(December 2017 Department of the Treasury

Report of Organizational Actions Affecting Basis of Securities

▶ See separate instructions.

OMB No. 1545-0123

Internal Revenue Service Reporting Issuer Part I 2 Issuer's employer identification number (EIN) Issuer's name **VirnetX Holding Corporation** 77-0390628 3 Name of contact for additional information Telephone No. of contact 5 Email address of contact **GREG WOOD** GREG WOOD@VIRNETX.COM 6 Number and street (or P.O. box if mail is not delivered to street address) of contact 7 City, town, or post office, state, and ZIP code of contact PO Box 439 Zephyr Cove, NV 89703 8 Date of action 9 Classification and description April 17, 2023 Distributions to holders of the Issuer's common stock 10 CUSIP number 11 Serial number(s) 12 Ticker symbol 13 Account number(s) VHC 92823T108 Organizational Action Attach additional statements if needed. See back of form for additional guestions. Part II Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► VirnetX Holding Corporation distributed an aggregate amount of \$1.00 per share of common stock on April 17, 2023, to shareholders of record on April 10, 2023. Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per 15 share or as a percentage of old basis As VirnetX Holding Corporation did not have positive retained earnings for US GAAP purpose or positive earnings and profit for tax purpose, the distribution was not a taxable dividend. The distribution should be accounted as a reduction to the shareholders' tax basis in the shares they owned under IRC 301(c)(2). If the distribution is greater than the shareholders' tax basis, the excess should be accounted as gain from the sale or exchange of the shares under IRC section 301(c)(3). Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► <u>VirnetX Holding Corporation has determined that all such distributions described above will be treated as a reduction</u> of basis or capital gain if the distribution is greater than the shareholders basis, and none of the distribution should be treated as a taxable dividend.

Part	Ш	Organizational Action (continued)						
17 Li		applicable Internal Revenue Code section(s) and subsection(s) upon which the tax t	reatment	is based ▶	IRC section	ns 301(c)(2) and	
301(0)(<u> </u>							
18 C	an any	resulting loss be recognized? ► N/A						
19 P	rovide	any other information necessary to implen	nent the adjustment, such as the reportab	ole tax ye	ar ► N/A			
	Unde	or penalties of perjury, I declare that I have examed it is true, correct, and complete. Declaration of	nined this return, including accompanying sche preparer (other than officer) is based on all info	edules and rmation of	statements, which prepa	and to the best arer has any knov	of my knowledge and	
Sign Here	Signs	ature Devil	2	Date ►	Marcl	h 26, 2024	ļ	
		Print your name ► Kendall Larsen			President			
D-11	Print	Print/Type preparer's name	Preparer's signature	Title ► Date			PTIN	
Paid	0 K C K	MICHAEL WU	mindelle	03/2	6/2024	Check if self-employed	P00855012	
Prepa Use (Firm's name SINGERLEWAK LLP		1		Firm's EIN ▶	95-2302617	
U36 (Jilly	Firm's address ▶ 160 W SANTA CLARA	ST. STE 600. SAN JOSE, CA 95113			Phone no.	408-294-3924	

Send Form 8937 (including accompanying statements) to: Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0054