UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

RFCYBER CORP.,

Patent Owner.

Patent No. 10,600,046 Filing Date: June 2, 2015 Issue Date: March 24, 2020

Inventors: Xiangzhen Xie, Liang Seng Koh, and Hsin Pan Title: METHOD AND APPARATUS FOR MOBILE PAYMENTS

PATENT OWNER'S RESPONSE

Case No. IPR2022-01239



TABLE OF CONTENTS

I.	INTI	RODUCTION	<u>Page(s)</u> 1	
II.	THE '046 PATENT			
	A.	The '046 Patent's Disclosure	2	
III.	THE ALLEGED PRIOR ART			
	A.	Laracey (U.S. Pat. App. Pub. No. 2011/0251892)	6	
	B.	Jogu (Japanese Patent No. 4901053)	8	
	C.	Tang (PCT No. WO 2009/116954)	10	
	D.	Dorsey (U.S. Patent No. 9,916,581)	10	
IV.	CLA	IM CONSTRUCTION	11	
V.	LEGAL STANDARD12			
VI.	GROUND 1: APPLE'S COMBINATION DOES NOT DISCLOSE OR RENDER OBVIOUS ANY CHALLENGED CLAIM			
	A.	The Combination Does Not Disclose or Render Obvious "an electronic purse (e-purse) maintained locally in the mobile device," as Recited by Independent Claims 1, 12, and 18	13	
		1. "e-purse"	14	
		2. "maintained locally in the mobile device"	22	
	В.	The Combination Does Not Render Obvious "verifying the total amount with a balance in the e-purse, wherein said verifying the total amount with a balance in the e-purse is performed within the mobile device without sending the payment request to a paymen gateway" Because a POSITA Would Not Combine Laracey with Jogu	28	
VII.		OUND 2: LARACEY WITH JOGU AND TANG DOES NOT	32	



IPR2022-01239 PATENT NO. 10,600,046

VIII.	GRO	UND 3: LARACEY WITH JOGU AND DORSEY DOES	
		RENDER OBVIOUS CLAIM 18	32
	A.	"electronic purse (e-purse) maintained locally in the mobile device"	33
	B.	"wherein the payment request is denied within the mobile device without sending the payment request to the payment gateway"	22
		galeway	33
IX.	CON	CLUSION	34



TABLE OF AUTHORITIES

	Page(s)
Cases	
Apple Inc. v. Samsung Elecs. Co., 839 F.3d 1034 (Fed. Cir. 2016)	13
Forest Lab'ys, LLC v. Sigmapharm Lab'ys, LLC, 918 F.3d 928 (Fed. Cir. 2019)	12
Graham v. John Deere Co. of Kansas City, 383 U.S. 1 (1966)	12, 13
KSR Int'l Co. v. Telefex Inc., 550 U.S. 398 (2007)	12
RFCyber Corp. v. Apple Inc., No. 6:21-cv-00916-ADA, Dkt. 100 (W.D. Tex. Sep. 13, 2022)	11
RFCyber Corp. v. Google LLC, No. 2:20-cv-274-JRG, 2021 WL 5357465 (E.D. Tex. Nov. 17, 2021)	11
Statutes	
35 II S C 8 103	12



EXHIBIT LIST

Exhibit No.	Description of Document
2001	Declaration of Alfred C. Weaver, Ph.D.
2002	CV of Alfred C. Weaver, Ph.D.
2003	Transcript of May 11, 2023 Deposition of Gerald W. Smith



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

