

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

CARDWARE INC.,
Patent Owner

IPR2025-01149
Patent 11,176,538

**PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY
RESPONSE**

Patent Owner argues that limitation 1(g) requires “using” both “device-specific static limited-use payment information” and “dynamically-generat[ed] ... device specific limited-use payment information” because the limitation uses the plural form, “limited-use payment informations.” Patent Owner’s Preliminary Response (“POPR”) (Paper 9) at 46-47. Patent Owner’s interpretation is not warranted in view of the surrounding claim language and the specification and is further irrelevant because the Petition expressly describes “using” both pieces of information in a transaction, as recognized by Patent Owner.

“[I]n context, the plural can describe a universe ranging from one to some higher number, rather than requiring more than one item.” *Versa Corp. v. Ag-Bag Int’l Ltd.*, 392 F.3d 1325, 1330 (Fed. Cir. 2004). The context here dictates that “said limited-use payment informations” includes one or more pieces of “limited-use payment information.” ***First***, the surrounding claim language demonstrates that separate types of “limited-use payment information” are specifically identified when required: the subsequent claim limitation requires “combining said dynamically-generated limited-use payment information with said static limited-use payment information.” *See* EX1001, 19:64-66 (limitation 1(h)). Under Patent Owner’s view, the claims would have recited just “combining said limited-use payment informations,” but they do not. By expressly reciting the two specific types of “limited-use payment information” to be “combin[ed],” limitation 1(h) contrasts

with limitation 1(g), which uses different language allowing for either type, or both types, of the “limited-use payment information” recited in the claim.

Second, the specification describes “using” “dynamically-generated” payment information only in place of issuer-supplied payment information, such as a card or account number. *See* EX1001, 10:22-11:3, 18:4-13. While a limited-duration payment number displayed on a device may include a “static portion of the payment number” (*id.* at 11:9-13, 18:2-4), in addition to dynamically generated information (*id.* at 10:53-64, 17:26-37), the specification does not ever describe the static portion as “device-specific” or “limited-use payment information” that is used *in place of* “issuer-supplied information,” as recited in limitation 1(g). Thus, the specification does not support Patent Owner’s construction. *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1315 (Fed. Cir. 2005) (noting the specification is “always highly relevant” and the “single best guide” to determining the meaning of a claim term).

Regardless, even if limitation 1(g) requires both types of “limited-use payment information,” there is no dispute the Petition maps both pieces of information being used in place of “issuer-supplied payment information.” The Petition and Declaration of Dr. Neuman clearly explain that Smith’s PPAN (i.e., device-specific static limited-use payment information) is used in a transaction in place of an actual PAN (i.e., “issuer-supplied payment information”) and that it

would have been obvious to implement Smith's teachings in Lin's system. Pet. 21-25 (limitation 1(e)); EX1003, ¶¶124-133. Likewise, it would have been obvious to use Varadarajan's DCV ("device-specific limited-use payment information") in place of a CVV ("issuer-supplied payment information") for a given transaction. Pet. 25-27 limitation 1(f); EX1003, ¶¶134-145. The Petition continues that "it would have been obvious to replace the card number/PAN with the PPAN (said static limited-use payment information), and the CVV with the DCV (said dynamically generated limited-use payment information) to form "complete device payment information." Pet. 30 (limitation 1(h)); EX1003, ¶146. This combined information is then "used" in the transaction. Pet. at 30-34 (limitations 1(i)-(j)); EX1003, ¶¶147-153. Thus, the Petition clearly explains how the proposed combination teaches limitation 1(g), even under PO's construction.

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**CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.105(a)**

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(b), the undersigned certifies that on November 3, 2025, a complete and entire copy of this *Petitioner's Reply to Patent Owner's Preliminary Response* were served via electronic filing with the Board and via Electronic Mail on the following practitioners of record for Patent Owner:

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