

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FINTIV, INC.

Plaintiff,

v.

PAYPAL HOLDINGS, INC.,

Defendant.

§
§
§
§
§
§
§
§
§
§
§

6:22-CV-00288-ADA

FINAL CLAIM CONSTRUCTIONS OF THE COURT

The Court provided preliminary claim constructions on December 19, 2022, for U.S. Patent Nos. 8,538,845 (“’845 patent”), 9,892,386 (“’386 patent”), 11,120,413 (“’413 patent”), 9,028,488 (“’488 patent”), and 10,438,196 (“’196 patent”). Fintiv asserted claims 1–3, 5–7 of the ’845 patent; claims 1–3 of the ’386 patent; claims 1–2 of the ’413 patent, claims 1–4 of the ’488 patent, and 1–2, 4–5 and 7 of the ’196 patent. The Court held a claim construction hearing on December 20, 2022, in which the Court heard argument on the following claim terms: (1) “mobile wallet,” (2) “agent,” (3) “payment handler”/ “payment handler service,” and (4) “business process services.” After careful consideration of the parties’ briefs, oral argument, and the applicable law, the Court enters its final constructions for each term as shown below.

Claim Term	Court’s Final Construction
<p>“mobile wallet” All Claims.</p>	<p>“A stored value account or prepaid access account (PPA) that allows the owner (or ‘subscriber’) to pay for goods and services of the mFS platform from his or her mobile wallet account.”</p>

Claim Term	Court's Final Construction
"agent" '386 Patent claims 1–3; '196 Patent claim 1	Plain and ordinary meaning.

Claim Term	Court's Final Construction
"agent branch" '845 Patent claim 1; '386 Patent claims 1–2	Plain and ordinary meaning.

Claim Term	Court's Final Construction
"unbanked subscriber" '845 Patent claims 1 and 5	Plain and ordinary meaning.

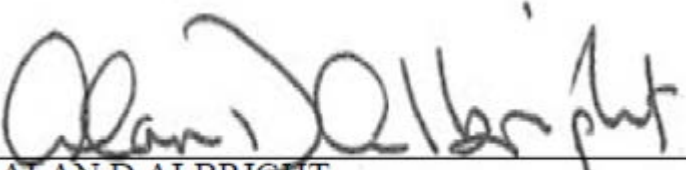
Claim Term	Court's Final Construction
"payment handler"/ "payment handler service" '386 Patent claims 1–3; '413 Patent claims 1–2; '196 Patent claim 1	This is a means-plus-function limitation. Function: "use APIs of different payment processors including one or more APIs of banks, credit and Debit cards processors, bill payment processors" ('386, '413) "expose a common API for interacting with different payment processors" ('196) Structure: None, and therefore indefinite under 112(f)

Claim Term	Court's Final Construction
"database services"/ "storage system" '386 Patent claims 1–3; '413 Patent claims 1–2	Plain and ordinary meaning.

Claim Term	Court's Final Construction
<p>“business process services” ’386 Patent claims 1–3; ’413 Patent claims 1–2</p>	<p>Means-plus-function.</p> <p>Function: implementing business workflows, including at least one of executing financial transactions, auditing financial transactions, invoking third-party services, handling errors, and logging platform objects.</p> <p>Structure: ’386 Patent claims 1-3 ’413 Patent claims 1-2 ’386 Patent Figure 1 Corresponding ’386 Patent Figures ’386 Patent Figure 20A-J (data flow) ’386 Patent Figure 21A-J (data flow) ’386 Patent Figure 22A-J (data flow) ’386 Patent Figure 22A-J (data flow).</p>

Claim Term	Court's Final Construction
<p>“presented to” ’488 Patent claim 1; ’196 Patent claim 1</p>	<p>Plain and ordinary meaning.</p>

SIGNED this 9th day of January, 2023.


 ALAN D ALBRIGHT
 UNITED STATES DISTRICT JUDGE