## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

MASTERCARD INTERNATIONAL INCORPORATED Petitioner

V.

JOHN D'AGOSTINO Patent Owner

\_\_\_\_

Case IPR2014-00543 (Patent 8,036,988)

Title: System and Method for Performing Secure Credit Card Transactions

PETITIONER MASTERCARD'S FILING OF DEMONSTRATIVE EXHIBITS



# Petitioner's MasterCard's Filing of Demonstrative Exhibits

Petitioner MasterCard respectfully submits its demonstrative exhibits pursuant to 37 C.F.R. § 42.70(b) and the Court's Trial Hearing Order dated April 10, 2015.

May 8, 2015

Eliot D. Williams Reg. No. 50,822 1001 Page Mill Road Building One, Suite 200 Palo Alto, CA 94304 Phone: (650) 739-7511 Facsimile: (650) 739-7611

eliot.williams@bakerbotts.com

Respectfully submitted, BAKER BOTTS LLP /Robert C. Scheinfeld/

Robert C. Scheinfeld Reg. No. 31,300 30 Rockefeller Plaza, 44th Floor New York, New York 10112-4498

Phone: (212) 408-2512 Facsimile: (212) 408-2501

robert.scheinfeld@bakerbotts.com

ATTORNEYS FOR PETITIONER MASTERCARD INTERNATIONAL INCORPORATED



IPR2014-00543	MasterCard International Incorporated	U.S. Pat. 8,036,988
IPR2014-00544	v.	U.S. Pat. 7,840,486
	John D'Agostino	

# Petitioner's Demonstratives

Oral Argument May 12, 2015

# **Table of Contents**

- I. The Patents-in-Suit and Procedural History
- II. PTAB Decision
- III. PO's "Expert Testimony" Should Be Given No Weight
- IV. Claim Construction and the claim terms at issue
- V. The Cohen Reference
- VI. All independent claims anticipated by Cohen
- VII. All dependent claims anticipated by Cohen, or obvious over Cohen and Musmanno

# I.A. U.S. Pat. No. 8,036,988



#### (12) United States Patent D'Agostino

(10) Patent No.: (45) Date of Patent:

US 8,036,988 B2 "Oct. 11, 2011

(54) SYSTEM AND METHOD FOR PERFORMING SECURE CREDIT CARD TRANSACTIONS

FOREIGN PATENT DOCUMENTS 2167543 7/1907

(76) Inventor: John D'Agostino, Sarasota, FL (US) (\*) Notice: Subject to any disclaimer, the term of this potent is extended or adjusted under 35

(Continued) OTHER PUBLICATIONS

U.S.C. 154(b) by 0 days.

Lee et al.: Evoluntionary business models for e-cash with smart cards, Korea Advanced Institute of Science and Technology, Korea htp://koasas/kaist.ac/kr/bitstream/10203/4774/1/2000-092.pdf/, pp

This patent is subject to a terminal dis-

A method and system of performing secure credit card pur-

chases in the context of a remote commercial transaction,

(21) Appl. No.: 12/902,399 (22) Filed: Oct. 12, 2010 Primary Eugenbass - Bijandra K Shrastha (74) Attorney, Agent, or Firm — Maney Law Offices, PLLC; Stephen Lewellyn

Prior Publication Data US 2011/0071945 A1 Mar. 24, 2011

#### Related U.S. Application Data

(63) Continuation of application No. 11/252,009 Oct. 17, 2005, now Pat. No. 7,840,486, v continuation of application No. 10/037,007 Nov. 9, 2001, now abondoned, which ontinuation-in-part of application No. 09 filed on Jan. 15, 1999, now Pot. No. 6,324,5

	such as over the telephone, wherein only the customer, once
	generally deciding upon a product or service to be purchased,
9, filed on	communicates with a custodial authorizing entity, such as a
which is n	credit card company or issuing bank wherein such entity has
7, filed on	
ch is a	previous knowledge of the credit card number as well as
	custodial control of other account parameters such as interest
7231,745,	rate, payment history, available credit limit etc. The customer
26.	supplies the custodial authorizing entity with the account
	identification data such as the credit card number and a
	requested one of a possible plurality of predetermined pay-
	ment categories which define the dollar amount for the pur-
705/44	chase and specific, predetermined time parameters within
705/44	which authorization by the custodial authorizing entity will
lory.	remain in effect. The custodial authorizing entity then gener-
	ates a transaction code which is communicated exclusively to
	the customer wherein the customer in turn communicates
	only the transaction code to the merchant instead of a credit
	card number. The transaction code is indicative of merchant

(58) Field of Classification Search See application file for complete search hist

(51) Int. Cl. G86Q 48/88

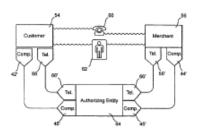
(52) U.S. CL

References Cited U.S. PATENT DOCUMENTS

4/1968 Hulett 2/1976 Atalla et al. 4/1977 McCune et al. 5/1977 Ano et al.

(Continued)

identification, credit card account identification and a design nated one of the plurality of predetermined payment catego-38 Claims, 2 Drawing Shoots



Title: System and method for performing secure credit card purchases

Issuance: Oct. 22, 2011

Priority Date: Jan. 15, 1999

# 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.

