Paper No. 1

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. 7,921,211

Issued: Apr. 5, 2011

Filed: Aug. 17, 2007

Inventor: Victor Larson, *et al.*

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

Inter Partes Review No. IPR2015-00186

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,921,211 UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.1-.80 & 42.100-.123

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Attachment A. Proof of Service of the Petition

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

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Apple Inc. ("Petitioner" or "Apple") petitions for *Inter Partes* Review ("IPR") under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1, 2, 5, 6, 14-17, 19-23, 26-41, 43-47, and 50-60 ("the Challenged Claims") of U.S. Patent No. 7,921,211 ("the '211 patent"). By its accompanying Motion for Joinder, Petitioner seeks to join this petition to IPR2014-00618 (which has been consolidated to IPR2014-00615), a proceeding instituted on the same patent and the same prior art. This petition presents two additional grounds relative to IPR2014-00618 establishing that dependent claim 5 is unpatentable. Claim 5 is highly similar to claims 23 and 47 involved in the -00618 proceeding – each claim specifies "*authenticat[ing] the query*" with claim 5 further specifying "*using a cryptographic technique*." Claim 5 is unpatentable over the same prior art that the Board has found to show the Challenged Claims unpatentable. *See* IPR2014-00615, Paper No. 9 at 21-22, 26-27. It is submitted that consideration of these additional grounds on a single claim will not impose a burden on the Panel given the common prior art and similarity to issues already being considered in the -00615 proceeding, as explained in the Motion for Joinder.

I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

The real party of interest of this petition pursuant to § 42.8(b)(1) is Apple Inc. ("Apple") located at One Infinite Loop, Cupertino, CA 95014.

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