

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CARDWARE INC.

Plaintiff,

v.

**SAMSUNG ELECTRONICS CO., LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.,**

Defendants.

CIVIL ACTION No. 2:22-00141-JRG-RSP

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to P.R. 4-3 of the Rules of Practice for Patent Cases before the Eastern District of Texas, and the Court’s Amended Docket Control Order (Dkt. 59), Plaintiff CardWare Inc. (“CardWare”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Samsung”) hereby submit this Joint Claim Construction and Prehearing Statement pursuant to P.R. 4-3. The patents asserted in this case are U.S. Patent No. 10,339,520 (“the ’520 Patent”), U.S. Patent No. 10,628,820 (“the ’820 Patent”), U.S. Patent No. 10,810,579 (“the ’579 Patent”), U.S. Patent No. 11,176,538 (“the ’538 Patent”), and U.S. Patent No. 11,328,286 (“the ’286 Patent”).

I. P.R. 4-3(a)(1): Agreed Constructions

Pursuant to P.R. 4-3(a)(1), the parties have not agreed on any constructions.

II. P.R. 4-3(a)(2): Proposed Constructions of Disputed Terms; Intrinsic and Extrinsic Evidence

CardWare’s proposed constructions and related required disclosures are attached as Exhibit 1. Exhibit 2 contains Samsung’s proposed constructions for each disputed claim term and intrinsic and other evidence in support. Where intrinsic and extrinsic citations have been made for a particular claim term, phrase, or clause they should be understood as applicable to each other instance where the same term, phrase, or clause appears elsewhere.

III. P.R. 4-3(a)(3): Anticipated Length of Hearing

The claim construction hearing in this action is scheduled to occur on August 1, 2023 at 9:00 a.m. in Marshall, Texas before Judge Roy Payne. Dkt. No. 59 at 4. CardWare anticipates two (2) hours will be required, with each side being allotted one (1) hour. Samsung anticipates four (4) hours will be required, with each side being allotted two (2) hours.

IV. P.R. 4-3(a)(4): Witnesses

The parties do not expect to call any witnesses at the claim construction hearing.

V. P.R. 4-3(a)(5): Other Issues for a Prehearing Conference

Pursuant to P.R. 4-3(a)(5), the parties are unaware of any other issues that would be appropriate for a prehearing conference.

Dated: May 12, 2023

By: /s/ Eric H. Findlay

Matthew Berkowitz (*pro hac vice*)
California Bar No. 310426
Reichman Jorgensen Lehman & Feldberg LLP
100 Marine Parkway, Suite 300
Redwood Shores, CA 94065
Tel: (650) 623-1401
Fax: (650) 560-3501
Email: mberkowitz@reichmanjorgensen.com

Eric H. Findlay
State Bar No. 00789668
Brian Craft
State Bar No. 04972020
FINDLAY CRAFT, P.C.
7270 Crosswater Avenue, Suite B
Tyler, Texas 75703
Tel: (903)534-1100
Fax: (903)534-1137
efindlay@findlaycraft.com
bcraft@findlaycraft.com

Attorneys for Plaintiff CardWare Inc.

Respectfully submitted,

/s/ Allan M. Soobert

Allan M. Soobert
allansoobert@paulhastings.com
Kecia Reynolds (*pro hac vice*)
keciareynolds@paulhastings.com
David Valente (*pro hac vice*)
davidvalente@paulhastings.com
PAUL HASTINGS LLP
2050 M Street NW
Washington, D.C. 20036
Telephone: 202-551-1700
Facsimile: 202-551-1705

Robert Laurenzi
robertlaurenzi@paulhastings.com
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 318-6000
Facsimile: (212) 319-4090

Melissa R. Smith (TX Bar No. 24001351)
melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S. Washington Ave.
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

***Attorneys for Defendants
SAMSUNG ELECTRONICS CO., LTD AND
SAMSUNG ELECTRONICS AMERICA,
INC.***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3) on May 12, 2023.

/s/ Eric H. Findlay
Eric H. Findlay

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for CardWare Inc. and Defendants met and conferred, and all parties agree to filing the foregoing document as a joint statement.

/s/ Eric H. Findlay
Eric H. Findlay

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
1	"cryptographic processor" '820 patent: claim 1; '579 patent: claim 23 '538 patent: claim 27	Plain and Ordinary Meaning	SAM-CW-PA-00000542-569 EMVCo, LLC, A Guide to EMV Chip Technology, Version 2.0 (Nov. 2014)	The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at Fig. 11, 1:45-50. The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at 1:41-46. The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 1:42-47.
2	"biometric sensor" '520 patent: claim 20 '820 patent: claim 20 '579 patent: claims 7, 15 '538 patent: claim 1	Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at Figs. 2A, 2B, 7; 2:49-3:4; 5:25-54; 6:11-33; 6:57-8:32; 9:8-10:2; 11:16-19; 11:27-42; 12:2-6; 12:37-42; 12:57-66; 13:22-32; 14:24-15:13.

¹ CardWare reserves the right to rely on any extrinsic evidence or alleged prior art identified by Samsung. CardWare further reserves the right to, if needed upon reviewing Samsung's brief, identify and rely on additional extrinsic evidence not presently known to it to oppose Samsung's proposed construction.

² CardWare reserves the right to rely on any intrinsic evidence or alleged prior art identified by Samsung. CardWare further reserves the right to, if needed upon reviewing Samsung's brief, further point out additional evidence in the intrinsic record, to oppose Samsung's proposed construction.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
				The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at Figs. 2A, 2B, 7, 8A, 9, 10; 2:52-3:10; 5:57-6:17; 6:46-7:2; 7:28-58; 7:59-9:9; 9:55-10:54; 12:7-10; 12:18-35; 12:64-13:1; 13:35-40; 13:56-66; 14:24-35; 15:28-16:38; 17:45-51; 19:6-14. The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Figs. 2A, 2B, 7; 2:48-3:3; 5:25-51; 6:11-33; 6:57-8:32; 9:8-10:2; 11:16-19; 11:27-42; 12:2-6; 12:37-42; 12:57-66; 13:22-32; 14:24-15:32; 16:38-44. The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at Figs. 2A, 2B, 7; 2:49-3:4; 5:26-53; 6:14-36; 6:63-8:42; 9:21-10:21; 11:43-46; 11:54-12:3; 12:31-35; 13:2-13:7; 13:23-32; 13:58-14:2; 14:63-16:7; 17:14-20; Table 1. The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 10:32-48; 10:49-56.
3	"static" '520 patent: claims 1, 10, 18, 23 '820 patent: claim 18	Not Indefinite, Plain and Ordinary Meaning		

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
	'579 patent: claims 21, 22 '538 patent: claims 1, 21, 27-30 '286 patent: claims 20, 21, 24-27			The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at Figs. 8A, 9, 11; 11:18-27; 11:36-44; 17:56-18:6. The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at 10:32-48; 10:53-60; 16:50-17:5. The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 10:53-11:3; 11:9-19; 17:26-18:10. The specification and prosecution history of the '286 patent, including but not limited to the following exemplary citations: '286 patent at Figs. 8A, 9, 11; 11:25-34; 11:43-51; 17:64-18:14. CardWare additionally intends to rely on the record of the following P.T.A.B. proceedings, including alleged prior art references: IPR2023-00196, IPR2023-00210, IPR2023-00211, IPR2023-00219, IPR2023-00314, PGR2023-00012, PGR2023-00013.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
4	"NFC transaction payment request" '579 patent: claim 19	Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Fig. 7; 2:62-3:3, 10:63-11:10, 12:23-42, 13:22-30, 15:14-45.
5	Entire Claim '579 patent: claim 13	Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Fig 7; 3:39-4:10; 15:40-45; 19:37-55.
6	"the payment information" '520 patent: claim 1	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.
7	"wherein the identification, selection, information and authorizing operations are exchanged wirelessly between the electronic device and the ATM via NFC; and, wherein the ATM is configured for performing the user selected account operation using the identification and authorizing information; and, wherein	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
	the identification and authorizing information exchanged wirelessly between the electronic device and the ATM comprises: statically and dynamically generated limited-use number portions"			
8	'520 patent: claim 18 "the identification and authorizing information"	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.
9	"issued payment information"; "an issuer provided payment information"; "the issuer provided payment information"; "a static device account number payment information"; "the payment information"; "a issuer provided payment"	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
	information"; "payment information"; "issuer provided payment information"			
10	'520 patent: claim 10 "the payment information"	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.
11	'520 patent: claim 23 "the limited-use number"	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.
12	'520 patent: claims 6, 7 "accepting a user input of issued payment information input at a touch screen display of the electronic device"; "the electronic device is configured to accept the user input by at least one of a means comprising: a touch sensor array; a touch screen; a keypad; buttons; device motion; an	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
	accelerometer; a biometric input; a proximity contact sensor; optical sensors; an NFC unit; a wireless interface; a wired connection; a USB connection; an RF antenna; an inductor assembly"			
13	'520 patent: claim 11 "the issuer provided payment information"	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37.
14	'520 patent: claim 17 "the payment information provided by the computing device is used in online transactions in place of a card issuers payment card information" '820 patent: claim 15	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at 19:57-24:63.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
15	"thin shaped body"; "a thin payment device"; "a thin card-shaped payment card device" '820 patent: Claims 1, 11, 15	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at Figs. 1, 2A, 2B, 4A, 4B, 5, 6, 11, 12; 2:40-41; 19:57-24:63.
16	"wherein a limited-use number comprises a device account number"; "combining the limited-use number and said device account number" '579 patent: Claim 4	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at 18:57-26:54.
17	"completing the transaction on the electronic device" '579 patent: Claim 11	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Figs. 2A, 2B, 7; 2:48-3:3; 5:25-51; 6:11-33; 6:57-8:32; 9:8-10:2; 11:16-19; 11:27-42; 12:2-6; 12:37-42; 12:57-66; 13:22-32; 14:24-15:32; 16:38-44; 18:57-26:54.
18	"a successful priming action" '579 patent: claim 13	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at 18:57-26:54.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
19	"imminent payment"; "imminent performance" '579 patent: Claims 18, 19	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Fig. 10; 12:2-15; 13:22-32; 14:55-15:13; 18:57-26:54.
20	"said limited-use payment information" '538 patent: claim 1	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
21	"the electronic device"; "the device inputs"; and "the electronic device" '538 patent: claim 25	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
22	"the communication interface" '538 patent: claim 25	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
23	"said dynamically generating said card validation value number" '538 patent: Claim 20	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
24	"the singular counted transaction" '538 patent: Claim 5	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
25	"said information" '538 patent: Claims 6, 9	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
26	"said selected account information" '538 patent: Claim 19	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
27	"said limited-use number" '538 patent: Claim 21	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
28	"a statically generated portions" '538 patent: Claim 25	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24. CardWare additionally intends to rely on the record of the following P.T.A.B. proceedings, including alleged prior art references: IPR2023-00219.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
29	"said device processor" '538 patent: Claim 27	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
30	"said secrets" '538 patent: Claim 27	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
31	"said user device" '538 patent: Claim 30	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24.
32	"its limitations of use" '286 patent: Claim 1	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '286 patent, including but not limited to the following exemplary citations: '286 patent at 19:49-24:19.
33	"valid range of device limitations" '286 patent: Claim 6	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '286 patent, including but not limited to the following exemplary citations: '286 patent at 19:49-24:19.
34	"static" '520 patent: claims 1, 10, 18, 23 '820 patent: claim 18 '579 patent: claims 21, 22	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 10:32-48; 10:49-56.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
	'538 patent: claims 1, 21, 27-30 '286 patent: claims 20, 21, 24-27			The specification and prosecution history of the '820 patent, including but not limited to the following exemplary citations: '820 patent at Figs. 8A, 9, 11; 11:18-27; 11:36-44; 17:56-18:6. The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at 10:32-48; 10:53-60; 16:50-17:5. The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 10:53-11:3; 11:9-19; 17:26-18:10. The specification and prosecution history of the '286 patent, including but not limited to the following exemplary citations: '286 patent at Figs. 8A, 9, 11; 11:25-34; 11:43-51; 17:64-18:14. CardWare additionally intends to rely in the record of the following P.T.A.B. proceedings, including alleged prior art references: IPR2023-00196, IPR2023-00210, IPR2023-00211, IPR2023-00219, IPR2023-00314, PGR2023-00012, PGR2023-00013.

EXHIBIT 1
CardWare's Preliminary Claim Constructions for P.R. 4-3 Joint Statement

No.	Term/Phrase/Clause Asserted Claim(s)	CardWare's Proposed Construction	Identification of Extrinsic Evidence ¹	Intrinsic Record ²
35	“device-specific [information]”; “user-specific information” '520 Patent, Claims 1, 10 '538 Patent, Claims 6, 8, 28	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at 15:63-20:37. The specification and prosecution history of the '538 patent, including but not limited to the following exemplary citations: '538 patent at 19:34-28:24
36	“proximity contact sensor”; “proximity contact”; “proximity possession” and “a biometric sensing of a recognized user proximity” '520 Patent, Claim 11 '579 Patent, Claims 8, 9, 11, 13, 15 '286 Patent, Claim 12	Not Indefinite, Plain and Ordinary Meaning		The specification and prosecution history of the '520 patent, including but not limited to the following exemplary citations: '520 patent at Abstract, Figs. 3, 4A, 4B; 2:29-31; 2:49-62; 7:46-62; 8:50-56; 9:16-59; 14:24-54; 15:14-32; 15:63-20:37. The specification and prosecution history of the '579 patent, including but not limited to the following exemplary citations: '579 patent at Abstract; Figs. 3, 4A, 4B; 2:28-30; 2:48-61; 7:46-62; 8:50-56; 9:16-59; 14:24-54; 15:14-32; 16:34-49; 18:57-26:24. The specification and prosecution history of the '286 patent, including but not limited to the following exemplary citations: '286 patent at Abstract, Figs. 3, 4A, 4B, 9, 10; 2:37-39; 2:57-3:5; 8:26-43; 9:35-42; 10:3-50; 15:35-67; 16:26-45; 17:48-63; 19:49-24:19.

EXHIBIT 2

SAMSUNG ELECTRONICS CO., LTD., AND SAMSUNG ELECTRONICS AMERICA, INC.'S PROPOSED CONSTRUCTIONS FOR DISPUTED CLAIM TERMS, PHRASES, AND CLAUSES, AND PROPOSED EVIDENCE IN SUPPORT

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
1.	"cryptographic processor" '820 patent: Claim 1 '579 patent: Claim 23 '538 patent: Claim 27	"a processor that is dedicated to carrying out cryptographic operations"	<i>See, e.g.,</i> '820 Patent, at 1:35-58, 10:56-11:4, 17:41- 44, Claims 10, 13, 19; '579 Patent, at 1:41-54, 10:4-23, 16:34-37, Claims 3, 5, 22, 23; '538 Patent, at 1:42-55, 10:23-39, 17:10-13, Claims 9, 18, 20, 22, 23, 27, 28.	<i>See, e.g.,</i> SAM-CW-00079308 (Ross Anderson et al., <i>Cryptographic Processors – A Survey</i> , University of Cambridge Computer Laboratory, Technical Report Number 641 (August 2005)); SAM-CW-00079327 (Lubos Gaspar, <i>Crypto- Processor – Architecture, Programming and Evaluation of the Security</i> (Ph.D Thesis, Jean Monnet University, 2012)). Samsung may also rely on the expert declaration of

Samsung reserves the right to rely on the U.S. Patent No. 10,339,520 ("the '520 Patent"); U.S. Patent No. 10,628,820 ("the '820 Patent"); U.S. Patent No. 10,810,579 ("the '579 Patent"); U.S. Patent No. 11,176,538 ("the '538 Patent"); and U.S. Patent No. 11,328,286 ("the '286 Patent") (collective, "the Asserted Patents"), the file histories of the Asserted Patents, any and all intrinsic and extrinsic evidence cited by CardWare, and intrinsic and extrinsic evidence not cited by CardWare but that add context to or to rebut evidence cited by CardWare. Samsung further reserves the right to rely on additional intrinsic evidence necessary for a full and complete understanding of the evidence cited by any party.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
2.	"biometric sensor" '520 patent: Claim 20 '820 patent: Claim 20 '579 patent: Claims 7, 15 '538 patent: Claim 1	"a sensor capable of identifying a user through contact"	<i>See, e.g.,</i> '520 Patent, at 14:30-54, 15:16-30, Claims 11, 19, 21, 22; '820 Patent, at 15:35-60, 16:22-38, Claims 8, 14; '579 Patent, at 14:30-54, 15:16-30, Claims 8, 9, 11, 13, 14, 18, 20; '538 Patent, at 15:3-28, 15:58-16:5, Claim 26.	Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023. Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
3.	"static" '520 patent: Claims 1, 10, 18, 23 '820 patent: Claim 18 '579 patent: Claims 21, 22 '538 patent: Claims 1, 21, 27-30 '286 patent: Claims 20, 21, 24-27	IPR Disclaimer: "remaining the same and not updated after a certain number of transactions or certain time period"²	<i>See, e.g.,</i> '520 Patent, at 10:33-36, 10:49-56; '820 Patent, at 11:18-23, 11:40-44, 18:4-6, 17:57-61, Figs. 8A, 9, 11, Claim 9; '579 Patent, at 10:32-41, 10:53-56, 16:50-54, 16:64-66; '538 Patent, at 10:53-62, 11:9-19, 17:37-18:8, Claim 25; '286 Patent, at 11:25-36, 11:47-55, 17:64-18:3, 18:8-20, Figs. 8A, 9, 11.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

Samsung contends this claim term is indefinite, but to the extent it is not found indefinite, Samsung proposes a construction in the alternative.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
			<i>See also</i> '520 POPR (Exhibit B to Madisetti Declaration), at 1, 15, 19.	
4.	"NFC transaction payment request" '579 Patent, Claim 19	"a request for payment details received at a user device via NFC transmission" OR "a request for limited-use payment information received at a user device via NFC transmission"	<i>See, e.g.,</i> '579 Patent, at 2:62-3:3, 6:36-48, 10:63-11:3, 11:67-12:15, 12:8-11, 12:34-42, 13:22-30, 14:24-34, 15:16-32, 15:33-40; Fig. 7; Claims 1, 11.	Samsung may rely on the expert declaration of Dr. Vijay Madisetti, which was timely served on Plaintiff on May 12, 2023.
5.	Entire Claim '579 Patent, Claim 13	The claimed method steps must be performed in the order that they are claimed.	<i>See, e.g.,</i> '579 Patent, at 11:39-42, 13:22-32, 9:16-39, 9:40-48, 9:49-59, 14:34-54, 14:55-15:13, 15:14-40, 15:41-45; Figs. 2C, 3, 7.	Samsung may rely on the expert declaration of Dr. Vijay Madisetti, which was timely served on Plaintiff on May 12, 2023.
6.	"the payment information" '520 Patent, Claim 1	Indefinite	<i>See, e.g.,</i> '520 Patent, at 6:61-7:18, 10:4-48, 10:63-11:26, 12:16-22, 14:8-23; Claims 1, 10.	Samsung may rely on the expert declaration of Dr. Vijay Madisetti, which was timely served on

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
7.	“wherein the identification, selection, information and authorizing operations are exchanged wirelessly between the electronic device and the ATM via NFC; and, wherein the ATM is configured for performing the user selected account operation using the identification and authorizing information; and, wherein the identification and authorizing information exchanged wirelessly between the electronic device and the ATM comprises: statically and dynamically generated limited-use number portions” '520 Patent, Claim 18	Indefinite	See, e.g., '520 Patent, at 2:32-48, 12:37-42; Claims 18-19.	Plaintiff on May 12, 2023. Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
8.	"the identification and authorizing information" '520 Patent, Claim 19	Indefinite	<i>See, e.g., '520 Patent, at 2:32-48, 12:37-42; Claims 18-19.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
9.	"issued payment information"; "an issuer provided payment information"; "the issuer provided payment information"; "a static device account number payment information"; "the payment information"; "a issuer provided payment information"; "payment information"; "issuer provided payment information" '520 Patent, Claim 10	Indefinite	<i>See, e.g., '520 Patent, at 6:61-7:18, 10:4-48, 10-63-11:26, 12:16-22, 14:8-23; Claim 10.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
10.	"the payment information" '520 Patent, Claim 23	Indefinite	<i>See, e.g., See, e.g., '520 Patent, at 6:61-7:18, 10:4-48, 10-63-11:26, 12:16-22, 14:8-23; Claims 18, 23.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
11.	"the limited-use number" '520 Patent, Claims 6, 7	Indefinite	See, e.g., '520 Patent, at 2:8-31, 2:63-3:4, 7:1-18, 10:3-31, 10:32-48, 11:43-55, 11:56-12:15, 14:8-23; Claims 1, 6, 7.	Plaintiff on May 12, 2023. Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
12.	"accepting a user input of issued payment information input at a touch screen display of the electronic device"; "the electronic device is configured to accept the user input by at least one of a means comprising: a touch sensor array; a touch screen; a keypad; buttons; device motion; an accelerometer; a biometric input; a proximity contact sensor; optical sensors; an NFC unit; a wireless interface; a wired connection; a USB connection; an RF	Indefinite	See, e.g., '520 Patent, at 5:25-54, 6:31-48, 7:1-18, 9:16-48, 11:27-55, 11:57-12:15; Claims 10, 11.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
	antenna; an inductor assembly" '520 Patent, Claim 11			
13.	"the issuer provided payment information" '520 Patent, Claim 17	Indefinite	<i>See, e.g., '520 Patent, at 6:61-7:18, 10:4-48, 10:63-11:26, 12:16-22, 14:8-23; Claims 10, 17</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
14.	"the payment information provided by the computing device is used in online transactions in place of a card issuers payment card information" '820 Patent, Claim 15	Indefinite	<i>See, e.g., '820 Patent, at 7:33-58, 10:55-11:35, 11:51-12:17, 13:12-19, 17:57-18:12; Fig. 11; Claim 15.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
15.	"thin shaped body"; "a thin payment device"; "a thin card-shaped payment card device" '820 Patent, Claims 1, 11, 15	Indefinite	<i>See, e.g., '820 Patent, at 2:35-51, 8:20-37, 10:44-54; Claims 1, 11, 15; Figs. 1, 2A, 2B, 4A, 4B, 6, 8A, 8B, 9-12.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
16.	“wherein a limited-use number comprises a device account number”; “combining the limited-use number and said device account number” 579 Patent, Claim 4	Indefinite	<i>See, e.g.,</i> '579 Patent, at 2:24-30, 6:61-7:18, 10:3-62, 11:43-55, 15:33-40; Claim 4.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
17.	“completing the transaction on the electronic device” '579 Patent, Claim 11	Indefinite	<i>See, e.g.,</i> '579 Patent, at 2:62-3:3, 4:46-5:2, 10:4-31, 12:44-13: 61; Figs. 2C, 3, 7; Claims 1, 11.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
18.	“a successful priming action” '579 Patent, Claim 13	Indefinite	<i>See, e.g.,</i> '579 Patent, at 12:30-42, 14:24-54, 15:14-32; Claims 1, 13, 14.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
19.	“imminent payment”; “imminent performance” '579 Patent, Claims 18, 19	Indefinite	<i>See, e.g.,</i> '579 Patent, at 12:2-22, 13:22-32, Claims 18, 19.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
20.	"said limited-use payment information" '538 Patent, Claim 1	Indefinite	<i>See, e.g., '538 Patent, at 2:25-31, 2:63-3:4, 7:17-25, 10:23-11:19, 12:4-16, 14:3-13; Claim 1.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
21.	"the electronic device"; "the device inputs"; "the electronic device"; '538 Patent, Claim 25	Indefinite	<i>See, e.g., '538 Patent, at 2:49-3:4, 4:45-5:2, 5:26-56, 7:1-25, 9:21-64; Claim 25.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
22.	"the communication interface" '538 Patent, Claim 25	Indefinite	<i>See, e.g., '538 Patent, at 2:32-48, 7:1-26; Claim 25.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
23.	"said dynamically generating said card validation value number" '538 Patent, Claim 20	Indefinite	<i>See, e.g., '538 Patent, at 10:53-11:3, 16:22-38, 17:26-18:11; Claims 19, 20.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
24.	"the singular counted transaction" '538 Patent, Claim 5	Indefinite	<i>See, e.g.,</i> '538 Patent, at Col. 18-19 (Table 1); Claims 1, 5.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
25.	"said information" '538 Patent, Claims 6, 9	Indefinite	<i>See, e.g.,</i> '538 Patent, at 2:25-31, 2:63-3:4, 7:1-25, 10:23-11:19, 11:20-53, 12:4-16, 14:3-13; Claims 1, 6, 9.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
26.	"said selected account information" '538 Patent, Claim 19	Indefinite	<i>See, e.g.,</i> '538 Patent, at 2:25-31, 2:63-3:4, 7:1-25, 10:23-11:19, 11:20-53, 12:4-16, 14:3-13; Claim 19.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
27.	"said limited-use number" '538 Patent, Claim 21	Indefinite	<i>See, e.g.,</i> '538 Patent, at 2:25-31, 2:63-3:4, 7:17-25, 10:23-11:19, 11:20-53, 12:4-16, 14:3-13; Claims 19, 21.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
28.	"a statically generated portions" '538 Patent, Claim 25	Indefinite	<i>See, e.g., '538 Patent, at 10:54-58, 11:9-12, 17:26-18:11; Claim 25.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
29.	"said device processor" '538 Patent, Claim 27	Indefinite	<i>See, e.g., '538 Patent, at Figs. 2A, 2B; 1:42-55, 2:32-62, 5:25-6:53, 8:31-60, 14:14-32; Claims 25, 27.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
30.	"said secrets" '538 Patent, Claim 27	Indefinite	<i>See, e.g., '538 Patent, at 7:1-25, Claims 25, 27.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
31.	"said user device" '538 Patent, Claim 30	Indefinite	<i>See, e.g., '538 Patent, at 2:49-3:4, 4:45-5:2, 5:26-56, 7:1-25, 9:21-64; Claims 25, 30.</i>	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
32.	"its limitations of use" '286 Patent, Claim 1	Indefinite	<i>See, e.g.,</i> '286 Patent, at 9:63-10:28, 10:63-11:24, 13:27-47, 16:1-25; Claim 1.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
33.	"valid range of device limitations" '286 Patent, Claim 6	Indefinite	<i>See, e.g.,</i> '286 Patent, at 9:63-10:28, 10:63-11:24, 13:27-47, 16:1-25; Claims 1, 6.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
34.	"static" '520 Patent, Claims 1, 10, 18, 23 '820 Patent, Claim 18 '579 Patent, Claims 21, 22 '538 Patent, Claims 1, 21, 27-30 '286 Patent, Claims 20, 21, 24-27	Indefinite	<i>See, e.g.,</i> '520 Patent, at 10:33-36, 10:49-56; '820 Patent, at 11:18-23, 11:40-44, 18:4-6, 17:57-61, Figs. 8A, 9, 11, Claim 9; '579 Patent, at 10:32-41, 10:53-56, 16:50-54, 16:64-66; '538 Patent, at 10:53-62, 11:9-19, 17:37-18:8, Claim 25; '286 Patent, at 11:25-36, 11:47-55, 17:64-18:3, 18:8-20, Figs. 8A, 9, 11. <i>See also</i> '520 POPR (Exhibit B to Madiseti Declaration),	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.

No.	Term/Phrase/Clause Claim	Samsung's Proposed Construction	Samsung's Supporting Evidence ¹	
			Intrinsic Evidence	Extrinsic Evidence
			at 1, 15, 19; '520 Patent, Claims 1, 10, 18, 23; '820 Patent, Claim 18; '579 Patent, Claims 21, 22; '538 Patent, Claims 1, 21, 27-30; '286 Patent, Claims 20, 21, 24-27.	
35.	"device-specific [information]"; "user-specific information" '520 Patent, Claims 1, 10 '538 Patent, Claims 6, 8, 28	Indefinite	<i>See, e.g.,</i> '520 Patent, at 13:44-61, 14:55-15:13, Claims 1, 10, 12-13; '538 Patent, 14:14-32, 15:29-54, Claims 6, 8, 28.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.
36.	"proximity contact sensor"; "proximity contact"; "proximity possession" and "a biometric sensing of a recognized user proximity" '520 Patent, Claim 11 '579 Patent, Claims 8, 9, 11, 13, 15 '286 Patent, Claim 12	Indefinite	<i>See, e.g.,</i> '520 Patent, at 2:55-59, 8:63-65, 14:34-42, Claim 11; '579 Patent, at 7:53-56, 8:53-55, 14:33-35, Claims 8, 9, 11, 13, 15; '286 Patent, at 8:33-36, 9:38-41, 15:45-47, 16:35:37, Claim 12.	Samsung may rely on the expert declaration of Dr. Vijay Madiseti, which was timely served on Plaintiff on May 12, 2023.