

Docket Entries

57 Results

VIEW IN BROWSER

Case Numbers: DDE-1-22-cv-01260

	Date ▲	#	Description	
	Sep. 23, 2022	1	COMPLAINT for PATENT INFRINGEMENT filed with Jury Demand against Zendrive Inc. (Filing fee \$ 402, receipt number ADEDC-3966407.) - filed by Cambridge Mobile Telematics Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Civil Cover Sheet) (vfm) (Entered: 09/23/2022)	
			Complaint -- Infringement	N/A
	Sep. 23, 2022	2	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (vfm) (Entered: 09/23/2022)	
	Sep. 23, 2022	3	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 9,228,836 B2 ;US 10,349,219 B2 ;US 10,672,249 B1 ;US 10,930,090 B2 ;US 10,967,872 B2. (vfm) (Entered: 09/23/2022)	
	Sep. 23, 2022	4	Disclosure Statement pursuant to Rule 71: Other affiliate SoftBank Vision Fund and SoftBank Group for Cambridge Mobile Telematics Inc. (vfm) (Entered: 09/23/2022)	
			Corporate Disclosure Statement	N/A
	Sep. 23, 2022	5	Summons Issued as to Zendrive Inc. on 9/23/2022. (vfm) (Entered: 09/23/2022)	
	Sep. 26, 2022	6	SUMMONS Returned Executed by Cambridge Mobile Telematics Inc..Zendrive Inc. served on 9/26/2022, answer due 10/17/2022. (Keller, Karen) (Entered: 09/26/2022)	
	Sep. 28, 2022		Case Assigned to Judge Richard G. Andrews. Please include the initials of the Judge (RGA) after the case number on all documents filed. (rjb) (Entered: 09/28/2022)	
	Oct. 04, 2022		SO ORDERED, re 7 STIPULATION and [Proposed] Order Extending Deadline for Respond to Complaint (*Reset Answer Deadlines: Zendrive Inc. answer due 11/14/2022). Signed by Judge Richard G. Andrews on 10/4/2022. (nms) (Entered: 10/04/2022)	
	Oct. 04, 2022	7	STIPULATION TO EXTEND TIME and [Proposed] Order Extending Deadline for Defendant Zendrive, Inc. to Respond to Complaint to November 14, 2022 - filed by Zendrive Inc.. (Cottrell, Frederick) (Entered: 10/04/2022)	
	Oct. 05, 2022	8	NOTICE of Appearance by Jason James Rawnsley on behalf of Zendrive Inc. (Rawnsley, Jason) (Entered: 10/05/2022)	
	Nov. 07, 2022		Set Answering Brief Deadline re 9 MOTION to Extend Time to Respond to Complaint. Answering Brief/Response due date per Local Rules is 11/21/2022. (nms) (Entered: 11/07/2022)	
	Nov. 07, 2022	9	MOTION to Extend Time to Respond to Complaint - filed by Zendrive Inc.. (Attachments: # 1 Proposed Order)(Rawnsley, Jason) Modified on 11/7/2022 (nms). (Entered: 11/07/2022)	
	Nov. 07, 2022	10	Letter to The Honorable Richard G. Andrews, from Jason J. Rawnsley, regarding request for expedited treatment. (Rawnsley, Jason) Modified on 11/7/2022 (nms). (Entered: 11/07/2022)	
	Nov. 07, 2022	11	ORAL ORDER: A response to the Motion to Extend Time to Respond to the Complaint (D.I. 9) is due by COB on 11/8/2022. Ordered by Judge Richard G. Andrews on 11/7/2022. (nms) (Entered: 11/07/2022)	
	Nov. 07, 2022	12	STIPULATION TO EXTEND TIME to RESPOND to complaint to December 14, 2022 - filed by Zendrive Inc.. (Rawnsley, Jason) (Entered: 11/07/2022)	
	Nov. 08, 2022	13	SO ORDERED, re 12 STIPULATION and Proposed Order Further Extending Deadline to Respond to Complaint (*Reset Answer Deadlines: Zendrive Inc. answer due 12/14/2022). Signed by Judge Richard G. Andrews on 11/8/2022. (nms) (Entered: 11/08/2022)	
	Dec. 14, 2022	14	MOTION to Dismiss for Failure to State a Claim - filed by Zendrive Inc.. (Attachments: # 1 Text of Proposed Order)(Rawnsley, Jason) (Entered: 12/14/2022)	

Dec. 14, 2022	15	OPENING BRIEF in Support re 14 MOTION to Dismiss for Failure to State a Claim filed by Zendrive Inc..Answering Brief/Response due date per Local Rules is 12/28/2022. (Rawnsley, Jason) (Entered: 12/14/2022)	
Dec. 14, 2022	16	Disclosure Statement pursuant to Rule 71: No Parents or Affiliates Listed filed by Zendrive Inc.. (Rawnsley, Jason) (Entered: 12/14/2022)	
Dec. 14, 2022	17	DECLARATION of Alyssa Caridis re 15 Opening Brief in Support, by Zendrive Inc.. (Attachments: # 1 Exhibits A-G)(Rawnsley, Jason) Modified on 12/15/2022 (nms). (Entered: 12/14/2022)	
Dec. 14, 2022	18	MOTION for Pro Hac Vice Appearance of Attorney Clement S. Roberts, Alyssa Caridis, Sarah K. Mullins, Isaac S. Behnawa and Pengweixi (Rose) Sun - filed by Zendrive Inc.. (Rawnsley, Jason) (Entered: 12/14/2022)	
Dec. 15, 2022		SO ORDERED, re 18 MOTION for Pro Hac Vice Appearance of Attorney Clement S. Roberts, Alyssa Caridis, Sarah K. Mullins, Isaac S. Behnawa and Pengweixi (Rose) Sun, filed by Zendrive Inc.. Signed by Judge Richard G. Andrews on 12/15/2022. (nms) (Entered: 12/15/2022)	
Dec. 19, 2022		Pro Hac Vice Attorney Clement S. Roberts, Sarah Mullins, Pengweixi Sun, Isaac S. Behnawa, and Alyssa M. Caridis for Zendrive Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d), Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 12/19/2022)	
Dec. 22, 2022	19	STIPULATION TO EXTEND TIME for Plaintiff to file an answering brief in opposition to Defendant's Motion to Dismiss and for Defendant to file its reply brief to January 11, 2023 and January 25, 2023 respectively - filed by Cambridge Mobile Telematics Inc.. (Keller, Karen) (Entered: 12/22/2022)	
Dec. 27, 2022		SO ORDERED, re 19 STIPULATION and Proposed Order to Extend Time (*Reset Briefing Schedule: re 14 MOTION to Dismiss. Answering Brief due 1/11/2023, Reply Brief due 1/25/2023). Signed by Judge Richard G. Andrews on 12/27/2022. (nms) (Entered: 12/27/2022)	
Jan. 10, 2023		SO ORDERED, re 20 MOTION for Pro Hac Vice Appearance of Attorney Douglas J. Kline, Lana Shiferman, Annaka Nava and Sarah A. Casey, filed by Cambridge Mobile Telematics Inc.. Signed by Judge Richard G. Andrews on 1/10/2023. (nms) (Entered: 01/10/2023)	
Jan. 10, 2023	20	MOTION for Pro Hac Vice Appearance of Attorney Douglas J. Kline, Lana Shiferman, Annaka Nava and Sarah A. Casey - filed by Cambridge Mobile Telematics Inc.. (Russell, Andrew) (Entered: 01/10/2023)	
Jan. 11, 2023		Pro Hac Vice Attorney Annaka Nava, Lana S. Shiferman, and Sarah Casey,Douglas J. Kline for Cambridge Mobile Telematics Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d), Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 01/11/2023)	
Jan. 11, 2023	21	ANSWERING BRIEF in Opposition re 14 MOTION to Dismiss for Failure to State a Claim filed by Cambridge Mobile Telematics Inc..Reply Brief due date per Local Rules is 1/18/2023. (Russell, Andrew) (Entered: 01/11/2023)	
Jan. 11, 2023	22	DECLARATION of Annaka Nava re 21 Answering Brief in Opposition, by Cambridge Mobile Telematics Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Russell, Andrew) Modified on 1/11/2023 (nms). (Entered: 01/11/2023)	
Jan. 25, 2023	23	REPLY BRIEF re 14 MOTION to Dismiss for Failure to State a Claim filed by Zendrive Inc.. (Rawnsley, Jason) (Entered: 01/25/2023)	
Jan. 25, 2023	24	DECLARATION of Sarah K. Mullins re 23 Reply Brief, by Zendrive Inc.. (Attachments: # 1 Exhibit H)(Rawnsley, Jason) Modified on 1/25/2023 (nms). (Entered: 01/25/2023)	
Jan. 26, 2023	25	REQUEST for Oral Argument regarding Motion to Dismiss (D.I. 14), by Zendrive Inc.. (Rawnsley, Jason) Modified on 1/27/2023 (nms). (Entered: 01/26/2023)	
May. 22, 2023	26	ORAL ORDER: The Motion to Dismiss for Failure to State a Claim (D.I. 14) is now REFERRED to Magistrate Judge Laura D. Hatcher. Ordered by Judge Richard G. Andrews on 5/22/2023. (nms) (Entered: 05/22/2023)	
May. 30, 2023	27	ORAL ORDER: Setting Hearing on the pending 14 MOTION to Dismiss for Failure to State a Claim. A Motion Hearing is set for 6/23/2023 at 01:00 PM in Courtroom 2B before Judge Laura D Hatcher). ORDERED by Judge Laura D Hatcher on 5/30/23. (kjk) (Entered: 05/31/2023)	
Jun. 02, 2023	28	ORAL ORDER: Resetting Hearing on 14 MOTION to Dismiss for Failure to State a Claim: A Motion Hearing is set for 6/29/2023 at 10:00 AM in Courtroom 2B before Judge Laura D. Hatcher). ORDERED by Judge Laura D Hatcher on 6/2/23. (kjk) (Entered: 06/05/2023)	

Jun. 05, 2023		ORAL ORDER - On or before June 16, 2023, each party shall file a letter brief, not to exceed three pages, responding to the following: 1) For each patent that is the subject of the motion, what claim(s) is/are representative? For which claim(s) must the Court determine eligibility? 2) Is claim construction necessary before patentability can be decided? If so, which term(s) must be construed? What are your proposed constructions for the term(s) you contend must be construed? 3) If you contend that factual dispute(s) should cause the Court to deny the motion, identify with specificity such factual dispute(s). 4) Are there materials other than the complaint, answer, and the intrinsic patent record that you contend the Court should consider in evaluating the motion? If so, identify those materials and the basis on which the Court may properly consider them at this stage. 5) What Supreme Court or Federal Circuit case is this case most like? That is, if the Court is to analogize the claims at issue in the motion to claims that have previously been found to be patent (in)eligible by a higher court, which case provides the best analogy? 6) Why should/shouldn't the Court deny the motion without prejudice to renew at a later stage of this litigation? Setting Deadlines: Letter Brief due by 6/16/2023. ORDERED by Judge Laura D. Hatcher on 6/5/23. (kjk) (Entered: 06/05/2023)	
Jun. 16, 2023	29	Letter to The Honorable Laura D. Hatcher, from Jason J. Rawnsley, regarding Motion to Dismiss (D.I. 14). (Rawnsley, Jason) Modified on 6/19/2023 (nms). (Entered: 06/16/2023)	
Jun. 16, 2023	30	Letter to The Honorable Laura D. Hatcher, from Andrew E. Russell, regarding response to questions in the Court's June 5, 2023 Order. (Russell, Andrew) Modified on 6/19/2023 (nms). (Entered: 06/16/2023)	
Jun. 27, 2023	31	NOTICE of Defendant's Subsequent Authority by Zendrive Inc. (Rawnsley, Jason) (Entered: 06/27/2023)	
Jun. 29, 2023		Minute Entry for proceedings held before Judge Laura D Hatcher - Motion Hearing held on 6/29/2023 re 14 MOTION to Dismiss for Failure to State a Claim filed by Zendrive Inc.; Court shall take the motion under advisement. (Court Reporter S.Ingram - Hawkins Reporting.) (kjk) (Entered: 06/29/2023)	
Jun. 30, 2023	32	NOTICE of Appearance by Puja Upadhyay on behalf of Zendrive Inc. (Upadhyay, Puja) (Entered: 06/30/2023)	
Jul. 20, 2023	33	Letter to The Honorable Richard G. Andrews, from Karen E. Keller, regarding request for scheduling conference. (Keller, Karen) Modified on 7/20/2023 (nms). (Entered: 07/20/2023)	
Jul. 24, 2023	34	Order Setting Rule 16(b) Conference: A Scheduling Conference is set for 9/5/2023, at 9:00 AM in Courtroom 6A (see Order for further details). Signed by Judge Richard G. Andrews on 7/24/2023. (nms) (Entered: 07/24/2023)	

Jul. 28,
2023

35 REPORT AND RECOMMENDATIONS re 14 GRANTING the MOTION to Dismiss Counts II and IV of the Complaint for Failure to State a Claim filed by Zendrive Inc.. Please note that when filing Objections pursuant to Federal Rule of Civil Procedure 72(b)(2), briefing consists solely of the Objections (no longer than ten (10) pages) and the Response to the Objections (no longer than ten (10) pages). No further briefing shall be permitted with respect to objections without leave of the Court. Objections to R&R due by 8/11/2023. Signed by Judge Laura D. Hatcher on 7/28/23. (kjk) (Entered: 07/28/2023)

**Motion to Dismiss - Failure to State a Claim (FRCP 12(b)(6))**

Recommended granting

Invalidity

└ Unpatentable Subject Matter (35 USC § 101)

└ Representative Claims (35 USC § 101)

The magistrate judge recommended granting defendant's motion to dismiss on the ground that plaintiff's telematics patents encompassed unpatentable subject matter and found that the asserted claims and rejected plaintiff's representativeness arguments. "In its briefing, [Plaintiff] devoted one half-page of its twenty pages to arguing that the dependent claims of the '219 patent should be considered separately from Claim I of the '219 patent.' Its argument included little more than reciting the dependent claims . . . Under these circumstances, I am not persuaded that [Plaintiff] presented the requisite meaningful argument for the 'distinctive significance' necessary to differentiate the representative claim from the other claims."

Motion to Dismiss - Failure to State a Claim (FRCP 12(b)(6))

Recommended granting

Unpatentable Subject Matter (35 USC § 101)

└ Patent Ineligible Subject Matter

└ Abstract Idea

The magistrate judge recommended granting defendant's motion to dismiss on the ground that plaintiff's telematics patents encompassed unpatentable subject matter and found that the asserted claims were directed to an abstract idea. "[C]laim 1 does not recite any specific physical configuration of sensors. Instead, the method requires only 'operating a movement sensor of a mobile device disposed in a vehicle.' . . . [T]he claim involves no physical components other than a generic mobile device. . . . [Plaintiff] advanced a new argument at the hearing. . . . [E]ven if I do consider the late- raised construction, I am not persuaded that it changes anything. . . . [T]he claim here is not *directed to* any particular configuration of sensors even if it relies on data from sensors configured in some arrangement (or no arrangement at all)."

Motion to Dismiss - Failure to State a Claim (FRCP 12(b)(6))

Recommended granting

Invalidity

└ Unpatentable Subject Matter (35 USC § 101)

└ Inventive Concept

The magistrate judge recommended granting defendant's motion to dismiss on the ground that plaintiff's telematics patents encompassed unpatentable subject matter and found that the asserted claims lacked an inventive concept. "[Plaintiff] does not clearly identify what aspect or aspects of the claim amount to an inventive concept, nor does the claim itself make clear on its face what the inventive concept is. . . . [Plaintiff] advances a conclusory argument that is essentially a recitation of the legal standard. CMT urges me to read the claims in light of the specification to find the inventive concept. But neither the claim nor the specification really explains what is inventive about using a sensor from a mobile device, or the gathering or manipulation of data, alone or in combination with other steps of the claim."

DETERMINATIONS

Invalid

PatentPatent Name

10967872

Methods and systems for presenting collected driving data

10349219

Methods and systems for combining sensor data to determine vehicle movement information

Aug. 08,
2023

36 Official Transcript of Oral Argument held on 6/29/23 before Judge Laura D. Hatcher. Court Reporter Stacy M. Ingram, Email: dalehrs@aol.com. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER. Redaction Request due 8/29/2023. Redacted Transcript Deadline set for 9/8/2023. Release of Transcript Restriction set for 11/6/2023. (Triozi, Heather) (Entered: 08/08/2023)

Aug. 11,
2023

37 OBJECTION to 35 Report and Recommendations by Cambridge Mobile Telematics Inc.. (Keller, Karen) (Entered: 08/11/2023)

Aug. 23,
2023

SO ORDERED, re 38 MOTION for Pro Hac Vice Appearance of Attorney Amanda E. Stephenson, filed by Cambridge Mobile Telematics Inc.. Signed by Judge Richard G. Andrews on 8/23/2023. (nms) (Entered: 08/23/2023)

Aug. 23,
2023

38 MOTION for Pro Hac Vice Appearance of Attorney Amanda E. Stephenson - filed by Cambridge Mobile Telematics Inc.. (Keller, Karen) (Entered: 08/23/2023)

Aug. 25,
2023

39 RESPONSE to Objections (D.I. 37), by Zendrive Inc.. (Rawnsley, Jason) Modified on 8/25/2023 (nms). (Entered: 08/25/2023)

Aug. 25,
2023

40 MOTION for Pro Hac Vice Appearance of Attorney Andrew Ong - filed by Cambridge Mobile Telematics Inc.. (Keller, Karen) (Entered: 08/25/2023)

Aug. 28,
2023

SO ORDERED, re 40 MOTION for Pro Hac Vice Appearance of Attorney Andrew Ong, filed by Cambridge Mobile Telematics Inc.. Signed by Judge Richard G. Andrews on 8/28/2023. (lah) (Entered: 08/28/2023)

Aug. 28, 2023		Pro Hac Vice Attorney Andrew S. Ong for Cambridge Mobile Telematics Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 08/28/2023)	
Aug. 28, 2023	41	PROPOSED Scheduling Order, by Cambridge Mobile Telematics Inc.. (Keller, Karen) Modified on 8/29/2023 (nms). (Entered: 08/28/2023)	
Aug. 30, 2023		CASE REFERRED to Magistrate Judge Laura D Hatcher to handle all discovery disputes including any that arise in connection with expert reports. (nms) (Entered: 08/30/2023)	
Aug. 30, 2023	42	SCHEDULING ORDER: The matter will be referred to a magistrate judge to handle all discovery disputes. Joinder of Parties due by 12/6/2023. Amended Pleadings due by 12/6/2023. Fact Discovery completed by 8/2/2024. Dispositive Motions due by 1/27/2025. Answering Brief due 2/26/2025. Reply Brief due 3/12/2025. Joint Claim Construction Brief due by 4/24/2024. A Markman Hearing is set for 5/23/2023, at 9:30 AM in Courtroom 6A. A Pretrial Conference is set for 5/27/2025, at 9:00 AM in Courtroom 6A. A 5-day Jury Trial is set to start 6/9/2025, at 9:30 AM in Courtroom 6A (see Order for further details). Signed by Judge Richard G. Andrews on 8/30/2023. (nms) (Entered: 08/30/2023)	
Aug. 30, 2023	43	ORAL ORDER: The Rule 16(b) Conference scheduled for 9/5/2023, is CANCELED. Ordered by Judge Richard G. Andrews on 8/30/2023. (nms) (Entered: 08/30/2023)	