Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner,

v.

UNIVERSAL SECURE REGISTRY LLC
Patent Owner

Case IPR2018-00810
U.S. Patent No. 9,100,826

PATENT OWNER'S SUR-REPLY

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PATENT OWNER'S LIST OF EXHIBITS

Exhibit #	Description
2001	Declaration ISO Motion Pro Hac Vice Harold Barza.
2002	Declaration ISO Motion Pro Hac Vice Jordan Kaericher.
2003	Declaration of Dr. Markus Jakobsson in Support of Patent Owner's Response.
2004	Curriculum Vitae of Dr. Markus Jakobsson.
2005	Transcript of December 14, 2018 Deposition of Dr. Victor John Shoup.
2006	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).
2007	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).
2008	U.S. Application No. 14/027,860.
2009	U.S. Application No. 11/677,490.
2010	U.S. Provisional Application No. 60/775,046.
2011	U.S. Provisional Application No. 60/812,279.
2012	U.S. Provisional Application No. 60/859,235.
2013	Declaration by Dr. Markus Jakobsson in Support of Motion to Amend.
2014	U.S. District Court for Delaware Report and Recommendation.
2015	Declaration by Dr. Markus Jakobsson in Support of Motion Reply to MTA Opposition.
2016	Rough transcript of deposition of Dr. Ari Juels.

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Petitioner's Reply mischaracterizes the prior art and briefing[1] and improperly introduces a multitude of new evidence and arguments, but it still fails to remedy fatal defects in the Petition that reach every challenged claim. First, the Petition failed to show any disclosure in the asserted references of multiple elements of the independent claims. Second, the Petition failed to show that a person of ordinary skill in the art ("POSITA") would have been motivated to combine the asserted references to arrive at the independent claims—in fact, the references are fundamentally different, and they teach directly away from Petitioner's proposed combination. Third, for additional reasons, the Petition failed to prove that dependent claims 2, 7, 11, 14, 15, 26, and 34 would have been obvious. Finally, Petitioner's Reply fails to rebut secondary considerations of non-obviousness. Accordingly, the Board should not find any challenged claim unpatentable.

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[1] For example, the very first line of Petitioner's Reply asserts that Patent Owner's Response ("POR") "repeats arguments that the Board already rejected" (Reply at 1), but that is plainly wrong. The Board has not rejected (or even had the opportunity to rule on) any of Patent Owner's substantive arguments in this proceeding.

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