Chart B-3 **Invalidity Contentions: U.S. Patent No. 8,843,125**

***Fintiv, Inc. v. Apple Inc.*, Case No. 1:19-CV-1238-ADA (W.D. Tex.)**

Wallet Management Applet

CLAIM LIMITATIONS: "retrieving a…wallet management applet (WMA)" ('125 patent claim 11); "provisioning…the V 16); "transmitting a request for installation of the…WMA to be installed" ('125 patent claim 16); "wherein the WMA is configured to store account specific informattion" ('125 patent claim 16); "receiving…the WMA…through OTA proxy' wallet management applet (WMA) corresponding to the contactless card applet, wherein the WMA is stored in the SE" over-the-air (OTA) proxy configured to provision…the WMA" ('125 patent claim 23); and "where in the WMA is confi information associated with the contactless card applet" ('125 patent claim 24).

ASSERTED CLAIMS: These limitations are present in the following asserted claims: '125 patent claims 11 and 23 (and

DISCLOSURE/MOTIVATION TO COMBINE: The Court construed "wallet management applet (MWA)" as "software tha electronic wallet including, but not limited to, the functionality of storing account specific information" (*see* Markman C Infringement Contentions state that WMA includes "a software component related to management of credit card applets Contentions, Ex. A at 18. Under Fintiv's interpretation of WMA and the Court's construction, mobile devices that comp mobile devices that stored such an applet within a secure element, were well-known to persons of ordinary skill in the ar inventions of the Asserted Patent. [1]

The '125 patent specification states that "WMA 21 may include both a WMA 21 container and one or more WMA 21 ap may manage the information stored in the WMA 21 applets." '125 patent at 7:8-11. With respect to the WMA containe it may be a "software application that may reside within the SE of the mobile device 100 to manage account informatior card applet 23 (i.e. WMA 21 applet) that may be typically inaccessible by the user." *Id*. at 7:16-20. Provisional applica incorporated by reference states: "[0042] The WMA 21 is a software application to reside within the within the secure el which stores account specific information such as a credit card number. WMA 21 is unique in that, its primary purpose i applet 23 account information to be stored within the mobile device's SE separate from the contactless card applets 23. A

[1] To the extent that these Invalidity Contentions rely on or otherwise embody particular constructions of terms or phrases in the Asserted Claims ordered by the Court in this action, Defendant is not proposing any such constructions as proper constructions of those terms or phrases and rese claim construction positions in this and other proceedings. Various positions put forth in this document are predicated on Plaintiff's incorrect ar claims as evidenced by its Preliminary Infringement Contentions, dated May 20, 2019 and proposed Amended Infringement Conventions, dated the "Infringement Contentions" or "Preliminary Infringement Contentions"). Those positions are not intended to and do not necessarily reflect I true and proper scope of Plaintiff's claims, and Defendant reserves the right to adopt claim construction positions that differ from or even confli in this document.

card applets 23 do not allow direct access into the applets themselves, duplicate account information may be stored sepa
order for the mobile wallet application to view account specific information (e.g. credit card number, security code, PIN
Provisional application No. 61/428,851 which is incorporated by reference states: "[0089] … However, as mobile devic
applets directly, a separate WMA 501 is required for the management of mobile wallet cards stored within mobile walle
the provisioning process, WMA 501 will store duplicate payment applet account information. so that mobile wallet appl
account specific information stored within the SE. Like the contactless payment applets, WMA 501 is stored in a 20 sep
the SE."

In its Preliminary Infringement Contentions, Fintiv states that a WMA is "e.g. a software component related to managem
See, e.g., Preliminary Infringement Contentions, Ex. A at p. 18. Under Fintiv's interpretation of WMA, "software comp
management of credit card applets" were well-known to POSITAs at the time of the alleged invention and using such so
obvious to a POSITA in view of the references cited below. It would have been obvious to modify a system or method t
applet is provisioned on a mobile device so that a corresponding WMA is also provisioned.

As reflected by the references below, it was well-understood for a mobile device to provision a WMA. A POSITA wou
implement this standard practice to achieve the benefits of ensuring that information stored within a contactless card app
device user, allowing users electronic access to their financial information (e.g., credit card number) when travelling, to
needing their physical wallet, to backup and restore their information, to change or update their own financial informatio
with a new expiration date), and to minimize the number of card or devices that a user must carry with them. *See, e.g.*, I
Software is very pleased to announce eWallet™! Now you can have all your important information in a format that's sec
centralized and portable!") https://web.archive.org/web/19980109044321/http://iliumsoft.com/wallet.htm; Buhot EP 481
element 316 may interface with the user interface element 224 to provide at least some or all of the following services a
Commands to set/get the Application Identifier (AID) of the different NFC application ele-ments 302-312 stored in the N
standardised way to identify ap-plications in a smart card according to the ISO 7816 and Global Platform standards. The
service, use case or activity, such as payment, transport, ticketing, loyalty, etc. The set/get commands can, for example,
different NFC application elements for payment; Command to set/get the default AID of a NFC application element wh
elements are related to the same use case or activity such as in the case where there are multi-card payment application e
manage a pool of Contactless Application Lock Codes (CALC) or similar se-curity codes for the NFC application eleme
verifying / chang-ing / activating / deactivating / unblocking the security codes."); Aiglstorfer at ¶ 37 ("The remote serv
notification 109, automatically transmits 111a second moblet software module to the first moblet software module 106.
second moblet software module may be an application related to the first banking card infor-mation 105. The first mobl
receive and install the second moblet software module 108 on the electronic device 110. As a result, the first banking ca
used in conjunction with the execution of the second moblet software module 108 to enable the user to interact with the

module 108 and the first banking card information 105 associated there-with. It is appreciated that the second moblet so
GUI type application that when executed enables user interaction therein to perform banking features.”); Kumar at ¶ [00
enabled handset displays the prepaid card as a softcard. In one embodiment, the wallet client in mobile device 114 displa
card, which is a graph-ical representation associated with the stored personalization data, as a softcard.”).

To the extent Fintiv contends that any reference identified in Exhibit A does not disclose any portion of the above limita
disclosed by the references herein. Moreover, the exemplary pincites to the prior art identified in the table below also es
missing portions would have been obvious to one of ordinary skill in the art. Further, a person of ordinary skill in the ar
to combine each reference identified in Exhibit A with any one or more of the following references for at least the reaso
document of Apple’s Initial Invalidity Contentions or as identified herein.

Reference	Disclosure
European Patent Publication No. 2211481 A1 (“Buhot EP 481”). Buhot EP 481 was filed on January 26, 2009 and published on July 28, 2010.	*See, e.g.:* • Buhot EP 481 at ¶ 36 (“In an example shown in FIG. 3, a database element 316 is sto storing summary information for the NFC application elements 302-312 stored in the the database element may be an NFC application element. The summary information parameter of each of the NFC application elements 302-312 such as a graphical repre or other brand image) or other identifier of the NFC service associated with the NFC jingle or the Application Identifier (AID)). The summary information may also or ins information or parameters for one or more NFC application elements in accordance w example, in the case of a payment application element, the personalised information r number, cryptographic keys, or CALC. The summary information may also or instead services associated with the NFC application elements 302-312 stored in the NFC uni application elements 302-312 and/or a list of the available NFC services grouped acco service. For example, the summary information may include a list of the different NF transport, ticketing or others the NFC unit 218 offers, and/or a list of the available pay available loyalty cards and/or a list of the available transport tickets.”). • Buhot EP 481 at ¶ 37 (“The information provided to the user by the user interface ele the summary information stored in the database element 316. In an example, the user with the database element 316 through APDU commands which are defined accordin 14443-4 or ISO 7816-4.”). • Buhot EP 481 at ¶ 38 (“The database element 316 is a standalone application that doe other NFC application elements stored in the NFC unit 218. The summary informatio

Reference	Disclosure
	database element 316 (as with the user interface element 224) when the NFC applicat NFC unit 218, for example when the NFC application elements are loaded and install unit 218.”). • Buhot EP 481 at ¶ 39 (“The database element 316 may interface with the user interfac some or all of the following services and APDU commands: Commands to set/get the the different NFC application ele-ments 302-312 stored in the NFC unit 218. AID is t ap-plications in a smart card according to the ISO 7816 and Global Platform standard service, use case or activity, such as payment, transport, ticketing, loyalty, etc. The se example, retrieve the list of the different NFC application elements for payment; Com of a NFC application element when further NFC appli-cation elements are related to t as in the case where there are multi-card payment application elements; and Comman Contactless Application Lock Codes (CALC) or similar se-curity codes for the NFC a commands allow verifying / chang-ing / activating / deactivating / unblocking the sec • Buhot EP 481 at ¶ 50 (“….The NFC unit 218 can update the content of the database e application elements 302-312 based on the received update information received fron the case of modifications to the NFC application elements 302-312 which should be r the mobile application elements 318-328, the content of the database element 316 is a element 316 is updated during OTA sessions to reflect the changes in the NFC unit 21 user interface….”). • Buhot EP 481 at ¶ 59 (“In this example, the user interface element 224 manages a set application elements that are stored in the NFC unit 218 that includes, in this example element 316 is present in the UICC card 220. This database element 316 can be dynar loaded/installed/personalized. The user interface element 224 manages one CALC/sec payment application element in the UICC card 220. These payment application eleme CALC/security code feature by default. The database element 316 is used to manage on behalf of the payment application elements.”). • Buhot EP 481 at ¶ 69 (“In devices having the database element, the database element of summary information for the NFC application elements stored in the NFC unit, suc list of the application elements and their properties which summary information can b NFC services are updated OTA.”). • *See also* Buhot EP 481 at Fig. 3. • Buhot EP 481 at paragraph [0042] (“ In an example of an embodiment of the disclosu update information for one or more of the NFC services associated with the NFC app in the NFC unit 218. The update information may include instructions to add a new N NFC unit 218, instructions to update one or more parameters of a NFC application ele and/or instructions to remove one or more NFC application elements stored in the NF

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Reference	Disclosure
	update one or more parameters may include personalisation information to update on application element in accordance with details of the user. For example, in the case o the personalisation information may include information to set the personal account n CALC or branding information for the end user. In the case of a payment card applic update one or more parameters may include instructions sent by the issuing bank to u expiration date, to change a security code, to set the credit card number, to set the sec the backend system during a payment transaction, to set the maximum amount for a p update information may additionally or alternatively include data or transaction infor as payment details.”). - Buhot EP 481 at paragraph [0043] (“The parameters, including the personalisation in memory 402 of the NFC unit 218 or a separate memory (not shown) of the NFC unit branding information may be stored in the mobile device 102.”). The teachings of this reference are explicitly directed to systems and methods wherein a conta on a mobile device, and a POSITA at the relevant time would have been motivated to combin systems and methods in which contactless card applets are provisioned on a mobile device, su A.
U.S. Pat. Pub. 2010/0190437 (“Buhot 437”). Buhot 437 was filed December 23, 2009 and published on July 29, 2010.	*See, e.g.*: - “In the example shown in FIG. 2, the program memory 216 stores specific program e operation of the mobile device 102 by means of the processing unit 200 which includ and a plurality of NFC managing elements (represented as group by 226 in FIG. 2). I managing elements is associated with at least one of the plurality of application elem for managing the at least one associated application element of the plurality of applic interface element 224 is for interfacing with at least some of the NFC managing elem information to a user relating to the NFC services provided by the plurality of applic at least some of the NFC managing elements.” ¶46. - “Managing the selected NFC application by the user interface element 224 includes s managing application element which corresponds to the selected NFC application ele application element then controls the respective NFC application element and its beh associated service. Updating a NFC service may include deleting, updating, installin NFC unit 218, and/or deleting, updating, installing an NFC managing element in the interface element 224 is updated accordingly.” ¶55; see also ¶ 46, 93-95, 101, 11, 11 - Fig. 3

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