

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

FINTIV, INC.,

Plaintiff,

v.

PAYPAL HOLDINGS, INC.,

Defendant.

Civil Action No. 6:22-cv-00288-ADA

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Joint Motion to Enter Agreed Scheduling Order (Dkt. No. 47), Plaintiff Fintiv, Inc. (“Plaintiff” or “Fintiv”) and Defendant PayPal Holdings, Inc. (“Defendant” or “PayPal”) (collectively, “Parties”) hereby provide the following Joint Claim Construction Statement for the terms, phrases, and clauses appearing in the asserted claims of U.S. Patent Nos. 8,538,845 (the “’845 Patent”), 9,892,386 (the “’386 Patent”), 11,120,413 (the “’413 Patent”), 9,208,488 (the “’488 Patent”), and the 10,438,196 (the “’196 Patent”) (collectively, the “Asserted Patents” or “Patents-in-Suit”).

I. LIST OF DISPUTED TERMS FOR CONSTRUCTION

The Parties' list of disputed terms for construction, in the order the patents are addressed in the Parties' claim construction briefing, is included in **Attachment A**.

Dated: December 8, 2022

Respectfully submitted,

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Attorneys for Plaintiff

FINTIV, INC.

Dated: December 8, 2022

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT
PAYPAL HOLDINGS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served or delivered electronically to all counsel of record, on this 8th day of December 2022, via the Court's CM/ECF System.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

ATTACHMENT A

Fintiv, Inc. v. PayPal Holdings, Inc., C.A. No. 6:22-cv-00288-ADA
Joint Claim Construction Statement-Disputed Terms

Claim(s)	Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
All claims	"mobile wallet"	Plain and ordinary meaning	"A stored value account or prepaid access account (PPA) residing on a subscriber mobile device and that is not maintained by other devices" PayPal's Revised Construction (Reply Br. 11/29 at 2) "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."
'386 Patent claims 1-3; '196 Patent claim 1	"agent"	Plain and ordinary meaning	"an individual with mobile financial services (mFS) transaction system tools and training to support specific MFS functions"
'845 Patent claim 1; '386 Patent claims 1-2	"agent branch"	Plain and ordinary meaning	"any location where an agent provides support for subscriber services of the mFS platform."
'845 Patent claims 1 and 5	"unbanked subscriber"	Plain and ordinary meaning	"a subscriber that does not have a financial institution account."
'386 Patent claims 1-3; '413 Patent claims 1-2; '488 Patent claim 1; '196 Patent claim 1	"payment handler" / "payment handler service"	Plain and ordinary meaning Alternatively, if means-plus-function: Function: operable to interact with payment processors. Structure: '386 Patent claims 1-3 '413 Patent claims 1-2 '488 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) Function: "expose a common API for interacting with different payment processors" ('488, '196)

Fintiv, Inc. v. PayPal Holdings, Inc., C.A. No. 6:22-cv-00288-ADA
Joint Claim Construction Statement-Disputed Terms

Claim(s)	Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
		'196 Patent claim 1 '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) Provisional Application 61/493064 ("PA") (Figure 1) PA Figures 2A-E (Registration and Activation) PA Figures 7A-E (Deposit Cash) PA Figures 8A-8I (Withdraw Cash) PA Figures 9A-9G (Bill Payment) PA Figures 11A-11J (Money Transfer) PA Figures 1-11 '386 Patent at 13:29-34 '386 Patent at 4:65-7:3	Structure: None, and therefore indefinite under 112(f)
'386 Patent claims 1-3; '413 Patent claims 1-2	"database services" / "storage system"	Plain and ordinary meaning Alternatively, if means-plus –function: Function: operable to store at least financial transaction details, store customer profiles, and manage money containers Structure: '386 Patent claims 1-3 '413 Patent claims 1-2 '386 Patent Figure 1 Corresponding '386 Patent Figures	This is a means-plus-function limitation. Function: storing financial transaction details, store customer profiles, and manage money containers. Structure: None, and therefore indefinite under 112(f).

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	"business process services"	Plain and ordinary meaning, not means plus function Alternatively, if means-plus-function: Function: implementing business workflows, including at least one of executing financial transactions, auditing financial transactions, invoking third-party services, and logging platform objects. Structure: '386 Patent claims 1-3 '413 Patent claims 1-2 '386 Patent Figure 1 Corresponding '386 Patent Figures	This is a means-plus-function limitation. Function: implement business workflows, including at least one of executing financial transactions, auditing financial transactions, invoking third-party services, handling errors, and logging platform objects Structure: None, and therefore indefinite under 112(f).

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'488 Patent claim 1; '196 Patent claim 1	"presented to"	Plain and ordinary meaning	"displayed to or placed near"