

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
PETITIONER'S REPLY TO PATENT OWNER RESPONSE**

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I, Victor Shoup, Ph.D., declare as follows:

I. INTRODUCTION

1. I have been retained by Apple to provide opinions in this proceeding relating to U.S. Patent No. 8,577,813 (“813 patent”). I submit this Declaration to address and respond to the arguments made in Patent Owner's Response and the declaration submitted by Dr. Jakobsson in support of the Patent Owner's Response.

2. My background and qualifications are summarized in my previous declaration (Ex-1102, Shoup-Decl.) and my curriculum vitae is attached thereto as Appendix A. Since preparing my Declaration, I have reviewed the following additional materials:

- The Board's Decision on Institution (“DI”)
- USR's Patent Owner Preliminary Response (“POPR”) and the exhibits cited therein
- USR's Patent Owner Response (“POR”) and the exhibits cited therein
- USR's Conditional Motion to Amend (“CMTA”) and the exhibits cited therein
- The transcript of Dr. Jakobsson's April 24, 2019 deposition (Ex. 1227)

3. I am being compensated at my normal consulting rate for my work.

My compensation is not dependent on the outcome of this CBM proceeding or the

related litigation, and does not affect the substance of my statements in this Declaration.

4. I have no financial interest in Petitioner. I have no financial interest in the '813 patent.

II. LEGAL PRINCIPLES

5. I am not an attorney. For purposes of this Declaration, I have been informed about certain aspects of the law that are relevant to my analysis and opinions.

A. Claim Construction

6. I have been informed that claim construction is a matter of law and that the final claim construction will be determined by the Board.

7. I have been informed that the claim terms in an CBM review should be given their broadest reasonable construction in light of the specification as commonly understood by a person of ordinary skill in the art ("POSITA"). I have applied this standard in my analysis.

B. Obviousness

8. I have been informed and understand that a patent claim can be considered to have been obvious to a POSITA at the time the application was filed. This means that, even if all the requirements of a claim are not found in a single prior art reference, the claim is not patentable if the differences between the subject

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