UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD
_____

APPLE INC.,

Petitioner

v.

VIRNETX, INC.,

Patent Owner
_____

Case IPR2015-00811
Patent No. 8,868,705
_____

PETITIONER'S UPDATED MANDATORY NOTICES

Petitioner, Apple Inc. ("Petitioner") submits the following update to its Mandatory Notices.

On October 26, 2015, Petitioner filed petitions for *inter partes* review against related U.S. Patent Nos. 6,502,135 and 7,490,151 (IPR2016-00062 & IPR2016-00063), respectively requesting joinder to *inter partes* review proceedings IPR2015-01046 and IPR2015-01047.

A.   Mandatory Notices (37 C.F.R. § 42.8(b))

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

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

2.   Related Matters (§ 42.8(b)(2))

a.   *Patents and Applications*

U.S. Patent No. 8,868,705 ("'8705 patent") is a member of a family of patents issued to Larson et al. and assigned to VirnetX, Inc. Like the '8705 patent (Ex. 1001 at Face), the following patents claim priority to U.S. Provisional Application Nos. 60/106,261 and 60/137,704: 6,502,135; 6,618,761; 6,826,616; 6,834,310; 6,839,759; 6,907,473; 7,010,604; 7,133,930; 7,188,180; 7,418,504; 7,490,151; 7,921,211; 7,933,990; 7,945,654; 7,987,274; 7,996,539; 8,051,181; 8,458,341; 8,504,696; 8,504,697; 8,516,117; 8,516,131; 8,521,888; 8,554,899; 8,560,705; 8,572,247; 8,843,643; 8,850,009; 8,868,705; 8,874,771; 8,904,516;

8,943,201; 9,027,115; 9,037,713; 9,038,163; 9,077,694; 9,077,695; 9,094,399; and

9,100,375.

The following pending patent applications claim priority to U.S. Provisional

Application Nos. 60/106,261 and 60/137,704: 13/475,637; 13/615,528;

13/617,375; 13/620,534; 13/620,550; 13/890,206; 13/950,897; 14/526,669;

14/702,630; 14/704,938; 14/710,470; and 14/815,869.

> b.   *District Court Litigation*

Upon information and belief, the '8705 patent has not been asserted in

district court litigation.

The following district court proceedings involve patents related to the '8705

patent that may affect or be affected by a decision in this proceeding.

Case/Matter	Status	Asserted Patents
VirnetX Inc. v. Apple Inc., Case. No. 6-13-cv-00581 (E.D. Tex.)	Pending against Apple	8,504,697
VirnetX Inc. v. Microsoft Corporation, Case No. 6-13-cv-00351 (E.D. Tex.)	Dismissed with prejudice	6,502,135; 7,188,181; 7,418,504; 7,490,151; 7,921,211; 7,987,274
VirnetX Inc. v. Apple Inc., Case. No. 6-13-cv-00211 (E.D. Tex.)	Pending against Apple	6,502,135; 7,418,504; 7,490,151; 7,921,211
VirnetX Inc. v. Apple Inc., Case. No. 6-12-cv-00855 (E.D. Tex.)	Pending against Apple	6,502,135; 7,418,504; 7,490,151; 7,921,211; 7,188,181; 8,504,697
VirnetX Inc. v. Apple Inc., Case.	Pending against	7,188,181

No. 6-11-cv-00563 (E.D. Tex.)	Apple	
VirnetX Inc. v. Mitel Network Corporation, Case. No. 6-11-cv-00018 (E.D. Tex.)	Dismissed with prejudice	6,502,135; 7,418,504; 7,921,211
VirnetX Inc. v. Cisco Systems, Inc., Case. No. 6-10-cv-00417 (E.D. Tex.) *VirnetX Inc. v. Apple Inc.*, Case Nos. 15-1934, 15-1935 (Fed. Cir.)	Pending against Apple after remand	6,502,135; 6,839,759; 7,188,180; 7,418,504; 7,490,151; 7,921,211
VirnetX Inc. v. Microsoft Corporation, Case. No. 6-10-cv-00094 (E.D. Tex.)	Dismissed with prejudice	6,502,135; 7,188,180
VirnetX Inc. v. Microsoft Corporation, Case. No. 6-07-cv-00080 (E.D. Tex.)	Dismissed with prejudice	6,502,135; 6,839,759; 7,188,180
In the matter of Certain Devices with Secure Communication Capabilities, Components thereof, and Products Containing the Same (U.S. Int'l Trade Comm'n), Investigation No. 337-TA-858	Terminated	8,051,181

c.   *Patent Office Proceedings*

IPR2015-00810 also involves the '8705 patent and may affect or be affected

by a decision in this proceeding. The following proceedings before the United

States Patent and Trademark Office involve patents related to the '8705 patent and

may affect or be affected by a decision in this proceeding. Proceedings identified

by an asterisk (*) were filed by Apple.

Patent	Matter	Status
6,502,135	IPR2013-00348*	Institution Denied
	IPR2013-00349*	Institution Denied
	IPR2013-00375	Terminated
	IPR2014-00171	Institution Denied
	IPR2014-00172	Institution Denied
	IPR2014-00558	Institution Denied
	IPR2014-01046	Trial Instituted
	IPR2016-00062*	Pending
	Control No. 95/001,682*	Pending before the Central Reexam Unit; RAN issued on 9/15/2015
	Control No. 95/001,679	Pending before the Central Reexam Unit; RAN issued on 9/15/2015
6,839,759	Control No. 95/001,746; Appeal No. 2015-007843	Pending; Examiner's decision on appeal to the PTAB
7,188,180	IPR2014-00401	Institution Denied
	IPR2014-00405	Institution Denied
	IPR2014-00481*	Final Written Decision; Patent Owner notice of appeal due 10/26/2015
	IPR2014-00482*	Final Written Decision; Patent Owner notice of appeal due 10/26/2015
	IPR2014-01418	Institution Denied
	IPR2014-01421	Institution Denied

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