#### UNITED STATES PATENT AND TRADEMARK OFFICE

#### BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., VISA INC., and VISA U.S.A. INC.,

Petitioners,

v.

UNIVERSAL SECURE REGISTRY LLC Patent Owner

> Case CBM2018-00024<sup>1</sup> U.S. Patent No. 8,577,813

#### PATENT OWNER'S SUR-REPLY

<sup>1</sup> Visa Inc. and Visa U.S.A. Inc., which filed a petition in CBM2019-00025 have been joined as a party to this proceeding.

DOCKE<sup>-</sup>

Δ

#### **TABLE OF CONTENTS**

#### Page

I.	THE	'813 PATENT IS NOT CBM ELIGIBLE			
	A.	IBG LLC v. Trading Technologies Int'l, Inc. Requires Dismissal1			
	B.	Petitioner Fails To Prove The Claimed Subject Matter As A Whole Does Not Recite A Technological Feature That Is Novel And Unobvious			
	C.	Petitioner Fails To Prove The Claimed Subject Matter As A Whole Does Not Solve A Technological Problem Using A Technical Solution			
II.	JAK	TIONER FAILS TO PROVE THAT MAES IN VIEW OF OBSSON RENDERS THE CHALLENGED CLAIMS TOUS			
	A.	Petitioner Fails to Prove Maes Discloses A "Secure Registry"4			
	В.	Petitioner Fails To Prove Jakobsson Discloses A "Secure Registry"7			
	C.	Petitioner Fails To Prove A POSITA Would Have Been Motivated To Combine Maes And Jakobsson			
		1. Petitioner Fails To Prove Obvious To Try/Reasonable Expectation of Success			
		2. The Combination Would Change The Principal Of Operation			
		3. The Combination Fundamentally Changes Maes11			
		4. The Combination Undesirably Requires Providing Private User Data To Each Institution			
		5. The Combination Would Not Increase Security14			
	D.	Petitioner Has Failed To Prove Claim 4 Is Invalid16			
	E.	Petitioner Fails To Prove Maes Discloses Displaying Indicators For The Plurality Of Accounts (Claims 13/17)18			
	F.	Petitioner Fails To Prove Maes Discloses "De-Activating The Electronic ID Device" (Claim 18)19			
	G.	Petitioner Fails To Prove Jakobsson Discloses "An Act Of Generating A Seed" (Claim 19)			

#### Case No. CBM2018-00024 U.S. Patent No. 8,577,813

	H.	Petitioner Fails To Prove Claim 20 Is Invalid	21		
III.	PETI	TIONER FAILS TO PROVE CLAIMS 6-10 ARE INVALID	22		
	A.	Petitioner Fails To Prove Not Permitting User Input (Cl. 6-10)	22		
		1. Petitioner Fails to Prove Maritzen Discloses Not Permitting User Input	22		
		2. Petitioner Fails To Prove A POSITA Would Combine Maes And Maritzen	22		
IV.		ΓΙΟΝΕR FAILS TO PROVE CLAIMS 14-15, 22-23, 25-26 INVALID	23		
	A.	Petitioner Fails To Prove Maes Discloses Displaying Options For Purchase/Accepting Selections23			
	B.	Petitioner Fails To Prove A POSITA Would Combine Maes and Labrou	24		
V.		TIONER FAILED TO REBUT EVIDENCE OF SECONDARY SIDERATIONS OF NON-OBVIOUSNESS	25		
VI.	CON	CLUSION	26		

#### **TABLE OF AUTHORITIES**

#### Page(s)

#### <u>Cases</u>

Apple, Inc. v. Universal Secure Registry LLC, CBM2018-00026 (PTAB Dec. 10, 2018)	1
Experian Mktg. Solutions, Inc. & Epsilon Data Mgmt. v. Rpost Commc'n Ltd, CBM2014-00010 (PTAB. April 22, 2014)	3
HTC Corp., ZTE (USA), Inc. v. Cellular Comms. Equip., LLC, 877 F.3d 1361 (Fed. Cir. 2107)	5
IBG LLC v. Trading Technologies Int'l, Inc., 2019 WL 581580 (Fed Cir., Feb. 13, 2019)	1-3
Universal Secure Registry, LLC v. Apple, Inc., No. 1:17-cv-00585-CFC-SRF (D. Del., Sept. 19, 2018)	1

#### **Statutory Authorities**

35 U	S.C.	§103						4
------	------	------	--	--	--	--	--	---

#### **Rules and Regulations**

37 C.F.R. § 42.301(b)	.3
-----------------------	----

#### LIST OF EXHIBITS

Exhibit #	Description
2001	Declaration of Markus Jakobsson in Support of Patent
	Owner's Preliminary Response
2002	Curriculum Vitae of Markus Jakobsson
2003	Universal Secure Registry LLC v. Apple Inc., No. 17-585,
	Doc. 77 (D. Del., May 22, 2018)
2004	Declaration of Alan Schiffman in Support of Patent Owner's
	Preliminary Response
2005	Curriculum Vitae of Alan Schiffman
2006	Declaration ISO of Unopposed Motion for Admission Pro
	Hac Vice of Harold A. Barza
2007	Declaration ISO of Unopposed Motion for Admission Pro
	Hac Vice of Jordan B. Kaericher
2008	U.S. Application No. 13/237,184
2009	U.S. Application No. 12/393,586
2010	Declaration by Dr. Markus Jakobsson Ph.D. in Support of
	Motion to Amend
2011	Declaration of Markus Jakobsson in Support of
	Patent Owner's Response
2012	N. Asokan, et. al, The State of the Art in Electronic Payment
	Systems, IEEE Computer, Vol. 30, No. 9, pp. 28-35 (IEEE
	Computer Society Press, Sept. 1997)
2013	M. Baddeley, Using E-Cash in the New Economy: An
	Economic Analysis of Micropayment Systems, J. Electronic
	Commerce Research, Vol. 5, No. 4, pp. 239-253 (Nov. 2004)
2014	Rough Deposition Transcript of Dr. Victor John Shoup
2015	Universal Secure Registry, LLC v. Apple, Inc., No. 1:17-cv-
	00585-CFC-SRF, Doc. 137 (D. Del., Sept. 19, 2018)
2016	Deposition Transcript of Dr. Victor John Shoup

# DOCKET A L A R M



# 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.