

March 17, 2023

**VIA E-MAIL**

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Re: *Auto Telematics Ltd. v. United States Automobile Association*, Case No.  
6:22-cv-00474

Counsel:

We write regarding the petitions for *inter partes* review (“IPR”) that are being filed today against U.S. Patent No. 9,633,487, in the above-captioned litigation. I write to inform you that United States Automobile Association (“USAA”) hereby stipulates that if the Patent Trial and Appeal Board (“PTAB”) institutes the IPR petition filed in IPR2023-00518 on the grounds presented within that petition, then USAA will not seek resolution in the district court of any ground of invalidity that utilizes International Publication No. WO 2010/042545 (“Curry”), U.S. Pat. No. 8,682,399 (“Rabu”), U.S. Patent No. 6,073,004 (“Balachandran”), European Pat. App. Pub. No. EP 1,914,691 (“Katayama”), U.S. Patent No. 7,821,421 (“Tamir”), U.S. Pat. Publication No. 2009/0005975 (“Forstall”), U.S. Pat. Publication No. 2006/0053038 (“Warren”), or the printed publication titled “Are you a safe driver?” (“Langle2009”).

March 17, 2023

Page 2

In so stipulating, USAA seeks to avoid multiple proceedings in different forums addressing the validity of the '487 patent based on any of the same prior art references. Rather, consistent with Congressional intent, USAA wishes the patentability of this patent over Curry, Rabu, Balachandran, Katayama, Tamir, Forstall, Langle2009, and Warren to be addressed at the PTAB. But, for the sake of clarity and to avoid any doubt, if the PTAB declines institution of USAA's IPR petition filed in IPR2023-00518 and institutes USAA's IPR petition filed in IPR2023-00519, USAA reserves the right to utilize Curry, Rabu, Warren, and Langle2009 in district court; and, if the PTAB declines institution of USAA's IPR petitions filed in both of IPR2023-00518 and IPR2023-00519, USAA reserves the right to utilize Curry, Rabu, Balachandran, Katayama, Tamir, Forstall, Langle2009, and Warren in district court.

Very truly yours,

s/Michael T. Zoppo/  
Michael T. Zoppo  
Fish & Richardson P.C.