

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

TELCOM VENTURES LLC,
Patent Owner

Inter Partes Review Case No. IPR2025-01239
U.S. Patent No. 12,028,793

**PETITIONER'S OPPOSITION TO PATENT OWNER'S
REQUEST FOR DISCRETIONARY DENIAL**

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I. DISCRETIONARY DENIAL IS INAPPROPRIATE

Patent Owner (“PO”) describes its patent family as generally directed to “sensing physiological data...and using proximity criteria in connection with executing [financial] transactions” using a smartphone (EX1043, 1), and it has asserted all eight patents against Petitioner’s Apple Pay with biometric authentication. But proximity-based transactions were standardized before the 2008 priority date (*See* Paper 1, 12–13), and the Office correctly rejected the Applicant’s repeated efforts to obtain proximity-focused claims during the earliest patent’s examination. Shortly *after* Apple Pay was released to market in 2014, the Applicant amended its pending claims to require physiological sensing. While this amendment eventually led to allowance, the claims were allowed only after the Applicant misled the Office to ignore unambiguous physiological sensing teachings in the prior art. That material error propagated through the entire family, including the ’793 Patent, and strongly favors instituting review.

A. The Patent Office Erred in a Manner Material to Patentability During the Examination of the ’793 Patent

Instituting Apple’s IPR is “an appropriate use of Office resources to review” material errors to the patentability of the Challenged Claims that the Patent Office made during examination. *TSMC Ltd. v. Marlin Semiconductor Ltd.*, IPR2025-

00847, Paper 11 at 4 (Director Sept. 3, 2025); *Skullcandy Inc. v. Earin AB*, IPR2025-00690, Paper 9 at 2 (Director July 31, 2025). Here, the Office made material errors during the examination of the '793 Patent's grandparent, U.S. Patent No. 9,462,411 ("the '411 Patent"), which propagated through examination of the '793 Patent.

The '411 Patent was filed on November 4, 2008, and issued on October 4, 2016, after many claim amendments proposed over the course of nearly five years of substantive examination. None of the original claims, for example, were directed to sensing physiological data. EX1044 ('411 File History), 24–32. Instead, the early claims focused on enabling a mode of communication in response to a proximity condition. *Id.*, 24–32, 115–23, 157–65, 220–24, 266–69, 316–20, 346–50. Those claims were repeatedly and correctly rejected.

Applicant's *eighth* proposed Amendment added "sensing the value of the physiological data" "using a smartphone-based sensor" on November 24, 2015—seven years after filing. *Id.*, 431–32. While Applicant's amendment finally gained traction with the Office, claims were allowed only after the Applicant convinced the Office to ignore the prior art's clear teaching of smartphone-based physiological sensing. In response to the Applicant's eighth amendment, the Examiner asserted that U.S. Patent Application Publication 2007/0197261 to Humbel ("Humbel") taught using a smartphone-based sensor to detect physiological data. *Id.*, 453-54.

The Examiner cited Humbel's Summary and Novelty sections, which unambiguously described the inventive concept as "a mobile handset device . . . with a fingerprint-sensor." *Id.* (citing Humbel at [0001-0002]). The Applicant insisted the Examiner had misapprehended Humbel's teachings. It pointed to two paragraphs from Humbel's State of the Art section, which observed that "mobile phones with . . . biometric authentication with a fingerprint sensor did not exist yet." *Id.*, 483. (emphasis in original). Based on Humbel's acknowledgement that its inventive disclosure provided a feature that did not previously exist in the market, the Applicant argued that Humbel cannot be relied upon for teaching a biometric sensor embedded in a mobile phone. *Id.* That is, the Applicant asked the Examiner to disregard Humbel's express teachings on the basis that those concepts did not pre-exist Humbel. The Examiner accepted this logically and legally flawed argument, issuing a notice of allowance that expressly cited Applicant's mischaracterizations of the prior art as "reasons for allowance." *Id.*, 500.

Separate from Humbel, the Applicant's claim that the prior art lacked a biometric sensor embedded in a mobile phone was also wrong. As supported by Apple's expert, biometric sensors embedded in mobile phones were prolific by the priority date of the '411 Patent. *See, e.g.*, EX1003, ¶ 63. For example, Holloway (EX1032) was prior art to the '411 Patent and disclosed a mobile telephone with a

fingerprint scanner. EX1032, 3:28–29. Further, prominent companies like Microsoft and Toshiba had mobile phones with integrated fingerprint scanners commercially available before the priority date of the '411 Patent. EX1003, ¶ 63. Accordingly, the Examiner accepting Applicant's arguments regarding Humbel and subsequent reversal of course, as well as his failure to locate the other prior art teaching the alleged novel limitation the Applicant added to the claims, constituted material error. *See, e.g., Samsung Elecs. Co., Ltd. v. Wilus Inst. of Standards & Tech. Inc.*, IPR2025-00933, Paper 11 at 4 (Oct. 10, 2025) (Office made material error by overlooking the teachings of the prior art that it had applied during examination).

Like the '411, the issued claims of the '793 require sensing parameters such as “physiological state and/or psychological state[.]” EX1001, Claim 1. Although these limitations were clearly taught by Humbel, the Examiner never applied any prior art to the physiological parameter limitations. Instead, the original claims were subjected only to a restriction requirement and a non-statutory double patenting rejection, both of which were overcome with an election and a terminal disclaimer. EX1002, 179–180, 196–200. The issued claims of the '793 Patent would have been rejected based on Humbel's disclosure had the applicant not misled the Examiner during prosecution of the preceding '411 Patent. Having accepted Applicant's misrepresentations of Humbel, the Examiner again materially erred by failing to

reject the claims of the '793 Patent and, ultimately, allowing the '793 Patent. *See, e.g., FreightCar Am., Inc. v. Nat'l Steel Car Ltd.*, IPR2025-01046, Paper 20 at 3 (Director Oct. 10, 2025) (appropriate to review divisional patent IPR where material error was shown in the divisional's parent patent); *Ascentcare Dental Prods., Inc. v. Solmetex, LLC*, IPR2025-01104, Paper 11 at 2–3 (Director Oct. 17, 2025).

B. Petitioner Has Developed Settled Expectations of Non-Enforcement

PO advances three arguments in support of its alleged settled expectations that the '793 Patent and its family of patents are valid—none support a finding of settled expectations. First, it highlights the age of the portfolio, noting that the oldest related patent was filed in 2008 and issued in 2016. Second, PO argues that the existence of many family members issued over a nine-year period supports settled expectations. Paper 7, 11–12. Third, PO argues that, since 2008, “each of the applications has been directed to the same technology area as the products accused of infringement in the Apple Litigation.” *Id.*, 12–13.

First, PO's reliance on the first-issued '411 Patent does not support a finding that PO has developed settled expectations in the '793 Patent. Paper 7, 10–11. As a threshold matter, like the '793 Patent, PO has dismissed with prejudice the '411 Patent and its child patent, the '708 Patent—the two oldest patents in the family—from the Parallel Litigation. EX1047. Apple sought to discuss dismissing all IPRs

challenging dismissed patents in exchange for a covenant not to sue on those patents, but PO ignored that outreach and never responded. Consequently, the '199 Patent is the oldest of this patent family subject to IPR, and it has been in force for less than six years, since 2019. Thus, PO has not even developed strong settled expectations in the oldest remaining patent in the family. *See Berkshire Hathaway Energy Co. v. MES, Inc.*, IPR2025-00274, Paper 23 (Director July 2, 2025) (“The challenged patents issued in 2019 and 2020, such that Patent Owner has not developed strong settled expectations that favor discretionary denial.”); *PacifiCorp v. MES, Inc.*, IPR2025-00717, Paper 24 at 2 (Director Aug. 22, 2025) (same). Moreover, the remaining three patents in the '199 Patent's family that are subject to Apple's IPRs issued in 2020, 2024, and 2024. Taken together, PO has not developed settled expectations in the '793 Patent or any of the challenged patents in its family. *See TankLogix, LLC v. SitePro, Inc.*, IPR2025-00647, Paper 10 at 2–3 (Director July 31, 2025) (Patent Owner had not developed strong settled expectations in that favor discretionary denial for challenged patents issued in 2019, 2021, 2022, and 2023).

PO's remaining arguments ignore that the patents resulted from material error caused by its own misleading characterizations of the prior art. *See supra* Section II.A. PO also mischaracterizes the patents. It erroneously contends that, “starting with the first application filed in November 2008, each of the [patents] . . . relates to

the use of a proximity criterion for completing financial transactions[.]” But neither the initial claims in 2008 nor the first-to-issue claims in 2016 include any language directed to financial transactions. *See* EX1044 (‘411 FH). Further, PO conveniently ignores the central nature of the physiological sensing to its patent family—a feature it touted in the litigation as core to its patents. *See* EX1043, 1 (“In general terms, the claims of the Asserted Patents . . . require sensing physiological data . . . and using proximity criteria in connection with executing the transactions, such as transactions performed using Apple Pay on iPhone smartphones.”).

Whether the patents’ focus is characterized as proximity-based financial transactions or sensing physiological data as a precursor to executing financial transactions, both features were known. In June 2007, Kyocera announced a service allowing a user to open mobile wallets using their fingerprint on a biometric NFC phone. EX1023, 9. Indeed, there was significant development related to standardizing NFC mobile payment technology. The ISO standard for NFC in conjunction with the ISO standard for contactless cards was already recognized as applicable to enacting “a standards-based path for implementing payment and other contactless applications on mobile phones.” *Id.*, 13. Thus, the focus on basic, well-known mobile payment features cannot support a settled expectation of validity.

In contrast, Petitioner developed a settled expectation of non-enforcement and thus had no reason to challenge the '793 Patent earlier than it did. None of the patents were asserted against anyone prior to the present suits, it was never commercialized, practiced, or marked. The inventors are not significant players in the NFC, biometric, or mobile payment spaces. Most importantly, Petitioner could not have challenged the '793 patent earlier because it had no knowledge of the patent until PO asserted it against Apple (and Samsung) in 2024. PO has presented no evidence of any demand letter sent to Apple—or to any other party—before 2024.

II. THE REMAINING INTERIM PROCESS MEMO CONSIDERATIONS WARRANT REFERRAL TO THE BOARD

A. Lacking Sufficient Support for Discretionary Denial of Apple's IPR, Patent Owner Improperly Relies on the Samsung Matters

While trial in the Samsung litigation is scheduled to occur before the deadline for a final decision in this IPR, PO's reliance on the trial date in the Samsung Litigation being scheduled to occur before the deadline for a final decision in this IPR, without more, does not justify discretionary denial. Paper 7, 7–8. The Director has found that a challenged patent's involvement in another district court proceeding “with a scheduled trial date earlier than the projected final written decision due date” did not weigh in favor of discretionary denial where the IPR petitioner “[is] not [a party] in that litigation, and it is unclear if the arguments presented in the Petition

are the same or substantially the same arguments as those that will be adjudicated in a district court.” *Intel Corp. v. Gen. Video, LLC*, IPR2025-01036, Paper 13 at 2–3 (Director Oct. 17, 2025). Here, PO has not shown that the arguments in Apple’s Petition are the same or substantially the same as those that will be adjudicated in the Samsung Litigation. Paper 7, 7–8. Nor could it. Samsung’s invalidity contentions do not advance Apple’s primary reference, *Carlson*, nor Apple’s secondary references, *Jazayeri*, *Doyle*, *Birch*, *Sherman*, or *Murakami*.¹ EX1048 (Samsung’s Invalidity Contentions), 9–16. This “counsel[s] against discretionary denial.” *Intel*, IPR2025-01036, Paper 13 at 2–3.

Similarly, PO’s reliance on the Samsung IPR does not justify discretionary denial. Paper 7, 5–6. Samsung’s IPRs have been discretionarily denied on other grounds. *See Samsung Elecs. Co., Ltd. v. Telecom Ventures LLC*, IPR2025-00957,

¹ While Samsung does rely on Apple’s secondary reference, *ISO-14443* (EX1048, 19), its reliance is materially different. The Petition relies on the *ISO-14443* standard for certain low-level communication details pursuant to *Carlson* expressly recommending this standard. Paper 1, 21. Samsung does not rely on *Carlson*, so the Samsung litigation will not adjudicate *Carlson*’s implementation of *ISO-14443*, as advanced in the Petition.

Paper 11 (Director Oct. 10, 2025). The PTAB has not considered the patentability merits of the '199 Patent. Thus, Apple's IPR presents the first opportunity to do so and does not represent a follow-on challenge. Paper 7, 5–6.

B. The Petition's Reliance on Expert Testimony is Exemplary, Favoring Institution

PO alleges, without explanation, that “the weakness of the Petition on the merits...weighs against institution.” Paper 7, 18. While PO cites to the forthcoming arguments it will present in its POPR against the merits of Apple's Petition, PO fails to explain “why the merits are relevant” to discretionary denial, as required. *See* <https://www.uspto.gov/patents/ptab/interim-director-discretionary-process>, II.C.i. For that reason alone, PO's argument can be rejected.

PO also contends that Apple's reliance on its expert declaration favors discretionary denial because Apple “relies heavily on expert testimony, assumptions, and inferences to fill in the gaps of the prior art in order to arrive at the claimed invention.” Paper 7, 13. PO's argument can be summarily rejected because PO “does not identify any portions of the expert testimony that suggest [Apple] is using its expert to fill gaps in the prior art.” *Cambridge Indus. USA, Inc. v. Applied Optoelectronics, Inc.*, IPR2025-00433, Paper 12 at 2 (PTAB June 27, 2025);

iRhythm Techs., Inc. v. Welch Allyn, Inc., IPR2025-00363, Paper 10 at 2 (PTAB June 6, 2025) (same).

Instead, PO alleges only that Apple’s reliance on its expert declaration is flawed because Apple “rel[ies] on [it] to establish what Petitioner contends would have been the relevant knowledge of [POSITAs], including how a POSITA allegedly would have understood or combined [the prior art] references to fit the language of the Challenged Claims.” Paper 7, 14. None of that amounts to gap-filling. Rather, this subject matter is precisely that which parties are expected to rely on supporting expert opinion for in IPRs. *See, e.g., Qualcomm Inc. v. Apple Inc.*, 24 F.4th 1367, 1376 (Fed. Cir. 2022) (expert testimony is “permissible evidence in an [IPR] for establishing the background knowledge possessed by a [POSITA]”); *Acoustic Tech., Inc. v. Itron Networked Sols., Inc.*, 949 F.3d 1366, 1376 (Fed. Cir. 2020) (“We have previously determined that expert testimony constituted substantial evidence of a motivation to combine to combine prior art references[.]”). Apple’s reliance on its expert declaration, therefore, is proper and provides no basis for the Director to discretionarily deny Apple’s IPR.

More importantly, detailed and evidence-supported expert declarations are encouraged, not discouraged, by the Board. *See Tesla, Inc. v. Charge Fusion Techs., LLC*, IPR2025-00032, Paper 11 at 39 (PTAB May 19, 2025) (characterizing the 278

page expert declaration’s support of “his extensive explanations...with citations to dozens of pieces of objective evidence” as “a feature, not a bug of his testimony[]” and “applaud[ing]” the expert and Petitioner for “leav[ing] virtually none of the substance of his testimony unsupported by objective evidence.”). Thus, detailed, well-supported expert declarations, like Mr. Lipoff’s, weigh *against* discretionary denial, not for it. *See iRhythm*, Paper 10 at 2 (Petitioner’s “rel[iance] on its expert to explain the background knowledge of a [POSITA]” and the expert’s “citations to evidence in support of his statements in the required manner” “weigh[] against discretionary denial”); *see also GD Energy Prods., LLC v. Kerr Machine Co.*, PGR2025-00031, Paper 11 at 2 (PTAB June 25, 2025) (same).

C. PO’s “Other Circumstances” Are Contradicted by the Record and Do Not Support Discretionary Denial

PO also cites “other circumstances” that it claims weigh against institution. Paper 7, 16–18. None has merit. PO first repeats its argument that the earlier scheduled jury trial in the Samsung Litigation weighs against institution. *Id.*, 16–17. For the reasons already explained, the Samsung Litigation does not justify discretionary denial. *See supra* Section III.A.

Next, PO points to Apple’s reliance on *Carlson* in all seven grounds of its Petition. Paper 7, 17–18. PO claims it “reserves the right to challenge *Carlson*’s

status as prior art[]” because “[l]itigation-related discovery related to conception and actual reduction to practice of the Challenged Patent and the other Telcom Ventures Patents *may* result in removing *Carlson* as prior art.” *Id.*, 17 (emphasis added). For at least two reasons, PO’s reservation of rights is entitled no weight. First, PO represented in the Samsung IPRs that the entire family of Challenged Patents’ “priority date is in 2008.” *Samsung Elecs. Co., Ltd. v. Telcom Ventures LLC*, IPR2025-00957, Paper 8 at 34 (Aug. 11, 2025). Not surprisingly, given this representation, PO does not actually commit to challenging *Carlson*’s prior art status, only that it reserves the right to do so. Paper 7, 17. Second, PO provides no evidence or argument suggesting that such a challenge is even viable, let alone likely. Paper 7, 17–18. PO’s alleged reason for not yet presenting its prior art challenge further undermines its intent to pursue its challenge. PO claims that it needs “litigation-related discovery” to determine the viability of its challenge to *Carlson*. *Id.*, 17. PO’s claim is nonsensical. As PO admits, the discovery it allegedly needs to support its challenge relates to the conception and reduction of the Challenged Patents. *Id.* But PO is, of course, the alleged *owner* of the *patents*. Thus, PO already has, or at least should have, all the information related to the conception and reduction of practice. Simply put, PO’s supposed challenge to *Carlson*’s prior art

status is both suspect and speculative and has no bearing on the Director's decision of whether to discretionarily deny Apple's IPR.

III. PO'S REFUSAL TO GRANT PETITIONER A COVENANT NOT TO SUE FAVORS REVIEW

PO makes much of the fact that the '793 Patent has been dismissed from the current lawsuit with prejudice. Paper 7, 2-3, 6-7. It argues that instituting review "would be 'an inefficient use of Board resources to review [] challenged patents that have been dismissed from the litigation.'" *Id.* at 6 (quoting *SAP America, Inc. v. Valtrus Innovations Ltd.*, IPR2025-00414, Paper 12 at 2-3 (Director July 10, 2025)). Petitioner was and is willing to forgo challenging the validity of the '793 Patent in exchange for an assurance from PO that Petitioner will never again be forced to defend against allegations that it infringes the patent. To establish that assurance, Petitioner offered to discuss terminating this proceeding in exchange for PO providing a covenant not to sue Petitioner in the future. To date, PO has not responded. Accordingly, there remains a risk that Petitioner will again have to defend itself against allegations of infringing the '793 Patent.

Discretionary denial would be unfair under these circumstances. PO may once again assert the '793 Patent against Petitioner in future litigation. Yet Petitioner would be barred from challenging the validity of the '793 Patent in this forum

because any such suit would presumably be filed outside Petitioner's statutory 12-month window to file an IPR petition. *Click-To-Call Techs., LP v. Ingenio, Inc., YellowPages.com, LLC*, 899 F.3d 1321, 1330 (Fed. Cir. 2018) (holding that an IPR “may not be instituted if the petition requesting the proceeding is filed more than 1 year after the date on which the petitioner . . . is served with a complaint alleging infringement of the patent” and observing that the statute provides no “exemptions for complaints served in civil actions that are subsequently dismissed, with or without prejudice”). This cannot be the intended framework under Section 314(a).

IV. CONCLUSION

For at least these reasons, Petitioner respectfully requests that the Board deny Patent Owner's request for discretionary denial.

Respectfully submitted,

BY: /s/ Paul R. Hart

Paul R. Hart, Reg. No. 59,646

COUNSEL FOR PETITIONER

APPENDIX OF EXHIBITS

Exhibit	Description
1001	U.S. Patent No. 12,028,793 (“ <i>the ’793 Patent</i> ”)
1002	File History of the ’793 Patent (“ <i>File History</i> ”)
1003	Declaration of Stuart Lipoff
1004	Intentionally Left Blank
1005	U.S. Patent No. 8,229,852 to Carlson (“ <i>Carlson</i> ”)
1006	U.S. Patent No. 9,558,485 to Griffin and Stone (“ <i>Griffin</i> ”)
1007	U.S. Patent Publication No. 2008/0155268 to Jazayeri et al. (“ <i>Jazayeri</i> ”)
1008	U.S. Patent Publication No. 2002/0095586 to Doyle et al. (“ <i>Doyle</i> ”)
1009	WIPO International Publication No. WO 01/95246 to Murakami et al. (“ <i>Murakami</i> ”)
1010	Complaint, Exhibit P, Claim Chart, 1:24-cv-23837-JEM, Doc 1-16
1011	Intentionally Left Blank
1012	Intentionally Left Blank
1013	Intentionally Left Blank
1014	U.S. Patent Publication No. 2007/0232358 to Sherman (“ <i>Sherman</i> ”)
1015	Samsung Electronics Co. Ltd. et al. Preliminary Infringement Contentions, 2:24-cv-00691
1016	<p>Int’l Org. for Standardization & Int’l Electrotechnical Comm’n, <i>ISO/IEC 14443-1: Identification Cards—Contactless Integrated Circuit(s) Cards—Proximity Cards—Part 1: Physical Characteristics</i> (1st ed. Apr. 15, 2000)</p> <p>Int’l Org. for Standardization & Int’l Electrotechnical Comm’n, <i>ISO/IEC 14443-2: Identification Cards—Contactless Integrated Circuit(s) Cards—Proximity Cards—Part 2: Radio Frequency Power and Signal Interface</i> (1st ed. July 1, 2001)</p> <p>Int’l Org. for Standardization & Int’l Electrotechnical Comm’n, <i>ISO/IEC 14443-3: Identification Cards—Contactless Integrated Circuit(s) Cards—Proximity Cards—Part 3: Initialization and Anticollision</i> (1st ed. Feb. 1, 2001)</p> <p>Int’l Org. for Standardization & Int’l Electrotechnical Comm’n, <i>ISO/IEC 14443-4: Identification Cards—Contactless Integrated Circuit(s) Cards—Proximity Cards—Part 4: Transmission Protocol</i></p>

	(1st ed. Feb. 1, 2001) (collectively, "ISO-14443")
1017	Intentionally Left Blank
1018	Intentionally Left Blank
1019	Intentionally Left Blank
1020	Merriam-Webster's Collegiate Dictionary (10th ed. 1998) (" <i>Merriam-Webster</i> ")
1021	Smart Card Alliance, <i>Contactless Payment and the Retail Point of Sale: Applications, Technologies and Transaction Models</i> (Mar. 2003) (" <i>Smartcard Alliance 2003</i> ")
1022	Sony Corp., Philips and Sony Announce Strategic Cooperation to Define Next-Generation Near Field Radio-Frequency Communications (Sept. 5, 2002), https://www.sony.com/en/SonyInfo/News/Press/200209/02-0905E/ (" <i>Sony</i> ")
1023	Smart Card Alliance, <i>Proximity Mobile Payments: Leveraging NFC and the Contactless Financial Payments Infrastructure</i> (Sept. 2007) (" <i>SC Alliance 2007</i> ")
1024	Agnieszka Zmijewska, <i>Evaluating Wireless Technologies in Mobile Payments—A Customer Centric Approach</i> , in Proc. Int'l Conf. on Mobile Bus. (ICMB '05) (2005) (" <i>Zmijewska</i> ")
1025	Kaveh Pahlavan & Prashant Krishnamurthy, <i>Principles of Wireless Networks</i> (Prentice Hall 2002) (" <i>Wireless Networks</i> ")
1026	Vedat Coskun, Kerem Ok & Busra Ozdenizci, <i>Near Field Communication: From Theory to Practice</i> (John Wiley & Sons Ltd. 2012) (" <i>NFC Textbook</i> ")
1027	Klaus Finkenzeller, <i>RFID Handbook: Fundamentals and Applications in Contactless Smart Cards, Radio Frequency Identification, and Near-Field Communication</i> (2d ed. John Wiley & Sons Ltd 2003) (" <i>RFID Handbook</i> ")
1028	Rudolf Graf, <i>Modern Dictionary of Electronics</i> (7th ed. Newnes 1999) (" <i>Graf</i> ")
1029	Harry Newton, <i>Newton's Telecom Dictionary</i> (23d ed. Flatiron Publishing 2007) (" <i>Newton's Telecom Dictionary</i> ")
1030	Intentionally Left Blank
1031	U.S. Patent No. 7,213,742 to Birch et al. (" <i>Birch</i> ")

1032	WIPO International Publication No. WO 02/49322 to Holloway and Falck (" <i>Holloway</i> ")
1033	Declaration of June Munford
1034	Brent A. Miller & Chatschik Bisdikian, <i>Bluetooth Revealed: The Insider's Guide to an Open Specification for Global Wireless Communications</i> (Prentice Hall 2001) (" <i>Bluetooth Revealed</i> ")
1035	CNET, <i>Photos: Hands-On With the Porsche P9521 Phone</i> (2007), https://www.cnet.com/tech/mobile/photos-hands-on-with-the-porsche-p9521-phone/ (" <i>Porsche P9521</i> ")
1036	Mobile Phone Museum, <i>Portégé G910</i> (Jan. 21, 2008), https://www.mobilephonemuseum.com/phone-detail/portege-g910 (" <i>Toshiba G910</i> ")
1037	CNET, <i>Toshiba Portege G500 Review</i> (June 2007), https://www.cnet.com/reviews/toshiba-portege-g500-review/ (" <i>Toshiba G500</i> ")
1038	CNET, <i>Toshiba Portégé G900 Review</i> (2007), https://www.cnet.com/reviews/toshiba-portege-g900-review/ (" <i>Toshiba G900</i> ")
1039	Farpoint Group, <i>The Broad Reach of Biometrics: Fingerprint Recognition and Mobile Security</i> , Farpoint Grp. Tech. Note No. FPG 2008-435.1 (Nov. 2008), https://media.techtarget.com/searchMobileComputing/downloads/Fingerprint_Recognition_and_Mobile_Security.pdf (" <i>Farpoint Group</i> ")
1040	U.S. Patent No. 8,943,580 to Fadell et al. (" <i>Fadell</i> ")
1041	Inst. of Elec. & Elecs. Eng'rs, <i>IEEE Standard for Information Technology—Telecommunications and Information Exchange Between Systems—Local and Metropolitan Area Networks—Specific Requirements—Part 15.1: Wireless Medium Access Control (MAC) and Physical Layer (PHY) Specifications for Wireless Personal Area Networks (WPANs)</i> , IEEE Std 802.15.1™-2005 (June 14, 2005) (" <i>Bluetooth</i> ")
1042	Notice of Sotera Plus Stipulation of Defendant Apple Inc., <i>Telcom Ventures LLC v. Apple Inc.</i> , Case No. 5:25-cv-05041

1043	Telcom's Memorandum of Law in Opposition to Apple's Motion to Dismiss, <i>Telcom Ventures LLC v. Apple Inc.</i> , Case No. 5:25-cv-05041, Dkt. 33
1044	File History of the '411 Patent
1045	Intentionally Left Blank
1046	Intentionally Left Blank
1047	Joint Stipulation and Order to Dismiss Counts I, II, V, and VIII of the Complaint, <i>Telcom Ventures LLC v. Apple Inc.</i> , Case No. 5:25-cv-05041, Dkt. 104
1048	Samsung's First Amended Invalidity Contentions, 2:24-cv-00691
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CERTIFICATE OF SERVICE ON PATENT OWNER

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on November 7, 2025, the foregoing *Petitioner's Opposition To Patent Owner's Request For Discretionary Denial and Exhibits* were served via electronic filing with the Board and via Electronic Mail on the following counsel of record for Patent Owner:

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