

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.  
Petitioner,

v.

VIRNETX INC.,  
Patent Owner

Patent No. 8,051,181

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*Inter Partes* Review No. IPR2014-00486

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**JOINT UPDATE REGARDING CO-PENDING PROCEEDINGS**

Pursuant to the Order issued by the Board on May 9, 2014 (Paper No. 8 in IPR2014-00486) and conference call of May 5, 2014, Petitioner Apple Inc. (“Petitioner”) and Patent Owner VirnetX Inc. (“VirnetX”) file this update regarding the pending *inter partes* review and *inter partes* reexamination proceedings before the Office concerning patents owned by VirnetX Inc.<sup>1</sup>

Appendix A provides the information requested by the Board. Appendix B provides an index of short names for the references used in the different proceedings and that are listed in Appendix A.

Dated: May 23 2014

Respectfully Submitted,

/Jeffrey P. Kushan/  
Jeffrey P. Kushan (Reg No. 43,401)  
Sidley Austin LLP  
1501 K Street NW  
Washington, DC 20005  
jkushan@sidley.com

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<sup>1</sup> The parties are filing a substantively identical document in each of IPR2014-00485 and IPR2014-00486.

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>U.S. Patent No. 6,502,135</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
Apple	95/001,682	1-18	Aventail Connect v3.1, Aventail Connect v3.01, Aventail AutoSOCKS, Wang, Beser, BinGO, Extended Feature Guide	Reed, Boden, Weiss, RFC 2401, Blum, Aventail Connect V3.01, Aventail AutoSOCKS	26	Office granted VirnetX petition to reopen prosecution and designated Action Closing Prosecution as a non-final action (4/23/2014)  Awaiting decision on VirnetX page length petition.
Cisco	95/001,679	1-18	Kiuchi, Wesinger, Solana, Aziz	Dalton, Bellovin, Martin, Kiuchi, Karr, Denning	18	Awaiting decision on VirnetX petition for review of decision denying patent owner's petition to reconsider merger of proceedings

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>U.S. Patent No. 6,502,135</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
RPX	IPR2014-00171	1-10, 12-15, 18	Aventail Connect v3.01, Aventail ExtraNet Server, Kiuchi	Aventail ExtraNet Server, RFC 1035, Reed I, RFC 1034	6	Institution Decision Due June 6, 2014  VirnetX request for rehearing of Board order of March 17, 2014 pending.
RPX	IPR2014-00172	1-10, 12-15, 18	Beser	RFC 2401, Blum, Aventail Connect v3.01, Aventail ExtraNet Server	5	Institution Decision Due June 6, 2014  VirnetX request for rehearing of Board order of March 17, 2014 pending.
Microsoft	IPR2014-00558	1, 3, 4, 7, 8, 10, 12, 13	Aventail Connect v3.01, Aventail ExtraNet Server, Kiuchi	RFC 1035 RFC 1034	5	Preliminary Response due July 9, 2014  Mot. Joinder to

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>U.S. Patent No. 6,502,135</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
						IPR2014-00171 pending.

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,490,151</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/Issues</b>	<b>Status/Last Action</b>
Apple	95/001,697	1-16	Aventail Connect v3.1, Aventail Connect v3.01, Aventail AutoSOCKS, Wang, Beser, BinGO, Extended Feature Guide	RFC 2401 Beser	6	Awaiting action by Examiner; non-final action dated 4/20/2012; patent owner and requesters filed comments to non-final office action  Awaiting decision on
Cisco	95/001,714	1-16	Kiuchi, Wesinger, Blum, Aziz	Martin Edwards,	11	VirnetX petition regarding merger of proceedings
RPX	IPR2014-00173	1-16	Aventail Connect v3.01, Aventail ExtraNet Server, Beser, Kiuchi	Aventail ExtraNet Server, RFC 1035, Reed I, RFC 2401, Blum, RFC 1034	10	Institution Decision Due June 6, 2014  VirnetX request for rehearing of Board order of March 17, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,490,151</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
						pending.
Microsoft	IPR2014-00610	1, 2, 6-8, 12-14	Aventail Connect v3.01, Aventail ExtraNet Server, Kiuchi	RFC 2660, RFC 1034, Aventail ExtraNet Server	7	Preliminary Response due July 17, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,418,504</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
Apple	95/001,788	1-60	Solana, Provino, Beser, RFC 2230, RFC 2538	RFC 920, Reed, Beser, RFC 2504, RFC 2230, RFC 2401, RFC 2065	35	Awaiting action by Examiner; Office withdrew right of appeal notice, reopened prosecution, and directed Examiner to consider supplemental declaration (2/27/14)
Cisco	95/001,851	1-60	Lendenmann, Aziz, Kiuchi	Wesinger, Gaspoz, Schneier, Martin, Ludwig, Lawton, Frasaszek, Pfaffenberger, Rivest, Borella, Broadhurst	21	Awaiting action by examiner; Office withdrew right of appeal notice, reopened prosecution, and directed Examiner to issue a new Office action (12/12/13)



**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,418,504</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/Issues</b>	<b>Status/Last Action</b>
RPX	IPR2014-00176	1, 2, 5, 6, 8, 14, 16-17, 19, 20-21, 23, 27-30, 33, 34, 36, 47, 51, 60 <sup>2</sup>	Aventail Connect v3.01, Aventail ExtraNet Server, Provino	Beser	4	Institution Decision Due June 6, 2014  VirnetX request for rehearing of Board order of March 17, 2014 pending.
RPX	IPR2014-00177	1-3, 5, 15-18, 20-27, 31-32, 35-36, 47, 51, 60 <sup>3</sup>	Beser, Kiuchi	RFC 2401, Broadhurst	4	Institution Decision Due June 6, 2014  VirnetX request for rehearing of

<sup>2</sup> Claims 16 and 21 were not challenged in the original petition for *inter partes* review but were challenged in the corrected petition for *inter partes* review filed November 22, 2013.

<sup>3</sup> Claims 5 and 27 were not challenged in the original petition for *inter partes* review but were challenged in the corrected petition for *inter partes* review filed November 22, 2013.

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,418,504</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
						Board order of March 17, 2014 pending.
Microsoft	IPR2014-00612	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Aventail Connect v3.01, Aventail ExtraNet Server	Aventail ExtraNet Server, RFC1034, RFC 2660	5	Preliminary Response due July 17, 2014
Microsoft	IPR2014-00613	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Provino	RFC 1034, Kosiur, RFC 2660	4	Preliminary Response due July 17, 2014
Microsoft	IPR2014-00614	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Kiuchi	RFC 1034, Lindblad, RFC 2660	4	Preliminary Response due July 17, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,921,211</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
Apple	95/001,789	1-60	Solana, Provino, Beser, RFC 2230, RFC 2538	RFC 920, Reed, Beser, RFC 2504, RFC 2230, RFC 2401, RFC 2065	35	Awaiting Action by Examiner; Office withdrew right of appeal notice, reopened prosecution, and directed Examiner to consider supplemental declaration (2/27/14)
Cisco	95/001,856	1-60	Lendenmann, Aziz, Kiuchi	Wesinger, Gaspoz, Martin, RFC 793, Ludwig, Lawton, Franaszek, Schneier, Pfaffenberger, Rivest, Borella,	21	Awaiting Action by Examiner; Office withdrew right of appeal notice, reopened prosecution, and directed Examiner to issue a new Office action (12/12/13)

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,921,211</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/Issues</b>	<b>Status/Last Action</b>
				Broadhurst		
RPX	IPR2014-00174	1, 2, 5, 6, 8, 14, 17, 19, 20, 23, 27-30, 33, 34, 36-37, 47, 51, 60 <sup>4</sup>	Aventail Connect v3.01, Aventail ExtraNet Server, Provino	Beser	4	Institution Decision Due June 6, 2014  VirnetX request for rehearing of Board order of March 17, 2014 pending.
RPX	IPR2014-00175	1, 3, 15-18, 20-26, 31-32, 35-37, 47, 51, 60 <sup>5</sup>	Beser, Kiuchi	RFC 2401, Broadhurst	4	Institution Decision Due June 6, 2014

<sup>4</sup> Claim 37 was not challenged in the original petition for *inter partes* review but was challenged in the corrected petition for *inter partes* review filed November 21, 2013.

<sup>5</sup> Claim 37 was not challenged in the original petition for *inter partes* review but was challenged in the corrected petition for *inter partes* review filed November 21, 2013.

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,921,211</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
						VirnetX request for rehearing of Board order of March 17, 2014 pending.
Microsoft	IPR2014-00615	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Kiuchi	RFC 1034, Lindblad, RFC 2660	4	Preliminary Response due July 17, 2014
Microsoft	IPR2014-00616	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Aventail Connect v3.01, Aventail ExtraNet Server	Aventail ExtraNet Server, RFC 1034, Lindblad, RFC 2660	5	Preliminary Response due July 17, 2014
Microsoft	IPR2014-00618	1, 2, 6, 14-17, 19-23, 26-41, 43-47, 50-60	Provino	RFC 1034, Kosiur, RFC 2660	4	Preliminary Response due July 17, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,188,180</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/Issues</b>	<b>Status/Last Action</b>
Apple	IPR2014-00481	1, 4, 6, 10, 12-15, 17, 20, 22, 26, 28-31, 33, 35, 37	Provino, RFC 2543	Guillen, Kosiur, RFC 2327, RFC 1889, RFC 2401	4	Preliminary Response due June 16, 2014
Apple	IPR2014-00482	1, 4, 6, 10, 12-15, 17, 20, 22, 26, 28-31, 33, 35, 37	Kiuchi, Beser	Tavs, Bhatti, RFC 2401, Kiuchi	7	Preliminary Response due June 17, 2014
Cisco	95/001,792	1, 4, 6, 7, 9-15, 17, 20, 22, 23, 25-31, 33, 35, 37, 38, 40, 41	Kiuchi	Martin	3	Awaiting Patent Owner Request to Reopen Prosecution after Decision on Appeal; extension of time granted (4/23/2014)
Microsoft	IPR2014-00401	1, 4, 6, 10, 12-15, 17, 20, 22, 26, 28-31, 33,	Provino	Guillen, Kosiur	2	Institution Decision due August 19, 2014

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IPR2014-00486**

<b>7,188,180</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds/ Issues</b>	<b>Status/Last Action</b>
		35, 37				
Microsoft	IPR2014-00405	1, 4, 6, 10, 12-15, 17, 20, 22, 26, 28-31, 33, 35, 37	Kiuchi	Tavs, Bhatti	4	Institution Decision due August 19, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>8,051,181</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
Apple	95/001,949	1-29	Beser, Mattaway, Provino, Lendenmann, H.323, Johnson	Beser, RFC 2401, H.323, H.225, H. 235, H.245, RFC 2131, RFC 1034	11	Awaiting decision regarding VirnetX petition to reopen prosecution  Awaiting Examiner's Answer; Requester's Respondent Brief filed (4/24/2014)  Awaiting decision regarding VirnetX page length petition for Appeal Brief (3/21/2014)
Apple	IPR2014-00485	1-29	Provino, RFC 2543	RFC 1889, RFC 2327, RFC 2401, Kiuchi,	7	Preliminary Response due June 17, 2014



**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

				Beser, Kosiur		Mot. Joinder to IPR2014-00403, - 00404, 00483, and 00486 pending
Apple	IPR2014- 00486	1-29	Kiuchi, Beser	RFC 2401, Kiuchi, RFC 2543	5	Preliminary Response due June 17, 2014  Mot. Joinder to to IPR2014-00403, - 00404, 00483, and 00485 pending

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>7,987,274</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
Apple	IPR2014-00483	1-5, 7, 8, 10, 12, 13, 15, 17-18	Provino, RFC 2543	Kosiur, Xu, RFC 1889, RFC 2327, RFC 2401, SIP Mobility	6	Preliminary Response due June 17, 2014
Apple	IPR2014-00484	1-5, 7, 8, 10, 12, 13, 15, 17-18	Kiuchi, Beser	Lindblad, Bhatti, RFC 2401, Kiuchi, RFC 2543	8	Preliminary Response due June 17, 2014
Microsoft	IPR2014-00403	1-5, 7, 8, 10, 12, 13, 15, 17-18	Provino	Kosiur, Xu	3	Institution Decision due August 19, 2014
Microsoft	IPR2014-00404	1-5, 7, 8, 10, 12, 15, 17	Kiuchi	Lindblad, Bhatti	4	Institution Decision due August 19, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
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<b>8,504,697</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
Apple	IPR2014-00237	1-11, 14-25, 28-30	Beser	RFC 2401	2	Institution Decision May 14, 2014
Apple	IPR2014-00238	1-11, 14-25, 28-30	Wesinger	RFC 2543	2	Institution Decision May 14, 2014

**Appendix A - Update Regarding Co-Pending Proceedings  
IPR2014-00486**

<b>6,839,759</b>						
<b>Named Challenger</b>	<b>Proceeding Number</b>	<b>Claims Challenged</b>	<b>Primary References</b>	<b>Secondary References</b>	<b>No. of Grounds /Issues</b>	<b>Status/Last Action</b>
Cisco	95/001,746	1-30	Kiuchi, Kent, Aziz II	Yinger, Martin, Masys, Thomas, Barlow, Kent II, RFC 793, Aziz, Caronni	29	On appeal to the Board

**Appendix B - List of References**  
**IPR2014-00486**

<b>Short name</b>	<b>Full name of Reference</b>
Aventail Connect v3.1	Aventail Connect v3.1/2.6 Administrator's Guide
Aventail Connect v3.01	Aventail Connect v3.01/2.51 Administrator's Guide
Aventail AutoSOCKS	Aventail AutoSOCKS Administration & User's Guide
Aventail ExtraNet Server	Aventail ExtraNet Server v3.0 Administrator's Guide (NT and UNIX)
Aziz	U.S. Patent No. 6,119,234
Aziz II	U.S. Patent No. 5,548,646
Barlow	U.S. Patent No. 5,204,961
Bellovin	Steven M. Bellovin and Michael Merritt, "Encrypted Key Exchange: Password-Based Protocols Secure Against Dictionary Attacks"
Beser	U.S. Patent No. 6,496,867
Bhatti	U.S. Patent No. 8,200,837
BinGO	BinGO! User's Guide
Blum	U.S. Patent No. 6,182,141
Boden	U.S. Patent No. 6,615,357
Borella	U.S. Patent No. 6,269,099
Broadhurst	U.S. Patent No. 6,560,634
Caronni	Germano Caronni, et al., "SKIP- Securing the Internet"
Dalton	C.I. Dalton and J.F. Griffin, "Applying Military Grade Security to the Internet"
Denning	D.E. Denning and G.M. Sacco, "Time-stamps in Key Distribution Protocols"
Edwards	Nigel Edwards and Owen Rees, "High security Web servers and gateways"
Franaszek	U.S. Patent No. 4,952,930
Gaspoz	Jean-Paul Gaspoz, "VPN on DCE: From Reference Configuration to Implementation"
Guillen	Alvaro Guillen et al., "An Architecture For Virtual Circuit/QoS Routing"

**Appendix B - List of References**  
**IPR2014-00486**

<b>Short name</b>	<b>Full name of Reference</b>
H.225	ITU-T-H.225.0, “Call Signaling Protocols and Media Stream Packetization for Packet-Based Multimedia Communication Systems”
H.235	ITU-T-H.235.0, “Security and Encryption for H. Series (H.323 and Other H.245-Based) Multimedia Terminals”
H.245	ITU-T-H.245, “Control Protocol for Multimedia Communication”
H.323	ITU-T-H.323, “Packet-based multimedia communications systems”
Johnson	U.S. Patent No. 6,499,108
Karr	U.S. Patent No. 7,764,231
Kent II	Stephen Kent et al., “IP Encapsulating Security Payload (ESP)”
Kiuchi	Kiuchi et al., “C-HTTP - The Development of a Secure, Closed HTTP-based Network on the Internet”
Kosiur	Dave Kosiur, “Building and Managing Virtual Private Networks”
Lawton	George Lawton, “New top-level domains promise descriptive names”
Lendenmann	Lendenmann, “Understanding OSF DCE 1.1 for AIX and OS/2”
Lindblad	U.S. Patent No. 6,225,993
Ludwig	U.S. Patent No. 5,689,641
Martin	David M. Martin, “A Framework for Local Anonymity in the Internet”
Masys	Daniel R. Masys et al., “Protecting Clinical Data on Web Client Computers: the PCASSO Approach”
Mattaway	U.S. Patent No. 6,131,121
Pfaffenberger	B. Pfaffenberger, “Netscape Navigator 3.0: Surfing the Web and Exploring the Internet”
Provino	U.S. Patent No. 6,557,037
Reed	M. Reed et al. “Proxies for Anonymous Routing”
Reed I	Michael G. Reed, “Anonymous Connections and Onion Routing”
RFC 793	Information Sciences Institute, “Transmission Control Protocol”
RFC 920	J. Postel et al., “Domain Requirements”
RFC 1034	P. Mockapetris, RFC 1034, “Domain Names- Concepts and Facilities”
RFC 1035	Mockapetris, P., RFC 1035, “Domain Names – Implementation and Specification”

**Appendix B - List of References**  
**IPR2014-00486**

<b>Short name</b>	<b>Full name of Reference</b>
RFC 1889	Schulzrinne, H., et al., RFC 1889, "RTP: A Transport Protocol for Real-Time Applications"
RFC 2065	D. Eastlake and C. Kaufman, RFC 2065, "Domain Name System Security Extensions"
RFC 2131	R. Droms, "Dynamic Host Configuration Protocol"
RFC 2230	R. Atkinson, "Key Exchange Delegation Record for the DNS"
RFC 2327	Handley, M., et al., RFC 2327, "SDP: Session Description Protocol"
RFC 2401 or Kent	Kent, S., et al., RFC 2401, "Security Architecture for the Internet Protocol"
RFC 2504	E. Guttman et al., RFC 2504, "Users' Security Handbook"
RFC 2538	D. Eastlake et al., RFC 2538, "Storing Certificates in the Domain Name System (DNS)"
RFC 2543	H. Schulzrinne et al., RFC 2543, "SIP: Session Initiation Protocol"
RFC 2660	Rescorla, E., et al., RFC 2660, "The Secure HyperText Transfer Protocol"
Rivest	U.S. Patent No. 4,405,829
Schneier	Bruce Schneier, Applied Cryptography
SIP Mobility	E. Wedlund et al., "Mobility Support Using SIP"
Solana	Solana, Flexible Internet Secure Transactions Based on Collaborative Domains
Tavs	U.S. Patent No. 6,073,175
Thomas	Brian Thomas, "Recipe for E-commerce"
Wang	Wang, Broadband Forum TR-025: Core Network Architecture Recommendations for Access to Legacy Data Networks over ASDL
Weiss	U.S. Patent No. 4,885,778
Wesinger	U.S. Patent No. 5,898,830
Xu	U.S. Patent No. 6,151,628
Yinger	U.S. Patent No. 5,960,204

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of May 2014, a copy of this Joint Update Regarding Co-Pending Proceedings, has been served in its entirety by e-mail on the following counsel of record for patent owner:

Joseph E. Palys  
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.  
11955 Freedom Drive  
Reston, VA 20190-5675  
Phone: (571) 203-2700  
Fax: (202) 408-4400  
E-mail: joseph.palys@finnegan.com

Naveen Modi  
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.  
901 New York Avenue, NW  
Washington, DC 20001-4413  
Telephone: 202-408-4065  
Facsimile: 202-408-4400  
E-mail: naveen.modi@finnegan.com

Dated: May 23, 2014

Respectfully submitted,

/Jeffrey P. Kushan/  
Jeffrey P. Kushan  
Reg. No. 43,401  
Attorney for Petitioner