EXHIBIT 5

Infringement of U.S. Patent 8,463,030 (the "'030 Patent")
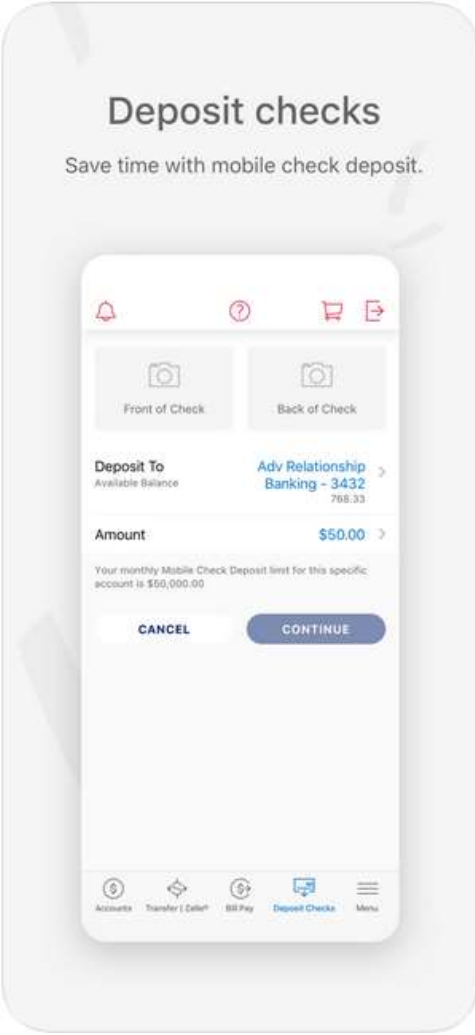## by the Bank of America Accused Products

This chart describes infringement by the Bank of America Mobile Banking App (the "BoA App"), its mobile check deposit feature, and the mobile devices, computers, servers, software, and other infrastructure related to and/or associated with the BoA App and its mobile check deposit feature (collectively, the "BoA Accused Products"). The BoA Accused Products directly and/or indirectly infringe at least claims 1-4, 6-7, 13, 16-19, 21-22, 25-27, 29-32, and 35-37 of the '030 Patent literally and under the doctrine of equivalents. As described below, every accused limitation is directly performed and controlled by the BoA App in combination with Bank of America's computer, servers, software, and other infrastructure, such that Bank of America makes and uses each asserted claim, and thereby directly infringing each asserted claim. Additionally, and in the alternative, a user of the BoA app to perform mobile check deposit uses each asserted claim by putting the system as a whole into service and thereby directly infringes each asserted claim.

The claim charts below provide examples of how the BoA Accused Products infringe the asserted claims. NantWorks does not have access to BoA's confidential technical documents and source code that fully describe how the BoA Accused Products operate and all of the different ways in which they infringe the claims. NantWorks anticipates that it may learn of additional ways in which the BoA Accused Products infringe the asserted claims and reserves the right to supplement its infringement contentions to include all additional ways in which the BoA Accused Products infringe the asserted claims.
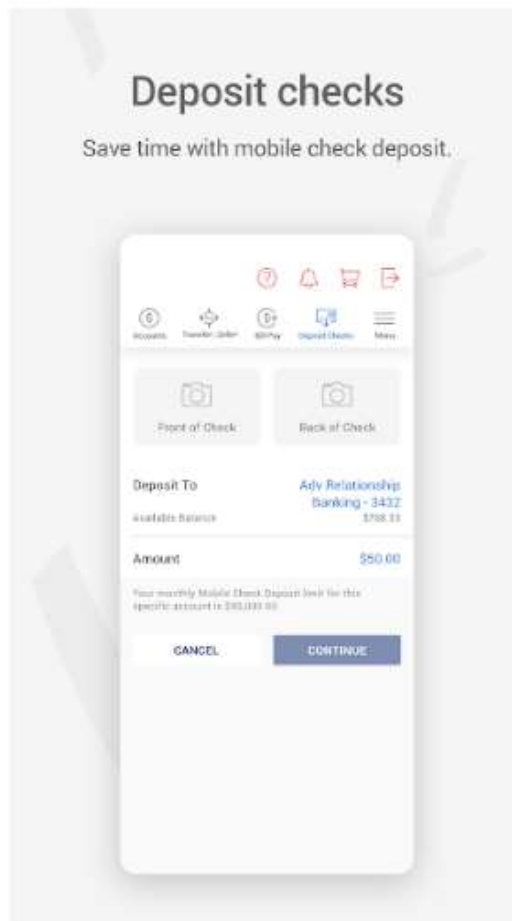
Claims	Infringement by the BoA Accused Products
Claim 1. **[1.pre]** *A transaction system comprising:*	To the extent the preamble is limiting, the BoA Accused Products meet this limitation. See for example: The BoA Accused Products include a transaction system as detailed in the claim limitations below. For example, the system includes a mobile device such as an iPhone, Android mobile device, or tablet computer. *See*, e.g.:

Deposit checks

Save time with mobile check deposit.

https://apps.apple.com/us/app/bank-of-america-mobile-banking/id284847138#?platform=iphone

Deposit checks

Save time with mobile check deposit.

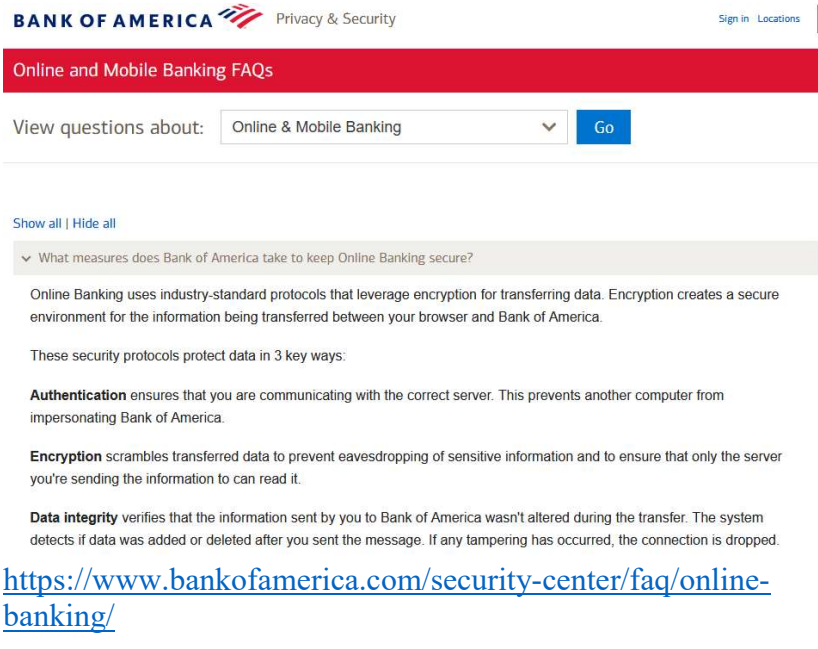https://play.google.com/store/apps/details?id=com.infonow.bofa

For example, additionally and/or in the alternative, the system includes the BoA App operating on a customer's mobile device and BoA's computers and servers computers. The BoA App communicates with these computers and servers. On information and belief, the BoA App operating on a customer's mobile device and/or BoA's computers and servers perform image and data processing functions associated with the BoA App. The computers and servers also communicate with the BoA App to perform functions including verification, authentication, encryption, and data integrity. *See, e.g.*:

⌄ When will my funds be available?
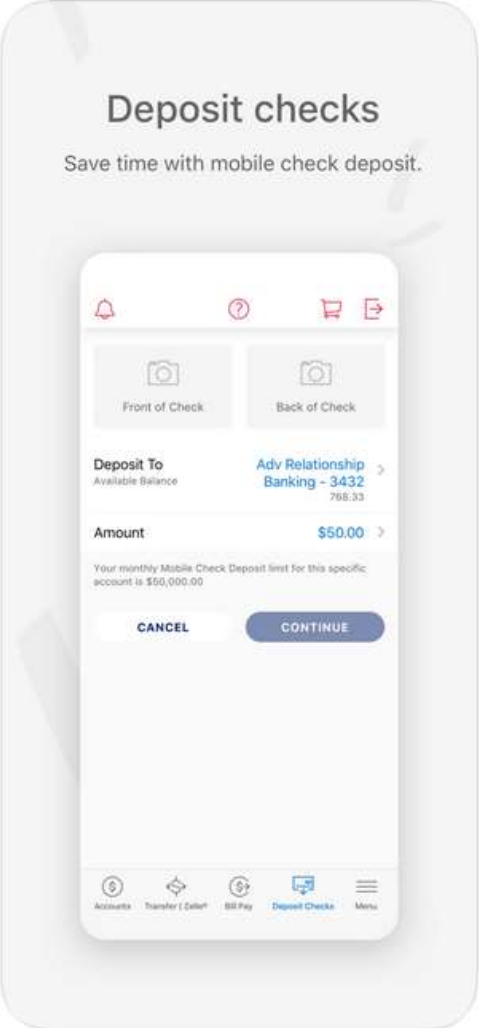
Deposits are subject to verification and funds will not be available immediately. Once the deposit has been received, you'll be able to view the pending transaction online or on your phone. Checks received by the applicable cutoff time on a business day are usually available in your account the next business day.

https://www.bankofamerica.com/online-banking/mobile-check-deposit-faqs/

	BANK OF AMERICA Privacy & Security Sign in Locations **Online and Mobile Banking FAQs** View questions about: Online & Mobile Banking Go Show all | Hide all ⅴ What measures does Bank of America take to keep Online Banking secure? Online Banking uses industry-standard protocols that leverage encryption for transferring data. Encryption creates a secure environment for the information being transferred between your browser and Bank of America. These security protocols protect data in 3 key ways: **Authentication** ensures that you are communicating with the correct server. This prevents another computer from impersonating Bank of America. **Encryption** scrambles transferred data to prevent eavesdropping of sensitive information and to ensure that only the server you're sending the information to can read it. **Data integrity** verifies that the information sent by you to Bank of America wasn't altered during the transfer. The system detects if data was added or deleted after you sent the message. If any tampering has occurred, the connection is dropped. https://www.bankofamerica.com/security-center/faq/online-banking/ To the extent that Defendants contend that the BoA Accused Products do not literally infringe the limitations of this claim, such differences are insubstantial and thus the claim limitations are satisfied under the doctrine of equivalents.
[1.A] *a mobile device configured to acquire data related to an object;*	The BoA Accused Products meet this limitation. For example. the BoA App operates on a mobile device such as an iPhone, Android mobile device, or tablet computer. *See, e.g.*:

https://apps.apple.com/us/app/bank-of-america-mobile-banking/id284847138#?platform=iphone

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