IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CARDWARE INC., *Plaintiff,*	§	
	§	**CASE NO. 1:25-cv-00446-ADA**
v.	§	
APPLE INC., *Defendant.*	§	

CLAIM CONSTRUCTION ORDER

The Court provided preliminary claim constructions on August 27, 2025 for terms in U.S. Patent Nos. 10,339,520 ("the '520 Patent"), 10,628,820 ("the '820 Patent"), 11,176,538 ("the '538 Patent"), 10,810,579 ("the '579 Patent"), 11,328,286 ("the '286 Patent"), and 11,620,634 ("the '634 Patent"). The Court held a claim construction hearing on August 28, 2025, in which the Court heard argument. 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.

#	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
1	"the payment information" '520 Patent, Claim 10	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.

2	"Markush Group Claim Terms" (listed in D.I. 43-11) '520 Patent, Claims 10-14, 17- 20; '820 Patent, Claims 1, 10- 11, 13-15, 19-20; '579 Patent, Claims 2-3, 5-9, 11-12, 14-18, 20, 23; '538 Patent, Claims 1, 3, 7, 11, 19, 22, 23, 26, 30; '286 Patent, Claim 12	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.
3	"limited-use" '520 Patent, Claims 10, 18, 22, 23 '820 Patent, Claims 1, 4, 10, 11, 13, 14, 15, 17, 18, 19 '579 Patent, Claims 1, 3, 4, 5, 6, 15, 19, 21, 22, 23 '538 Patent, Claims 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 28, 29, 30 '286 Patent, Claims 1, 6, 8, 9, 15, 16, 20, 22, 23, 24, 26 '634 Patent, Claims 1, 2, 4, 5, 6, 18, 19, 20, 21, 22, 29, 30, 36, 37, 38, 39, 45, 56, 621	Not indefinite. Plain and ordinary meaning	"limited to a finite number of transactions or specified period of time—e.g., 2 minutes, 10 minutes, 3 hours"	Plain and ordinary meaning.

4	"Printed Matter Terms" (listed in D.I. 43 at 17–18, 20) '520 Patent Claim 14; '820 Patent, Claims 1, 2, 11, 12, 15, 16; '579 Patent Claims 1, 9, 15; '286 Patent, Claims 1, 5, 10, 15, 19, 20	Not indefinite. Plain and ordinary meaning. Not subject to the printed matter doctrine.	Not entitled to patentable weight	Plain and ordinary meaning. Not subject to the printed matter doctrine.
5	"the system of claim 15 . . . comprising . . . a user input providing for at least one user action . . ." '820 Patent, Claim 20	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.
6	"the method of claim 1 wherein a payment processing authority verifies a limited-use number . . . And rejecting a limited use number" '579 Patent, Claim 6	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.
7	"said secrets" '538 Patent, Claim 27	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.
8	"its valid limitations of use" '286 Patent, Claims 1 and 15	Not indefinite. Plain and ordinary meaning	Indefinite	Not indefinite. Plain and ordinary meaning.

Further, the parties have reached agreement on the construction of certain claim terms listed in their Joint Claim Construction Statement. Dkt. No. 63. The Court adopts the parties' agreed constructions for these claim terms.

SIGNED this 29th day of August, 2025.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE