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Case Brief

BenedorTSE, LLC — US 8,260,723 · 8,463,713 · 9,400,979 ("Transactional security over a network")

Examiner Search · Patent invalidity and prior-art search

2026-10-22

SAMPLE — a real Case Brief on a public record

About this brief. A *Case Brief*: the public record behind a patent case, gathered and checked by us — the parties and dates, why the patent was allowed, the art already of record or raised, the plaintiff's own reading of the claims, and every ruling and challenge across the patent family. \$199, delivered in 2 business days. Facts only: it states no opinion on validity, infringement or the merits.

Next step: *Focused invalidity search* (every independent claim, charted and signed): \$899 (standard \$2,500), 5 business days · *Full invalidity search* (every asserted claim with dependents): \$1,500 (standard \$5,000), 10 business days. Email michael@examinersearch.com with "Focused search — ES-2026-BENEDORTSE" in the subject line.

1 Matter and parties

BenedorTSE, LLC has filed seven suits in the Middle District of Tennessee on the three patents; one accused party has filed a declaratory-judgment action. Plaintiff's counsel in every Tennessee case: Waddey Acheson LLC. Counsel shown are those of record on the public docket text, with the side checked on the appearance entry. On 2026-07-30 Benedor's counsel wrote to Regions' counsel that Benedor has "filed four lawsuits and [] probably have a half dozen more tee'd up." (Regions complaint ¶ 16.)

Case	Filed	Defense counsel of record	Docket, as of 2026-10-22
BenedorTSE v. Wells Fargo, M.D. Tenn. 3:25-cv-01335	2025-11-17	K&L Gates — R. Gregory Parker, Erik J. Halverson, Vincent J. Galluzzo	Amended complaint 2026-01-14 (Dkt. 6). Motion to change venue (Dkt. 14) and motion to dismiss (Dkt. 15), 2026-03-23; no ruling shown. Reassigned to Judge Eli J. Richardson after recusal (Dkt. 30, 2026-04-29).
BenedorTSE v. Apple, M.D. Tenn. 3:25-cv-01473	2025-12-19	Not shown on the public docket text	Motion to change venue (Dkt. 38, 2026-05-20); motion to dismiss (Dkt. 42, 2026-06-11); motion to amend/correct (Dkt. 45, 2026-06-25); order terminating motions (Dkt. 46, 2026-06-29); continuances through 2026-09-30.
BenedorTSE v. Google, M.D. Tenn. 3:26-cv-00563	2026-05-01	Barnes & Thornburg — John-David H. Thomas	Motion to dismiss (Dkt. 16, 2026-08-18); case management conference continued (Dkt. 26, 2026-08-28).

Case	Filed	Defense counsel of record	Docket, as of 2026-10-22
BenedorTSE v. Samsung, M.D. Tenn. 3:26-cv-00728	2026-05-29	Not shown on the public docket text	Extension of time to answer granted (Dkt. 18, 2026-09-22); pro hac vice motion 2026-10-21.
BenedorTSE v. Amazon, M.D. Tenn. 3:26-cv-01303	2026-09-11	Not shown on the public docket text	Extension of time to answer (Dkt. 10–11, 2026-10-13/14); case management conference 2026-12-14.
BenedorTSE v. Bank of America, M.D. Tenn. 3:26-cv-01339	2026-09-18	Not shown on the public docket text	Extension of time to answer granted (Dkt. 15, 2026-10-16).
BenedorTSE v. JPMorgan Chase, M.D. Tenn. 3:26-cv-01340	2026-09-18	Not shown on the public docket text	Extension of time to answer granted (Dkt. 11, 2026-10-14); case management conference 2026-12-09.
Regions Bank v. Benedortse (declaratory judgment), N.D. Ala. 2:26-cv-01504	2026-08-25	For Regions: McGuireWoods — Abdul K. Kallon; Maynard Cooper & Gale — Robert H. Fowlkes	Complaint for declaratory judgment of non-infringement of all three patents (Dkt. 1); summons issued.

2 Patent and family

Patents	US 8,260,723 (appl. 12/202,524, filed 2008-09-02, issued 2012-09-04; independent claims 1, 7, 12, 17) · US 8,463,713 (appl. 13/564,815, filed 2012-08-02, issued 2013-06-11; claims 1, 7, 13, 19, 25, 31) · US 9,400,979 (appl. 13/891,278, filed 2013-05-10, issued 2016-07-26; claims 1, 7, 13, 19, 25). The '713 and '979 are divisionals of the '723.
Chain of applications	09/726,304 (filed 2000-12-01; issued as US 6,839,692 on 2005-01-04) → continuation 10/970,051 (filed 2004-10-21; published US 2005/0055317 on 2005-03-10; abandoned after the 2017 Board decision) → continuation-in-part 11/844,408 (filed 2007-08-24; provisional 60/890,230 of 2007-02-16; published US 2007/0288394 on 2007-12-13; abandoned) → continuation-in-part 12/202,524 (filed 2008-09-02; provisional 61/039,532 of 2008-03-26) = the '723.
Priority as found by the examiner	'723 (office action 2011-10-21): priority to the parent 11/844,408 denied for the sequencer and count claims — "priority is granted only to the instant application's filing date" (2008-09-02). '979 (office action 2016-02-01): parents 10/970,051, 09/726,304 and 11/844,408 found to lack written description for hardware identifiers and encrypted user codes; priority limited to 12/202,524 and provisional 61/039,532 (2008-03-26).
Status and term	All three expired for non-payment of maintenance fees (USPTO status). Adjusted expiration shown by Google Patents: '723 2023-09-20; '979 2022-09-10.
Chain of title	Inventor Richard F. Carrott → Benedor LLC (recorded 2013-10-08; '723 and '713) → BenedorTSE, LLC (recorded 2025-07-07). '979: Carrott → BenedorTSE LLC (recorded 2016-06-16).
Examiner	James D. Nigh, Art Unit 3685 (all three).

3 Why it was allowed

Date	Event (the '723 unless stated)	Source
2011-09-26	Restriction requirement.	File wrapper 12/202,524
2011-10-21	Non-final rejection: §101; §112 ("unique count"); §103 over Ginter (US 5,892,900) — password, reading hardware identifiers and comparing them with permitted ones, a customer identifier, an incrementing sequencer, an encrypted customer code forwarded to a financial institution. Priority limited to 2008-09-02.	File wrapper 12/202,524
2012-02-03	Final rejection.	File wrapper 12/202,524
2012-03-08	Advisory action.	File wrapper 12/202,524
2012-04-24	Notice of allowance with examiner's amendment (adds "instead of customer credit card information", "list of permitted hardware identifiers", and the serial numbers of a motherboard, a hard drive and the processor).	File wrapper 12/202,524
2013 ('713)	Allowed without any office action.	File wrapper 13/564,815
2016-02-01 ('979)	Non-final rejection: §101 only, all 30 claims; priority limited to 2008-03-26.	File wrapper 13/891,278
2016-06-03 ('979)	Notice of allowance (reasons quoted below).	File wrapper 13/891,278
2017-05-02	Board decision, Appeal 2015-005953 (parent appl. 10/970,051): §103 rejection over Flitcroft, Schenkler, Shmueli and Mi AFFIRMED for claims 1, 5–10, 13–18, 21, 23–30; §112 ¶1 written-description rejection affirmed on the limitation requiring a system identifier and password "as an entry to" the computer.	PTAB decision (Patent Center, appl. 10/970,051)

“Ginter discloses passwords, identifiers and the use of these in transactions; however Ginter does not teach or suggest creating an encrypted customer code by encrypting a customer identifier string, the hardware identifiers and a count value and transmitting the encrypted customer code to a merchant instead of credit card information in a purchase transaction and then receiving an authorization from the merchant for the purchase transaction.”

'723 — reasons for allowance, notice of allowance 2012-04-24, p. 8

“As the claim now is tied to a particular application the section 101 rejection has been overcome. Therefore the claims are in condition for allowance.”

'979 — reasons for allowance, notice of allowance 2016-06-03, p. 2

The '979 reasons for allowance name no prior art. The family's own 2005 publications (US 6,839,692 and US 2005/0055317) are not cited on any of the three patents (Section 4).

4 Art already of record or raised

Every reference of record on the three patents, with who cited it, followed by art raised elsewhere in the family. Dates are publication or issue dates.

Reference	Date	Of record on	Cited by / raised in
US5398285A	1995-03-14	'723, '713, '979	examiner on '713

Reference	Date	Of record on	Cited by / raised in
EP0773490A1	1997-05-14	'723, '713, '979	applicant
US5809160A	1998-09-15	'723, '713, '979	examiner on '713
WO1998040809A2	1998-09-17	'723, '713, '979	applicant
US5892900A — Ginter et al. (InterTrust)	1999-04-06	'723, '713, '979	examiner on '723, '713
US6000832A	1999-12-14	'723, '713, '979	examiner on '713
US6078902A — Schenkler	2000-06-20	'723, '713, '979	examiner on '713
US6119946A	2000-09-19	'723, '713, '979	examiner on '723, '713
WO2001052212A1	2001-07-19	'713, '979	applicant
WO2001075744A1	2001-10-11	'979	applicant
US6512840B1	2003-01-28	'723, '713, '979	examiner on '713
US20030028481A1 — Flitcroft et al.	2003-02-06	'723, '713, '979	examiner on '713
WO2003063055A2	2003-07-31	'723, '713, '979	applicant
US20030161473A1	2003-08-28	'723, '713, '979	examiner on '713
US6618705B1	2003-09-09	'723, '713, '979	examiner on '713
US20030177093A1	2003-09-18	'723, '713, '979	examiner on '713
US6691229B1	2004-02-10	'723, '713, '979	examiner on '713
US20040117664A1	2004-06-17	'979	examiner on '979
US6865550B1	2005-03-08	'723, '713, '979	examiner on '713
EP1517215A2	2005-03-23	'723, '713, '979	applicant
US6920565B2	2005-07-19	'723, '713, '979	examiner on '713
US6947908B1	2005-09-20	'979	applicant
US7051002B2	2006-05-23	'723, '713, '979	examiner on '713
US7062069B2	2006-06-13	'723, '713, '979	examiner on '713
US20060200855A1	2006-09-07	'979	examiner on '979
US7140036B2	2006-11-21	'723, '713, '979	examiner on '713
US20070061580A1	2007-03-15	'723, '713, '979	examiner on '713
US20070079136A1	2007-04-05	'979	examiner on '979
US7251326B2	2007-07-31	'723, '713, '979	examiner on '713
US7257225B2	2007-08-14	'723, '713, '979	examiner on '713
US20070288394A1 — Carrott (the applicant's own 2007 CIP publication)	2007-12-13	'723, '713, '979	examiner on '713
US7386516B2	2008-06-10	'723, '713, '979	examiner on '713
US20080137861A1	2008-06-12	'979	examiner on '979

Reference	Date	Of record on	Cited by / raised in
US20080222046A1	2008-09-11	'723, '713, '979	examiner on '713
US7895443B2	2011-02-22	'979	examiner on '979
US8019688B2	2011-09-13	'723, '713, '979	examiner on '713
US 2002/0143637 A1 — Shmueli	2002-10-03	none of the three	Board, Appeal 2015-005953 (parent appl. 10/970,051): §103 rejection affirmed 2017-05-02
US 6,418,472 — Mi	2002-07-09	none of the three	Board, Appeal 2015-005953: §103 rejection affirmed 2017-05-02
US 6,839,692 — Carrott (the 2000 parent, issued)	2005-01-04	none of the three	the family's own issued parent
US 2005/0055317 A1 — Carrott (the 2004 continuation, published)	2005-03-10	none of the three	the family's own publication; the application was abandoned after the Board decision

5 The plaintiff's claim reading and the asserted claims

The claim-chart exhibits to the complaints are on PACER only, and Benedor's 2026-05-28 letter to Regions is not filed. The public record shows which patents are asserted against whom, the one claim Benedor charted for Regions, and, claim by claim, the steps Regions says its Mobile App does not perform.

Case	Patents asserted	Source
Wells Fargo	'979, '713 and '723 (amended complaint; the original asserted '979 and '713)	Wells Fargo motion to dismiss, Dkt. 15; Regions complaint ¶ 12
Apple · Google · Samsung	'979, '713 and '723	Regions complaint ¶¶ 12, 19
Amazon · Bank of America · JPMorgan Chase	Not stated in the public docket text	Dockets
Regions (letter, 2026-05-28)	'979 claim 19, charted against the Regions Mobile App; all three patents listed	Regions complaint ¶¶ 15, 19

Regions' stated non-infringement reading (its complaint, not the plaintiff's): for every independent claim of the '723 (claims 1, 7, 12, 17) and of the '979 (claims 1, 7, 13, 19, 25), the steps of reading a hardware identifier from the device and determining whether it is valid (¶¶ 32–35, 62–66); for the '713, the "verification entity" and user-agreement steps (claims 1, 7) and the hardware-identifier steps (claims 13, 19) (¶¶ 46–49).

Wells Fargo's amended-complaint exhibits (Dkt. 6) include a "2013 Benedor/Wells Fargo Email & Attachment" and a "Patent '271"; the original complaint attached an "Exemplar Referencing Patent" and an "Information Disclosure Statement" (Dkt. 1). None is on RECAP.

6 Rulings and challenges

District court	No ruling on any motion to dismiss shown as of 2026-10-22. Wells Fargo's motion (Dkt. 15, 2026-03-23) argues that the claims are "directed to the abstract idea of third-party financial transaction authorization" under §101, and that direct, indirect and willful infringement are not adequately pleaded. Apple (Dkt. 42) and Google (Dkt. 16) have also moved to dismiss.
Venue	Motions to change venue: Wells Fargo (Dkt. 14), Apple (Dkt. 38).
PTAB	No IPR or PGR petition on any of the three patents (Unified Patents PTAB list, 2026-10-02).
Board (ex parte appeal)	Appeal 2015-005953, parent application 10/970,051: examiner affirmed, 2017-05-02 (Section 3).
Declaratory judgment	Regions Bank v. Benedortse, N.D. Ala. 2:26-cv-01504, filed 2026-08-25.

7 Dates that matter

Prior-art dates	The examiner's own findings: '723 entitled to 2008-09-02 for the count claims; '979 to 2008-03-26. On those dates, the family's 2005 publications are more than one year earlier.
Term	Expired 2022–2023 (non-payment of maintenance fees).
IPR filing window	35 U.S.C. §315(b): one year from service of the complaint. Wells Fargo: waiver of service sent 2026-01-21 (Dkt. 7). Complaints filed 2025-11-17 (Wells Fargo), 2025-12-19 (Apple), 2026-05-01 (Google), 2026-05-29 (Samsung), 2026-09-11 (Amazon), 2026-09-18 (Bank of America, JPMorgan Chase).
Upcoming	Case management conferences: JPMorgan Chase 2026-12-09; Amazon 2026-12-14.

8 Sources

Record	Where	Retrieved
Dockets of all eight cases	https://www.courtlistener.com/?q=%22Benedortse%22	2026-10-22
Regions Bank v. Benedortse, complaint (Dkt. 1)	https://storage.courtlistener.com/recap/gov.uscourts.alnd.201540/gov.uscourts.alnd.201540.1.0.pdf	2026-10-22
Wells Fargo motion to dismiss (Dkt. 15)	https://storage.courtlistener.com/recap/gov.uscourts.tnmd.107002/gov.uscourts.tnmd.107002.15.0.pdf	2026-10-22
File wrappers of the '723, '713 and '979	https://patentcenter.uspto.gov/applications/12202524/ifw/docs	2026-10-02
Parent file wrapper and Board decision (appl. 10/970,051)	https://patentcenter.uspto.gov/applications/10970051/ifw/docs	2026-10-02
Assignments and status (USPTO Open Data Portal)	https://data.uspto.gov/patent-file-wrapper/search	2026-10-22
References of record	https://patents.google.com/patent/US8260723B2/en	2026-10-02
PTAB proceedings	https://portal.unifiedpatents.com/ptab/case	2026-10-02

Limitations

- Prepared on the public record. States facts and the record's own words; it is not a legal opinion on validity, infringement or the merits.
 - Counsel are those of record on the public docket; appearances filed only on PACER may not be shown.
 - Invalidity contentions and other papers served but not filed are not public and are not included. The complaints' claim-chart exhibits are on PACER only (about \$3 per document) and were not obtained for this sample.
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