 7,418,504

**UPDATED PATENT OWNER'S MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8**

VirnetX Inc., the Patent Owner, provides the following updated mandatory notices pursuant to 37 C.F.R. § 42.8.

I. Real Party-in-Interest

Pursuant to 37 C.F.R. § 42.8(b)(1), the real party-in-interest is VirnetX Inc., the assignee of record for U.S. Patent No. 7,418,504 (“the ’504 patent”).

II. Related Matters

Patent Owner identifies the following matters that may be deemed related pursuant to 37 C.F.R. § 42.8(b)(2).

A. Proceedings Before the USPTO Involving the Patent-at-Issue

The ’504 patent, which is the subject of this proceeding, is or was at issue in the following *inter partes* review and *inter partes* reexamination proceedings:

| |
|---------------------------------|
| Case IPR2013-00377 ¹ |
| Case IPR2013-00394 |
| Case IPR2014-00176 |
| Case IPR2014-00177 |
| Control No. 95/001,788 |
| Control No. 95/001,851 |

¹ The Board terminated this proceeding on November 12, 2013.

B. Proceedings Before the USPTO Involving Related Patents

Several patents stemming from the same applications that led to the '504 patent are or were at issue in the following *inter partes* review and *inter partes* reexamination proceedings:

| Patent | Matter |
|---------------------------|---------------------------------|
| U.S. Patent No. 6,502,135 | Case IPR2013-00348 |
| | Case IPR2013-00349 |
| | Case IPR2013-00375 ² |
| | Case IPR2014-00171 |
| | Case IPR2014-00172 |
| | Control No. 95/001,679 |
| Control No. 95/001,682 | |
| U.S. Patent No. 7,490,151 | Case IPR2013-00354 |
| | Case IPR2013-00376 ³ |
| | Case IPR2014-00173 |
| | Control No. 95/001,697 |
| | Control No. 95/001,714 |

² The Board terminated this proceeding on November 12, 2013.

³ The Board terminated this proceeding on November 12, 2013.

| Patent | Matter |
|---------------------------|---|
| U.S. Patent No. 7,921,211 | Case IPR2013-00378 ⁴ Case IPR2013-00397 Case IPR2013-00398 Case IPR2014-00174 Case IPR2014-00175 Control No. 95/001,789 Control No. 95/001,856 |
| U.S. Patent No. 6,839,759 | Control No. 95/001,746 |
| U.S. Patent No. 7,188,180 | Control No. 95/001,792 |
| U.S. Patent No. 8,051,181 | Control No. 95/001,949 |
| U.S. Patent No. 8,504,697 | Case IPR2014-00237 Case IPR2014-00238 |

⁴ The Board terminated this proceeding on November 12, 2013.

C. U.S. Patent Applications Related to the Patent-at-Issue

The following applications, which stem from the same applications that led to the '504 patent, are currently pending before the Office:

| | | | |
|------------|------------|------------|------------|
| 11/839,937 | 13/615,436 | 13/618,966 | 13/911,792 |
| 13/080,680 | 13/615,528 | 13/620,371 | 13/911,813 |
| 13/155,039 | 13/615,536 | 13/620,534 | 13/950,877 |
| 13/181,041 | 13/615,557 | 13/620,550 | 13/950,897 |
| 13/285,962 | 13/617,375 | 13/890,206 | 13/950,919 |
| 13/475,637 | 13/617,446 | 13/903,788 | -- |

D. Litigations Involving the Patent-at-Issue and/or Related Patents

The '504 patent and/or other patents that stem from the same applications that led to the '504 patent are at issue in the following cases:

VirnetX Inc. and Science Applications Int'l Corp. v. Cisco Systems, Inc., Apple Inc., Aastra USA, Inc., Aastra Technologies Ltd., NEC Corp., and NEC Corp. of America, No. 6:10-cv-00417 (E.D. Tex.)⁵

⁵ NEC and Aastra have entered into a license agreement with VirnetX and have been dismissed from this case. The only remaining defendants in this case

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