

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before the Honorable E. James Gildea
Administrative Law Judge**

In the Matter of

**CERTAIN DEVICES WITH SECURE
COMMUNICATION CAPABILITIES,
COMPONENTS THEREOF, AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-858

**PARTIES' JOINT LIST OF PROPOSED CONSTRUCTIONS OF REMAINING
DISPUTED CLAIM TERMS**

Pursuant to Order No. 7, Complainants VirnetX, Inc. (“VirnetX”) and Science Applications International Corporation (“SAIC”) (collectively, “Complainants”) and Respondent Apple Inc. (“Apple”) hereby jointly submit the Parties’ Joint List of Proposed Constructions of Remaining Disputed Claim Terms regarding the United States Patent No. 8,051,181 (“the ‘181 patent”).

JOINT LIST OF PROPOSED CONSTRUCTIONS

Claim Term	Complainants' Proposed Construction	Respondent's Proposed Construction
unsecured name	A name that can be resolved by a conventional name service	Indefinite
secure name	An authenticated name that can be resolved by a secure name service and can be used for establishing a secure communication link	Indefinite; Or, in the alternative: a name of a device that corresponds to a network address that requires authorization by the secure name service for access and that is used for establishing a secure communication link
secure communication link	A direct communication link that provides data security through encryption where direct refers to direct addressability	A virtual private network (VPN) communication link, wherein a VPN is a network of computers which privately and directly communicate with each other by encrypting traffic on insecure paths between the computers where the communication is both secure and anonymous
secure name service	A lookup service that returns a network address for a requested secure name and facilitates establishing a secure communication link based on a secure name	Indefinite; or, in the alternative: a lookup service that returns a network address for a requested secure name upon authorization
sending a message securely	transmit information with data security	Sending a message over a secure communication link
the desire[d]	Customary and ordinary meaning to a person of ordinary skill in the art - No construction necessary	Indefinite

Dated: February 25, 2013

Respectfully submitted,

McKOOL SMITH, P.C.

By: /s/Benjamin Levi
Douglas Cawley
Mark Mathie
Ivan Wang
Stacie L. Greskowiak
McKOOL SMITH P.C.
300 Crescent Court, Suite 1500
Dallas, TX 75201
Telephone: (214) 978-4000
Telecopier: (214) 978-4044
VirnetX_AppleITC@mckoolsmith.com

Benjamin Levi
Robert A. Auchter
Kent Stevens
Brandon Jordan
McKOOL SMITH P.C.
1999 K Street, N.W., Suite 600
Washington DC 20006
Telephone: (202) 370-8300
Telecopier: (202) 370-8344
VirnetX_AppleITC@mckoolsmith.com

/s/ Jason Cassady
Bradley W. Caldwell
Jason D. Cassady
J. Austin Curry
Caldwell, Cassady & Curry
17 SEVENTEEN McKinney, Suite 700
Dallas, TX 75202
Telephone: (214) 810-4705
Virnetx_itc@caldwellcc.com

Counsel for Complainant VirnetX, Inc.

By: /s/ Donald Urrabazo
Donald Urrabazo
Arturo Padilla
Joon Song
Ronald Wielkopolski
URRABAZO LAW, P.C.

2029 Century Park East, 14th Floor
Los Angeles, CA 90067
Direct: (310) 388-9099
Telecopier: (310) 388-9088
Email: durrabazo@ulawpc.com
rwielkopolski@ulawpc.com
jsong@ulawpc.com

*Counsel for Complainant Science
Applications International Corporation*

By: /s/ Marcia Sundeen
Marcia H. Sundeen
KENYON & KENYON LLP
1500 K Street, N.W.
Washington, DC 20005
Telephone: (202) 220-4200
Fax: (202) 220-4201
Email: MSundeen@Kenyon.com
337-858Kenyon@kenyon.com

Megan Olesek
Michelle McLeod
Kenyon & Kenyon LLP
1801 Page Mill Road, Suite 210
Palo Alto, CA 94304-1216
Telephone: (650) 384-4700
Fax: (650) 384-4701
Email : 337-858Kenyon@kenyon.com

Danny L. Williams
Terry D. Morgan
Ruben S. Bains
Christopher N. Cravey
Kyung Kim
Richard Groseclose
Williams, Morgan & Amerson, P.C.
10333 Richmond, Suite 1100
Houston, TX 77042
Telephone: (713) 934-7000
Fax: (713) 934-7011
Email: WMA-AppleVirnetX@wmalaw.com

Counsel for Respondent Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served as indicated, to the parties listed below, on **February 25, 2013**:

The Honorable Lisa R. Barton
Acting Secretary
U.S. INTERNATIONAL TRADE COMMISSION
500 E Street, S.W., Room 112-A
Washington, D.C. 20436
(VIA ELECTRONIC FILING)

The Honorable E. James Gildea
Administrative Law Judge
U.S. INTERNATIONAL TRADE COMMISSION
500 E. Street, S.W. Room 317-E
Washington, D.C. 20436
(VIA HAND DELIVERY – 2 copies)

Sarah Zimmerman
Kenneth Schopfer
Attorney Advisors to Honorable E. James Gildea
sarah.zimmerman@usitc.gov
kenneth.schopfer@usitc.gov
(VIA EMAIL)

Counsel for Complainant Science Applications International Corporation

Donald Urrabazo
Arturo Padilla
Joon Song
Ronald Wielkopolski
URRABAZO LAW, P.C.
2029 Century Park East, 14th Floor
Los Angeles, CA 90067
Direct: (310) 388-9099
Telecopier: (310) 388-9088
Email: durrabazo@ulawpc.com
rwiolkopolski@ulawpc.com
jsong@ulawpc.com
(VIA EMAIL)

Counsel for Respondent, Apple Inc.

Marcia H. Sundeen
KENYON & KENYON LLP
1500 K Street, N.W.
Washington, DC 20005
Telephone: (202) 220-4200
Telecopier: (202) 220-4201
Email: MSundeen@Kenyon.com
337-858Kenyon@kenyon.com
WMA-AppleVirnetX@wmalaw.com
(VIA EMAIL)

/s/ Kathryn Reinke

Kathryn Reinke

Paralegal

McKOOL SMITH P.C.

1999 K Street, N.W., Suite 600

Washington, DC 20006