UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,

Petitioner

v.

FINTIV, INC.,

Patent Owner

_____

Case No.: IPR2022-00976
U.S. Patent No. 9,892,386

Title: MONETARY TRANSACTION SYSTEM

DECLARATION OF MICHAEL I. SHAMOS, PH.D.

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1. Limitation 1.9.1: "wherein the monetary transaction system is implemented to deposit funds at an agent branch" Limitation 1.9.2: "the funds being deposited by a subscriber at the agent branch using a mobile device configured to run a monetary transaction system application, the monetary transaction system performing the following steps" Limitation 1.10.3: "the communication message indicating that the subscriber desires to deposit a specified amount of funds into the subscriber's account" 27

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C. Dill Does Not Teach the Staged Commitment Process of Claim 1 31

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1. Limitation 1.10.5: "committing a pending transaction through the business process services" Limitation 1.10.6: "wherein the integration tier communicates a transaction commitment request to the business process services" Limitation 1.10.7: "receiving a confirmation from the business process services that the pending transaction has been committed" Limitation 1.10.9: "upon receiving a confirmation of commitment from the business process services, committing the pending transaction to the database services" 31

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1. Dill Does Not Disclose "Auditing Financial Transactions" 39

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I. INTRODUCTION

1. My name is Michael Shamos. I have been retained as an expert witness by Patent Owner Fintiv, Inc. ("Fintiv" or "Patent Owner") for this *Inter Partes* Review IPR2022-00976 of U.S. Patent No. 9,982,386 (the "'386 Patent") filed by Apple Inc. ("Apple" or "Petitioner"). I have been asked to respond to provide this declaration in conjunction with Patent Owner's Response.

2. I previously submitted a declaration in this proceeding entitled "Declaration Of Michael I. Shamos, Ph.D.," dated August 23, 2022 ("Initial Declaration," Ex. 2001), which I incorporate here by reference.

3. In the Petition, I understand that Petitioner is challenging the validity of Claims 1-3 (the "Challenged Claims") of the '386 Patent (Ex. APPL-1001), constituting all the claims of the '386 Patent.

4. I have been asked to consider whether the Challenged Claims of the '386 Patent would have been obvious to a person of ordinary skill in the art ("POSITA") as of the date of the invention. I was also asked to review and comment on several technical statements made by Petitioner in the Petition and by its expert, Dr. Henry Houh, in the "Declaration of Dr. Henry Houh, Under 37 C.F.R. § 1.68 in Support of Petition for *Inter Partes* Review," dated May 5, 2022 ("Houh Declaration, Ex. APPL-1003).

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5. This Declaration contains statements of my opinions formed in this case to date and the bases and reasons for those opinions. I may offer additional opinions based on further review of materials in this case, including opinions and/or testimony of other expert witnesses.

II. QUALIFICATIONS

6. This section summarizes my educational background, career history, publications, and other relevant qualifications. My curriculum vitae is attached as Patent Owner's Exhibit 2002, which includes my detailed employment background, professional experience, and list of publications.

7. I have an A.B. degree from Princeton University in Physics, an M.A. degree from Vassar College in Physics, an M.S. degree from American University in Technology of Management, an M.S. degree from Yale University in Computer Science, an M. Phil. from Yale University in Computer Science, a Ph.D. from Yale University in Computer Science, and a J.D. degree from Duquesne University.

8. I currently hold the title of Distinguished Career Professor in the School of Computer Science at Carnegie Mellon University in Pittsburgh, Pennsylvania. I am a member of two departments in that School, the Institute for Software Research and the Language Technologies Institute. I was a founder and Co-Director of the Institute for eCommerce at Carnegie Mellon from 1998-2004 and from 2004-2018 have been Director of the eBusiness Technology graduate

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