Inter Partes Review
U.S. Patent Nos. 9,189,787 and 9,240,009

Oral Argument, April 21, 2023

Apple Inc. v. RFCyber Corp.;
Case Nos. 2022-00412, 2022-00413

Demonstrative Exhibit – Not Evidence

Petitioner's DX-1

IPR 2022-00412 ('787 Patent) Grounds

- ## <u>Ground 1</u>: Claims 1-19
  - Dua (Ex. 1004) in view of GlobalPlatform (Ex. 1006) and Philips (Ex. 1012)

Petition, 6-7 (identifying challenged claims).

Remaining Disputes

1. POSITA Definition

2. Philips is Prior Art

3. Motivation to Combine Dua with GlobalPlatform and Philips

4. Claims 1 & 11 Substantive Disputes:

   a) [1a]/[11a] An emulator that stores updated transaction logs

   b) [1c]/[11c] Personalizing the emulator and two-channel personalization

   c) [1e]/[11e] Second interface to perform mobile commerce against the fund

5. Claims 6 and 16: SAM External to the Smart Card

Level of Skill of a POSITA

▸ Petitioner's proposal adopted by the Board at Institution as "consistent with the '787 patent and the asserted prior art":

A POSITA in the field of the '787 patent at the time of the effective filing date would have been knowledgeable regarding mobile payment methods and systems pertinent to the '787 patent. Such a POSITA would have had at least a bachelor's degrees in computer science, computer engineering, electrical engineering or an equivalent, and one year of professional experience relating to mobile payment technology, which would have exposed them to concepts like GlobalPlatform and SmartMX. Lack of professional experience could be remedied by additional education, and vice versa. Ex-1003, ¶¶27-28.

Level of Skill of a POSITA (cont.)

▸ Petitioner's proposal consistent with PO's and its expert's description of '787 patent:

▸ POR, 1:

> **I.   THE '787 PATENT**
>
> The '787 Patent claims methods and systems for providing electronic purses
>
> e-purses) for use in electronic and mobile commerce. '787 Patent, 1:17-21. The

Gomez Dec. (Ex. 2007), ¶34 (same)

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