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. 8,850,009
Issued: September 30, 2014
Filed: June 6, 2013
Inventors: Victor Larson, et al.
Title: SYSTEM AND METHOD EMPLOYING AN AGILE NETWORK
PROTOCOL FOR SECURE COMMUNICATIONS USING SECURE DOMAIN NAMES

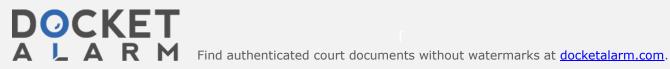
Petition for Inter Partes Review of U.S. Patent No. 8,850,009

Inter Partes Review No. IPR2015-00812

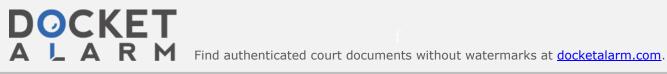


Table of Contents

I.	Introduction1					
	A.	Certification the '009 Patent May Be Contested by Petitione				
	В.	Fee for Inter Partes Review (§ 42.15(a))				
	C.	Mandatory Notices (37 CFR § 42.8(b))				
		1. Real Party in Interest (§ 42.8(b)(1))				
		2.	Other Proceedings (§ 42.8(b)(2))	2		
		3.	Lead and Backup Lead Counsel (§ 42.8(b)(3))	2		
		4.	Service Information (§ 42.8(b)(4))	3		
		5.	Proof of Service (§§ 42.6(e) and 42.105(a))	3		
II.	Ider	ntifica	tion of Claims Being Challenged (§ 42.104(b))	3		
III.	Rele	Relevant Information Concerning the Contested Patent				
	A.	Ove	erview of the '009 Patent	3		
		1.	The '009 Patent Specification	3		
		2.	Representative Claims	5		
	В.	Pate	ent Owner's Contentions About Related Patents			
	C.	Effe	ctive Filing Date			
	D.	The	Person of Ordinary Skill in the Art			
	E.	Claim Construction				
		1.	"domain name service (DNS) request"	10		
		2.	"interception of the DNS request"	10		
		3.	"encrypted communication link"	11		
		4.	"provisioning information"	13		
		5.	"secure communications service"	14		
		6.	"indication"	15		
		7.	"virtual private network communication link"	16		
		8.	"domain name"	17		
		9.	"modulation"	18		



IV.	Analysis of the Patentability of the '009 Patent19						
	A.	Ove	Overview of Beser (Ex. 1007)19				
			a)	Request Containing a Unique Identifier21			
			b)	Negotiation of Private IP Addresses24			
	В.	Ove	rview	of RFC 2401 (Ex. 1008)26			
	С.	Beser (Ex. 1007) In View of RFC 2401 (Ex. 1008) Would Have Rendered Obvious Claims 1-8, 10-20 and 22-2528					
		1.	Encr	erson of Ordinary Skill Would Have Found It Obvious to rypt IP Traffic in the Beser Scheme Based on the Teachings eser and RFC 2401			
		2.	Inde	pendent Claims 1 and 14 Would Have Been Obvious34			
			a)	Claim 14 Preamble34			
			b)	"send[ing] a domain name service (DNS) request to look up a network address based on an identifier"35			
			c)	The "receiving" step37			
			d)	"connect[ing] over the encrypted communication link, using the received network address and the provisioning information"			
			e)	"communicat[e/ing] data using the secure communications service via the encrypted communication link"			
			f)	"the first network device being a device at which a user uses the secure communications service to access the encrypted communication link"			
			g)	Additional System Elements of Claim 149			
		3.	Clair	ms 2 and 15 Would Have Been Obvious50			
		4.	Clair	ms 3 and 16 Would Have Been Obvious51			
		5.	Clair	ms 6 and 19 Would Have Been Obvious52			
		6.	Clair	ms 4, 5, 17 and 18 Would Have Been Obvious52			
		7.	Clair	ms 7 and 20 Would Have Been Obvious53			
		8.	Clair	m 8 Would Have Been Obvious54			
		Q	Clair	ms 10 and 22 Would Have Been Obvious 55			



V	Conclusion				
	D.	No Secondary Considerations Exist		59	
		12.	Claims 13 and 25 Would Have Been Obvious	58	
		11.	Claims 12 and 24 Would Have Been Obvious	57	
		10.	Claims 11 and 23 Would Have Been Obvious	56	



I. Introduction

A. Certification the '009 Patent May Be Contested by Petitioner

Petitioner certifies that U.S. Patent No. 8,850,009 (Ex. 1003) (the '009 patent) is available for *inter partes* review. Petitioner also certifies it is not barred or estopped from requesting *inter partes* review of the claims of the '009 patent. Neither Petitioner, nor any party in privity with Petitioner, has filed a civil action challenging the validity of any claim of the '009 patent. The '009 patent has not been the subject of a prior *inter partes* review by Petitioner or a privy of Petitioner.

Petitioner also certifies this petition for *inter partes* review is timely filed as it has never been asserted against Petitioner in litigation. Thus, because there is no patent owner's action, this petition complies with 35 U.S.C. § 315(b). Petitioner also notes that the timing provisions of 35 U.S.C. § 311(c) and 37 C.F.R. § 42.102(a) do not apply to the '009 patent, as it pre-dates the first-to-file system. *See* Pub. L. 112-274 § 1(n), 126 Stat. 2456 (Jan. 14, 2013).

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))

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.



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