

May 4, 2023

VIA E-MAIL

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Re: *Auto Telematics Ltd. v. United Services 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. 10,198,879, in the above-captioned litigation. I write to inform you that United Services Automobile Association (“USAA”) hereby stipulates that if the Patent Trial and Appeal Board (PTAB) institutes the IPR petition filed in IPR2023-00859 on the grounds presented within that petition, then USAA will not seek resolution in the district court of any ground of invalidity that utilizes U.S. Pat. Publication No. 2009/0005975 (“Forstall”), U.S. Pat. No. 8,682,399 (“Rabu”), the printed publication titled “Are you a safe driver?” (“Langle2009”), U.S. Pat. Publication No. 2006/0053038 (“Warren”), U.S. Patent No. 7,821,421 (“Tamir”), U.S. Patent No. 6,073,004 (“Balachandran”), European Pat. App. Pub. No. EP 1,914,691 (“Katayama”), the printed publication titled “Using Smartphones to Detect Car Accidents and Provide Situational Awareness to Emergency Responders” (“Thompson2010”), International

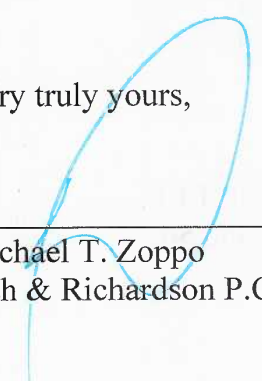


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Publication No. WO 2007/114716 ("Willis"), or U.S. Patent Application Publication No. 2008/0255888 ("Berkobin").

In so stipulating, USAA seeks to avoid multiple proceedings in different forums addressing the validity of the '879 patent based on any of the same prior art references. Rather, consistent with Congressional intent, USAA wishes the patentability of this patent over the prior art references applied in IPR2023-00857, IPR2023-00858, and IPR2023-00859 to be addressed at the PTAB.

Very truly yours,



Michael T. Zoppo
Fish & Richardson P.C.