

Paper No. \_\_\_\_\_  
Filed: July 31, 2014

Filed on behalf of: VirnetX Inc.

By:

Joseph E. Palys  
Paul Hastings LLP  
875 15th Street NW  
Washington, DC 20005  
Telephone: (202) 551-1996  
Facsimile: (202) 551-0496  
E-mail: josephpalys@paulhastings.com

Naveen Modi  
Paul Hastings LLP  
875 15th Street NW  
Washington, DC 20005  
Telephone: (202) 551-1990  
Facsimile: (202) 551-0490  
E-mail: naveenmodi@paulhastings.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.  
Petitioner

v.

VIRNETX INC.  
Patent Owner

---

Case IPR2014-00237  
Patent 8,504,697

---

**PATENT OWNER VIRNETX INC.'S  
NOTICE OF DEPOSITION OF MICHAEL FRATTO**

Pursuant to 37 C.F.R. § 42.53, Patent Owner VirnetX Inc. hereby provides notice that it will cross-examine Michael Fratto, a witness of Petitioner Apple Inc. The cross-examination will begin at 9:00 a.m. on August 14, 2014, and will continue on August 15, 2014. The cross-examination will take place at the offices of Sidley Austin LLP, 1501 K Street, N.W., Washington, DC 20005. The parties have agreed upon this date and time for the cross-examination of Mr. Fratto.

The cross-examination will take place before a Notary Public or other officer authorized by law to administer oaths. The cross-examination will be recorded using stenographic, audio, and/or visual means.

Respectfully submitted,

Dated: July 31, 2014

By: Joseph E. Palys/

Joseph E. Palys

Registration No. 46,508

Counsel for VirnetX Inc.

**Certificate of Service**

Pursuant to 37 C.F.R. §§ 42.6(e), I certify that I caused to be served on the counsel for Petitioner a true and correct copy of the foregoing Patent Owner VirnetX Inc.'s Notice of Deposition of Michael Fratto by electronic means on July 31, 2014 at the following address of record:

Jeffrey P. Kushan  
jkushan@sidley.com  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, D.C. 20005

Joseph A. Micallef  
jmicallef@sidley.com  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, D.C. 20005

Respectfully submitted,

Dated: July 31, 2014

By: /Joseph E. Palys/

Joseph E. Palys  
Registration No. 46,508

Counsel for VirnetX Inc.