

EXHIBIT A

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

RFCYBER CORP.,	§	Case No. 6:22-cv-00697-ADA
	§	
Plaintiff,	§	<u>JURY TRIAL DEMANDED</u>
	§	
v.	§	
	§	
VISA U.S.A. INC.,	§	
	§	
Defendant.	§	
	§	

**PLAINTIFF’S DISCLOSURES OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS**

Plaintiff RFCyber Corp. (“RFCyber” or “Plaintiff”) hereby makes the following infringement disclosures under the Court’s Standing Order Governing Proceedings in Patent Cases with respect to United States Patent Nos. 8,118,218 (“218 patent”), 8,448,855 (“855 patent”), 9,189,787 (“787” patent”), 9,240,009 (“009” patent”) (collectively, “RFCyber Patents” or “Asserted Patents”). RFCyber’s investigation is ongoing, and discovery is in its preliminary stages. Accordingly, these disclosures are based on information available to RFCyber at this time. RFCyber reserves the right to supplement this disclosure after further discovery from Visa U.S.A Inc. (“Visa” or “Defendant”) and non-parties, particularly documents and other discovery regarding Defendant’s accused products. RFCyber also reserves the right to assert additional claims of the RFCyber Patents, accuse different products, or find alternative literal and/or equivalent infringing elements in Defendant’s products.

I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS

A. ASSERTED CLAIMS

1. Accused Products

Defendant Visa has infringed and/or continue to infringe one or more of the following claims of the RFCyber Patents in connection with the Accused Products set forth below:

- Claims 1-18 of the '218 patent;
- Claims 1-17 of the '855 patent;
- Claims 1-8 and 10-19 of the '787 patent; and
- Claims 1-17 of the '009 patent.

B. ACCUSED INSTRUMENTALITIES

1. Accused Products

(a) '218, '855, '787, and '009 Patents

RFCyber is currently aware that all Visa products running or comprising any version or variant of Visa applets and token infrastructure infringe at least one claim of the '218, '855, '787, and '009 patents.

For example, the Accused Products include at least all Visa applets and token infrastructure (*e.g.*, TSP/TSM servers and token vaults), and all devices and mobile wallets which comprise and/or utilize those applets, and all supporting software, computer systems, and/or servers providing functionality related thereto. For example, the Accused Products include, but are not limited to: Visa applet software such as the Visa Mobile Payment Applet (VMPA), Visa Smart Debit Card applet (VSDC), Visa trustlets, trusted applications, PayWave applets/applications, and supporting infrastructures; Visa wallet applications, such as Visa Ready wallets, payWave wallets , Visa+, and supporting infrastructures; Visa payment servers and tokenization infrastructure, such

as Visa Token Service, VisaNet, Visa Cloud Based Payments, Token Management Service (TMS), Token ID, PayWave servers, Visa token vaults, and supporting token service provider infrastructure. The mobile devices and mobile wallet applications (*e.g.*, Apple, Garmin, and Fitbit devices and mobile wallet applications) which comprise and utilize the aforementioned Visa applet software, payment servers, and tokenization infrastructure, including but not limited to:

- All Apple devices running (or capable of running) Apple Wallet, including but not limited to: and all versions and variants of iPhone, iPad, Apple Watch, Macs with Touch ID or Apple silicon, made, sold, offered for sale, used, or imported in the United States since the launch of Apple Pay in October 2014, including at least all versions and variants of iPhone 6, iPhone 6 Plus, iPhone 6s, iPhone 6s Plus, iPhone SE (1st generation), iPhone 7, iPhone 7 Plus, iPhone 8, iPhone 8 Plus, iPhone X, iPhone XR, iPhone XS, iPhone XS Max, iPhone 11, iPhone 11 Pro, iPhone 11 Pro Max, iPhone SE (2nd generation), iPhone 12 mini, iPhone 12, iPhone 12 Pro, iPhone 12 Pro Max, iPhone 13 mini, iPhone 13, iPhone 13 Pro, iPhone 13 Pro Max, Apple Watch (1st generation), Apple Watch Series 1, Apple Watch Series 2, Apple Watch Series 3, Apple Watch Series 4, Apple Watch Series 5, Apple Watch SE, Apple Watch Series 6, Apple Watch Series 7, iPad (4th generation), iPad (5th generation), iPad (6th generation), iPad (7th generation), iPad (8th generation), iPad (9th generation), iPad mini 2, iPad mini 3, iPad mini 4, iPad mini (5th generation), iPad mini (6th generation), iPad Air 2, iPad Air (3rd generation), iPad Air (4th generation), iPad Pro (12.9-inch), iPad Pro (9.7-inch), iPad Pro (12.9-inch) (2nd generation), iPad Pro (10.5-inch), iPad Pro (11-inch), iPad Pro (12.9-inch) (3rd generation), iPad Pro (11-inch) (2nd generation), iPad Pro (12.9-inch) (4th generation), MacBook Air (Retina, 13-inch, 2018), MacBook Air (Retina, 13-inch, 2019), MacBook Air (Retina, 13-inch, 2020), MacBook Air (M1, 2020),

MacBook Pro (13-inch, 2016, Four Thunderbolt 3 ports), MacBook Pro (15-inch, 2016), MacBook Pro (13-inch, 2017, Four Thunderbolt 3 ports), MacBook Pro (15-inch, 2017), MacBook Pro (13-inch, 2018, Four Thunderbolt 3 ports), MacBook Pro (15-inch, 2018), MacBook Pro (13-inch, 2019, Four Thunderbolt 3 ports), MacBook Pro (15-inch, 2019), MacBook Pro (16-inch, 2019), MacBook Pro (13-inch, 2020, Four Thunderbolt 3 ports), MacBook Pro (13-inch, M1, 2020), Mac mini (M1, 2020), iMac (24-inch, M1, 2021), MacBook Pro (16-inch, 2021), and MacBook Pro (14-inch, 2021).

- All Garmin devices running (or capable of running) Garmin Pay, including but not limited to all versions and variants of: all Fenix watches released since the Fenix 5 (*e.g.*, the Fenix 5, 5+, 5S, 5X, 6, 6S, 6X, 7, 7S, and 7X), all Venu watches (*e.g.*, Venu, Venu Sq, Sq Music, Venu 2, Venu 2+, Venu Sq 2, Sq 2 Music, 2S,), all Vivoactive watches released since the Vivoactive 3 (*e.g.*, 3, 3 Music, and 4(S)), all Forerunner watches released since the Forerunner 645 (*e.g.*, 645, 645 Music, 945, 245, 245 Music, 45, 45S, 745, 55, 945 LT, 255, and 955), all D2 watches (*e.g.*, Mach 1, Air X10), all Legacy watches, all Approach watches (*e.g.*, S62, S62 Bundle), all Descent watches released since the Mk2 (*e.g.*, the Mk2, Mk2S, Mk2i, GI, and GI Solar), all Quatix watches released since the Quatix 6 (*e.g.*, 6, 6 Titanium, 6 Solar, , 7 Standard, 7 Sapphire, 7 Solar), all Tactix watches (*e.g.*, Delta, 7 Standard, 7 Pro, 7 Ballistics), all Enduro watches (*e.g.*, Enduro, Enduro 2), all Marq watches (*e.g.*, Captain, Captain American Magic Edition, Gen 2, Athlete Gen 2, Golfer Gen 2, Captain Gen 2, Aviator Gen 2), Epix Gen2, all Instinct Watches (*e.g.*, Crossover Standard, Crossover Solar, Crossover Solar Tactical, 2X Solar, 2X Solar Tactical, 2 Solar, 2S Solar, 2 Solar Tactical, 2 Solar Surf, 2S Solar Surf, 2 dezl), and all Vivomove watches (*e.g.*, Trend, Style).

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.