

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Auto Telematics Ltd.,

Plaintiff,

v.

United Services Automobile Association,

Defendant.

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Civ. No. 6:22-CV-00474-ADA-DTG

Jury Trial Demanded

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court’s Scheduling Order (Dkt. No. 23), Plaintiff Auto Telematics Ltd. (“Auto Telematics”) and Defendant United Services Automobile Association (“USAA”) submit this Joint Claim Construction Statement. There are four Patents at issue in this matter: United States Patent Nos. 9,311,271 (“the ’271 Patent”); 9,633,487 (“the ’487 Patent”); 10,191,369 (“the ’369 Patent”); and 10,198,879 (“the ’879 Patent”). The chart below summarizes the Parties’ respective claim construction positions. All of the terms for construction are proposed by USAA.

Claim Term	Asserted Claims	Auto Telematics's Proposed Construction	USAA's Proposed Construction
"sensor set"	All claims in the Patents at issue include this limitation either explicitly, or by virtue of their dependency. The term explicitly appears in the following claims: '271 Patent: 1, 4, 6, 7 '487 Patent: 1 '369 Patent: 1, 22, 24, 26, 27 '879 Patent: 1, 21, 42, 46, 47, 49, 51, 52, 54	No construction necessary. Plain and ordinary meaning.	The "sensor set" comprises any one of the listed items (an image sensor, an audio sensor, an accelerometer, or a positioning module), or a combination thereof.
"driving period"	All claims in the Patents at issue include this limitation either explicitly, or by virtue of their dependency. The term explicitly appears in the following claims: '271 Patent: 1, 4, 6, 7 '487 Patent: 1 '369 Patent: 1, 26, 27 '879 Patent: 1, 21, 46, 51, 54, [55] ¹	No construction necessary. Plain and ordinary meaning.	The "driving period" requires that: 1) the mobile telecommunications device is removably [attached / affixed] to the vehicle; and 2) the vehicle is [in use / being driven by the driver]. ²

¹ Auto Telematics is not asserting Claim 55 of the '879 Patent. However, USAA has asserted invalidity of this claim, so the Parties have included it in the listing of Asserted Claims for purposes of claim construction.

² USAA's construction recites "[attached / affixed]" to assign "attached" to the claims that recite it (i.e., claims 1, 4, 6, and 7 of the '271 Patent; claim 1 of the '487 Patent; claim 1 of the '369 Patent; and claims 1, 21, 46, and 51 of the '879 Patent), and "affixed" to the claims that recite that (i.e., the remaining listed claims—claims 26 and 27 of '369 Patent and claims 54 and 55 of the '879 Patent). The same is true for "[in use / being driven by the driver]." Certain claims use "in use," while others use "being driven by the driver," but other than these variations, this claim term is the same across all the claims listed.

Claim Term	Asserted Claims	Auto Telematics's Proposed Construction	USAA's Proposed Construction
"driving information"	'271 Patent: 6, 7	Not indefinite. No construction necessary. Plain and ordinary meaning.	<i>indefinite</i>
"driving score"	'271 Patent: 6, 7 '487 Patent: 9 '369 Patent: 18 '879 Patent: 1, 21, 46, 51, 54, [55]	Not indefinite. No construction necessary. Plain and ordinary meaning.	<i>indefinite</i>

Dated: February 7, 2023

Respectfully submitted,



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