# Declaration of Dr. Victor Shoup in support of Petition for Covered Business Method Review of U.S. Patent No. 8,577,813

DOCKET NO.: 1033300-00306US1

Filed on behalf of Apple Inc.

By: Monica Grewal, Reg. No. 40,056 (Lead Counsel) Ben Fernandez Reg. No. 55,172 (Backup Counsel)

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, MA 02109

Email: monica.grewal@wilmerhale.com ben.fernandez@wilmerhale.com

# UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

### UNIVERSAL SECURE REGISTRY, LLC,

Patent Owner.

Case CBM2018-00024

U.S. Patent No. 8,577,813

DECLARATION OF DR. VICTOR SHOUP IN SUPPORT OF PETITION FOR COVERED BUSINESS METHOD REVIEW



## **TABLE OF CONTENTS**

TA	BLE	OF CONTENTS				
I.		BACKGROUND				
II.		LEGAL PRINCIPLES				
	A.	Claim Construction				
	В.	Obviousness4				
	III.	DESCRIPTION OF THE RELEVANT FIELD AND THE RELEVANT TIMEFRAME				
IV.		THE '813 PATENT				
	A.	Specification and Claims				
	В.	Prosecution History10				
V.		LEVEL OF ORDINARY SKILL				
VI.		GROUNDS FOR STANDING (37 C.F.R. § 42.304(A))13				
	A.	The '813 Patent Qualifies As A CBM Patent (37 C.F.R. § 42.301)				
		<ol> <li>At Least One Claim Of The '813 Patent Is A Method Or Corresponding System Used In The Practice, Administration, Or Management Of A Financial Product Or Service.</li> </ol>				
		2. The '813 Patent Is Not Directed To A "Technological Invention"				
VII	•	CLAIM CONSTRUCTIONS				
	A.	Biometric Input				
	В.	Secret Information24				



Declaration of Dr. Victor Shoup in support of Petition for Covered Business Method Review of U.S. Patent No. 8,577,813

C.	Au	thentication Information	24
D.	Poi	int-of-Sale Device	25
E.	Sec	cure Registry	26
VIII.		IMS 1-2, 4-11, 13-20, AND 22-26 OF THE '813 PATE INPATENTABLE UNDER 35 U.S.C. § 103	
A.	Pri	or Art Patents and Printed Publications	27
	1.	Ex-1213 – Maes	27
	2.	Ex-1214 - Jakobsson	27
	3.	Ex-1215 - Maritzen	28
	4.	Ex-1216 - Labrou	29
В.		ound 1: Claims 1-2, 4-5, 11, 13, 16-20, and 24 Are Obview of Maes and Jakobsson	
	1.	Independent Claim 1	29
	2.	Dependent Claim 2	55
	3.	Dependent Claim 4	57
	4.	Dependent Claim 5	59
	5.	Dependent Claim 11	60
	6.	Dependent Claim 13	61
	7.	Independent Claim 16	62
	8.	Dependent Claim 17	65
	9.	Dependent Claim 18	65
	10.	Dependent Claim 19	66
	11	Dependent Claim 20	60

Declaration of Dr. Victor Shoup in support of Petition fo	r
Covered Business Method Review of U.S. Patent No. 8,577,81	3

		(	Cov	overed Business Method Review of U.S. Patent No. 8,577,813			
			12.	Independent Claim 24	70		
	C.			ound 2: Claims 6-10 Are Obvious in View of Maes, obsson, and Maritzen	73		
			1.	Dependent Claim 6	73		
		,	2.	Reasons to Combine Maes, Jakobsson, and Maritzen	75		
			3.	Dependent Claim 7	80		
		4	4.	Dependent Claim 8	82		
		:	5.	Dependent Claim 9	83		
		(	6.	Dependent Claim 10	84		
	D. Ground 3: Claims 14, 15, 22, 23, 25, and 26 Are Obviou View of Maes, Jakobsson, and Labrou						
			1.	Dependent Claims 14, 15, 22, 23, 25, and 26	89		
		,	2.	Reasons to Combine Maes, Jakobsson, and Labrou	91		
IX.	CONCLUSION						
X.		AV	AIL	ABILITY FOR CROSS-EXAMINATION	97		
XI.		RIGHT TO SUPPLEMENT98					
VII		шш	7 A T	7	aa		

- I, Victor Shoup, Ph.D., declare as follows:
- 1. My name is Victor Shoup.
- 2. I have been retained by Apple to provide opinions in this proceeding relating to U.S. Patent 8,577,813 ("'813 patent").

#### I. BACKGROUND

- 3. I received a Bachelor of Science in Computer Science and Mathematics from the University of Wisconsin at Eau Claire in 1983. I received my Doctorate in Computer Science from the University of Wisconsin at Madison in 1989. I worked as a research scientist at Bellcore from 1995 to 1997 and at IBM Research Zurich from 1997 to 2002. My work there included design of cryptographic protocols such as a new public key cryptosystem (now called the Cramer-Shoup cryptosystem) that achieved higher levels of security than were previously thought possible in a practical scheme.
- 4. I have been Professor of Computer Science at the Courant Institute of Mathematical Sciences at New York University since 2002 (initially as an Associate Professor, and as a Professor since 2007). I teach a variety of graduate and undergraduate courses on cryptography. Since 2012, I have also been a part-time visiting researcher at the IBM T. J. Watson Research Center in Yorktown, New York, where I collaborate with the Cryptography Research Group, which does work on a range of projects from the theoretical foundations of cryptography



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

# **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

# **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

#### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

