

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

BILLJCO LLC,
Patent Owner

CASE: IPR2022-00131
U.S. PATENT NO. 9,088,868

**DECLARATION OF ISTVAN JONYER, PH.D. REGARDING CLAIMS 1, 2,
5, 20, 24, 25, 28, AND 43 OF U.S. PATENT 9,088,868**

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I, Istvan Jonyer, Ph.D., hereby declare as follows:

I. INTRODUCTION

1. I am a computer scientist, former academic, Google manager, and technology entrepreneur with experience developing mobile device applications.

2. I have been engaged by Patent Owner BillJCo LLC as a consultant in connection with the present *inter partes* review by Petitioner Apple Inc.

3. This Declaration sets forth the opinions I have formed and the bases for them concerning patentability of claims 1, 2, 5, 20, 24, 25, 28, and 43 ("the Challenged Claims") of U.S. Patent No. 9,088,868 ('868 Patent) (EX1001).

4. I have relied on my knowledge, experience, and expertise in the technologies involved, which I have acquired over my career, in providing the analysis and opinions contained in this report. All of my conclusions and opinions are provided within a reasonable degree of professional certainty.

II. SUMMARY OF OPINIONS

5. It is my opinion that, based on the evidence presented in the Petition, none of the Challenged Claims are obvious under 35 U.S.C. § 103 in view of U.S. Patent Application Publication No. 2005/0096044 ("Haberman") (EX1004). It is my further opinion that a person of ordinary skill in the art would not have had any reason to have modified Haberman as claimed in the Challenged Claims.

6. It is my further opinion that, based on the evidence presented in the Petition, none of the Challenged Claims are obvious under 35 U.S.C. § 103 in view of Haberman in combination with U.S. Patent Application Publication No. 2002/0159401 ("Boger") (EX1005). It is my further opinion that a person of ordinary skill in the art would not have had any reason to have combined Haberman with Boger in the manner as claimed in the Challenged Claims.

7. It is my further opinion that, based on the evidence presented in the Petition, none of the Challenged Claims are obvious under 35 U.S.C. § 103 in view of Haberman in combination with U.S. U.S. Patent 6,327,535 ("Evans") (EX1006). It is my further opinion that a person of ordinary skill in the art would not have had any reason to have combined Haberman with Evans in the manner as claimed in the Challenged Claims.

8. It is my further opinion that, based on the evidence presented in the Petition, none of the Challenged Claims are obvious under 35 U.S.C. § 103 in view of Haberman in combination with Evans and Boger. It is my further opinion that a person of ordinary skill in the art would not have had any reason to have combined Haberman with Evans and Boger in the manner as claimed in the Challenged Claims.

9. It is further my opinion that Apple's devices accused of infringement in a pending litigation between Apple and BillJCo (*BillJCo, LLC v. Apple, Inc.*, 4:22-

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