

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. 8,051,181

Issued: November 1, 2011

Filed: February 27, 2007

Inventors: Victor Larson, *et al.*

Title: METHOD FOR ESTABLISHING SECURE COMMUNICATION LINK
BETWEEN COMPUTERS OF VIRTUAL PRIVATE NETWORK

Inter Partes Review No. IPR2014-00486

PETITION FOR INTER PARTES REVIEW

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Attachment A. Proof of Service of the Petition

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

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

A. Certification the '181 Patent May Be Contested by Petitioner

Petitioner certifies that U.S. Patent No. 8,051,181 (the '181 patent) (Ex. 1025) is available for *inter partes* review. Neither Petitioner, nor any party in privity with Petitioner, has filed a civil action challenging the validity of any claim of the '181 patent. The '181 patent also has not been the subject of a prior *inter partes* review by Petitioner or a privy of Petitioner.

The '181 patent was asserted against Petitioner in proceedings alleging infringement as explained in § C.2, below. This petition is nonetheless proper as it is accompanied by a motion for joinder to (i) IPR2014-00483 and -00484 filed by Apple, and (ii) IPR2014-00403 and -00404 filed by Microsoft. The one-year period specified in § 315(b) does not apply to a petition that is accompanied by a request for joinder under 35 U.S.C. § 315(c). For the reasons in § III.B below and in the accompanying motion for joinder, proceedings based on the petitions should be joined to enable review of these admittedly patentably indistinct patent claims.

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

The Director is authorized to charge the fee specified by 37 CFR § 42.15(a) to Deposit Account No. 50-1597.

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

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

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