The Recent Rise in Financial Services & Open Source Litigation

Includes data from RPX & Unified Patents

May 19, 2022
### Defendants Added to Litigations by NPES, Percent Change from 2020 to 2021

Source: “Q4 in Review: Financial Services Litigation Doubles in 2021”, RPX Insight, January 21, 2022

<table>
<thead>
<tr>
<th>Sector</th>
<th>2020</th>
<th>2021</th>
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<tbody>
<tr>
<td>Automotive</td>
<td>89</td>
<td>92</td>
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<tr>
<td>Biotech &amp; Pharma</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>Consumer Electronics &amp; PCs</td>
<td>297</td>
<td>368</td>
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<tr>
<td>Consumer Products</td>
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<td>75</td>
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<tr>
<td>E-Commerce &amp; Software</td>
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<td>624</td>
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<tr>
<td>Financial Services</td>
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<tr>
<td>Industrial</td>
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<tr>
<td>Media Content &amp; Distribution</td>
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<td>Medical</td>
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<tr>
<td>Mobile Communications &amp; Devices</td>
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<td>Network</td>
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<td>Other Sectors</td>
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<tr>
<td>Semiconductors</td>
<td>148</td>
<td>147</td>
</tr>
</tbody>
</table>
Multiple campaign related to RDC and recent campaign related to e-tokens.
Multiple campaign related to RDC and recent campaign related to e-tokens.
FINANCIAL SERVICES & OPEN SOURCE LITIGATION
January - March 2021

- **3/5/21**: Mobile Networking Solutions (Dominion Harbor Enterprises)
- **3/9/21**: Intellectual Ventures (Intellectual Ventures)
- **3/9/21**: Xylon Licensing (IP Edge)
- **3/10/21**: USAA* (USAA)
- **3/12/21**: mCom IP (mCom IP)
- **3/14/21**: Proxense (Proxense)
- **3/16/21**: William Grecia (William Grecia)
- **3/18/21**: Caselas (Raymond Anthony Joao)
- **3/20/21**: AuthWallet (Dynamic IP Deals)
- **3/22/21**: AML IP (Dynamic IP Deals)
- **3/24/21**: Navio (IP Edge)
- **3/26/21**: Authkom (IP Edge)
- **3/28/21**: AML IP (Dynamic IP Deals)
- **3/30/21**: AuthWallet (Dynamic IP Deals)
- **4/1/21**: AuthWallet (Dynamic IP Deals)
- **4/3/21**: AuthWallet (Dynamic IP Deals)
- **4/5/21**: AuthWallet (Dynamic IP Deals)
- **4/7/21**: AuthWallet (Dynamic IP Deals)
- **4/9/21**: AuthWallet (Dynamic IP Deals)
- **4/11/21**: AuthWallet (Dynamic IP Deals)
- **4/13/21**: AuthWallet (Dynamic IP Deals)
- **4/15/21**: AuthWallet (Dynamic IP Deals)
- **4/17/21**: AuthWallet (Dynamic IP Deals)
- **4/19/21**: AuthWallet (Dynamic IP Deals)
- **4/21/21**: AuthWallet (Dynamic IP Deals)
- **4/23/21**: AuthWallet (Dynamic IP Deals)
- **4/25/21**: AuthWallet (Dynamic IP Deals)
- **4/27/21**: AuthWallet (Dynamic IP Deals)
- **4/29/21**: AuthWallet (Dynamic IP Deals)
- **4/30/21**: AuthWallet (Dynamic IP Deals)

**3/5/21**
- Goldman Sachs
- E*TRADE
- Teleport
- Xilinx
- Autodesk
- Oracle Cloud
- Okta
- JPMorgan Chase
- Microsoft
- IBM
- Adobe
- Netflix

**3/9/21**
- Docker
- Kubernetes
- Apache Zookeeper
- Open MPI
- PVM
- QEMU
- OpenStack - Nova
- Linux Kernel
- Apache Hadoop
- Ceph
- Gluster
- OpenStack - Swift
- Rook possibly EVMS
- GFS

**3/10/21**
- First Texas Bank
- PNC Bank
- Plains Capital Bank
- RDC

**3/12/21**
- Electronic tokens, eCommerce
- Financial document storage / Access

**3/14/21**
- Biometric authentication
- Authentication
- Charge-back processing

**3/16/21**
- Security service
- Citi
- American Express

**3/18/21**
- Multi-factor authentication
- eCommerce

**3/20/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**3/22/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**3/24/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**3/26/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**3/28/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**3/30/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**4/1/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**4/3/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**4/5/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**4/7/21**
- Monsanto
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- Syngenta
- Dow

**4/9/21**
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- Dow

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**4/29/21**
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- Syngenta
- Dow

**4/30/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**5/1/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**5/2/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**5/3/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**5/4/21**
- Monsanto
- Bayer
- Syngenta
- Dow

**5/6/21**
- Monsanto
- Bayer
- Syngenta
- Dow

[USAA was awarded a purported $1 billion USD from Wells Fargo in their 2019/2020 settlement.]
FINANCIAL SERVICES & OPEN SOURCE LITIGATION

November 2021 - January 2022

11/9/21
Liberty Peak Ventures
(Dominion Harbor Enterprise)

11/12/21
Auth Token Ltd
(Jeffrey M. Gross)

11/17/21
Ward Participations BV
(Ward Participations BV)

12/31/21
Estech Systems
(Estech Systems)

1/5/21
Estech Systems
(Estech Systems)

1/28/22
Lupercal LLC
(IPValuation Partners)

11/11/21
Auth Token Ltd
(Jeffrey M. Gross)

11/16/21
Ward Participations BV
(Ward Participations BV)

11/29/21
R2 Solutions LLC
(Acacia Research Corporation)

1/3/22
Estech Systems
(Estech Systems)

1/26/22
Mirror Imaging
(Mirror Imaging)

Secure transactions, payment processing, payment cards, smartcards, mobile/online payments

Payment cards and mobile transactions

Personalized authentication token

Payment cards and mobile transactions

Payment cards and mobile transactions

Personalized authentication token

VoIP

VoIP

Financial document access / storage

*SETTLED: Court ruling affirmed the validity of Mirror Imaging’s patents under Section 101 at the motion to dismiss stage and under both steps of the Alice test. In addition, the court struck down the argument of collateral estoppel.
February - April 2022

- **2/18/22**
  - **Kioba Processing LLC**
    - (IP Investment Group, LLC)
  - **Frost Bank**
    - Secure transactions
  - **Oracle**
  - **Temenos**
  - **JPMorgan Chase**
  - **Backbase**
    - Online banking

- **3/10/22**
  - **mCom IP**
    - (mCom IP)
  - **Online banking**

- **3/10/22**
  - **Auth Token Ltd**
    - (Jeffrey M. Gross)
  - **Personalized authentication token**

- **3/14/22**
  - **mCom IP**
    - (mCom IP)

- **3/15/22**
  - **Liberty Peak Ventures**
    - (Dominion Harbor Enterprises)
  - **Secure transactions, Payment processing, Payment cards, Smart cards, Mobile / online payments**

- **3/18/22**
  - **Caselas LLC**
    - (Raymond Anthony Joao)

- **3/22/22**
  - **Lupercal LLC**
    - (IPValuation Partners)
  - **Charge-back processing**

- **3/22/22**
  - **Lupercal LLC**
    - (IPValuation Partners)
  - **RDC**
  - **Credit card processing**

- **4/7/22**
  - **Mesa Digital LLC**
    - (Ortiz & Lopez PLLC)
  - **Point-of-sale**

- **4/12/22**
  - **OHVA Inc**
    - (OHVA Inc)
  - **Credit card processing**

*JACK HENRY & ASSOCIATES INC: Filed for declaratory judgement for non-infringement and invalidity. Jack Henry has a contractual duty to indemnify and defend Ally.*
LITIGATION RELATED TO OPEN SOURCE

2020 - 2021

3Q/4Q 2020

Intellectual Ventures
(Intellectual Ventures)

Unnamed Companies
(Pre-litigation allegations)

In the past:
Apache Hadoop (HDFS),
Spark, Kafka, Kubernetes

2/9/21

R2 Solutions LLC
(Acacia Research Corporation)

Fidelity

JPMorgan Chase

Charles Schwab

Hadoop Framework

3/2/21

R2 Solutions LLC
(Acacia Research Corporation)

3/5/21

Mobile Networking Solutions
(Dominion Harbor Enterprises)

Hadoop DFS,
Ceph FS,
Gluster FS,
OpenStack-Swift,
Rook possibly EVMS,
possibly GFS

6/29/21

Orbit Licensing
(IP Edge)

Red Hat

Tencent

Codenvy Eclipse Che,
Sender Policy Framework (SPF)
protocol

R2 Solutions LLC
(Acacia Research Corporation)

11/29/21

Early 2021

Sound View Innovations
(Sound View Innovation Holding)

Unnamed Companies
(Pre-litigation letters)

In the past:
Apache Hadoop (YARN),
Spark, Storm Ranger,
Zookeeper, Hbase, Ambari

3/2/21

StreamScale
(StreamScale)

Cloudera

Intel

ADP

Hadoop

3/3/21

Invention Investment Ireland
(Invention Investment Ireland)

Unnamed Companies
(Prelitigation demand letters)

Docker, Kafka,
Kubernetes, Hadoop,
OpenStack, OpenShift

3/9/21

Intellectual Ventures
(Intellectual Ventures)

Hewlett Packard Enterprise

AGL, agl-service-wifi

10/19/21

Intellectual Ventures
(Intellectual Ventures)

Honda

Automotive communications

11/29/21

Unnamed Companies
(demand letters)