

Filed: October 4, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORP. AND KIA CORPORATION,
Petitioners,

v.

EMERGING AUTOMOTIVE LLC,
Patent Owner.

Case No. IPR2024-00785
U.S. Patent No. 10,407,026

PETITIONERS' UPDATED EXHIBIT LIST

Further to 37 C.F.R. § 42.63(e), Petitioners hereby submit a current listing of their exhibits. Exhibits 1040 through 1047 were filed on P-TACTS and served via email to counsel of record for the Patent Owner.

Exhibits	Description
Ex. 1001	U.S. Patent No. 10,407,026 to <i>Penilla</i> et al.
Ex. 1002	Prosecution File History for U.S. Patent No. 10,407,026.
Ex. 1003	Curriculum Vitae of Dr. Kevin Almeroth.
Ex. 1004	Declaration of Dr. Kevin Almeroth.
Ex. 1005	U.S. Patent Pub. No. 2011/0112969 to Sam Zaid et al.
Ex. 1006	U.S. Patent Pub. No. 2014/0129053 to Robert Bruce Kleve et al.
Ex. 1007	U.S. Patent Application Pub. No. 2006/0136106 A1 by Russell A. Patenaude et al.
Ex. 1008	U.S. Patent Pub. No. 2013/0113602 to Matthew R. Gilbertson et al.
Ex. 1009	Prosecution File History for U.S. Patent No. 11,738,659.
Ex. 1010	U.S. Patent Application No. 61/478,436.
Ex. 1011	U.S. Patent Application No. 61/745,729.
Ex. 1012	U.S. Patent Application No. 13/452,882.
Ex. 1013	U.S. Patent Application No. 13/842,158.
Ex. 1014	U.S. Patent Application No. 14/063,638.
Ex. 1015	District of Columbia Department of Motor Vehicles, <i>Medical Restrictions</i> , Retrieved from: https://web.archive.org/web/20101110064942/http://dmv.dc.gov/service/medical/medicalRestrictions.shtm (Nov. 10, 2010).

Exhibits	Description
Ex. 1016	Florida Department of Highway Safety and Motor Vehicles, <i>Licensing Requirements for Teens – Graduated Driver Licensing</i> , Retrieved from: https://web.archive.org/web/20101216053738/http://flhsmv.gov/ddl/teendriv.html#learner (Dec. 16, 2010).
Ex. 1017	D. Alfred Owens and Michael Sivak, <i>The Role of Reduced Visibility in Nighttime Road Fatalities</i> , Retrieved from: https://deepblue.lib.umich.edu/bitstream/handle/2027.42/49541/UMTRI-93-33.pdf?sequence= (Nov. 1993).
Ex. 1018	Bob D’Avello and Jim Van Bosch, <i>Portable and Embedded Wireless Devices as Conduits for Telematics Applications</i> (Oct. 2002).
Ex. 1019	Mike Spencer et al., <i>Network Security: Private Communications in a Public World</i> (2002).
Ex. 1020	Jacqui Cheng, <i>OpenTable’s iPhone app makes reservations a breeze</i> (Nov. 17, 2008).
Ex. 1021	Order Granting Request For Ex Parte Reexamination, Reexamination Control No. 90/019,456, Patent No. 11,738,659 (April 15, 2024).
Ex. 1022	<i>Login</i> , Facebook Developers (May 4, 2013).
Ex. 1023	<i>Using the signed_request Parameter</i> , Facebook Developers (April 15, 2013).
Ex. 1024	<i>Email Permissions</i> , Facebook Developers (March 17, 2013).
Ex. 1025	<i>Mercedes-Benz mbraceBy Hughes Telematics, Inc.</i> , iTunes App Store, last updated Aug. 24, 2010, screenshots 2-4, retrieved from: https://web.archive.org/web/20110265054805/http://itunes.apple.com/us/app/mercedes-benz-mbrace/id335276900?mt=8b .
Ex. 1026	<i>Mercedes-Benz mbraceBy Hughes Telematics, Inc.</i> , iTunes App Store, last updated Aug. 24, 2010, screenshots 1-2, retrieved from:

Exhibits	Description
	https://web.archive.org/web/20110265054805/http://itunes.apple.com/us/app/mercedes-benz-mbrace/id335276900?mt=8b .
Ex. 1027	Reserved.
Ex. 1028	Reserved.
Ex. 1029	Text Comparison of U.S. Patent Application No. 13/452,882 to U.S. Patent Application No. 14/063,638.
Ex. 1030	U.S. Patent No. 11,738,659.
Ex. 1031	U.S. Patent Publication 2014/0156111 to Ehrman (“Ehrman”).
Ex. 1032	U.S. Patent Application No. 15/344,566.
Ex. 1033	U.S. Patent Application No. 15/180,306.
Ex. 1034	U.S. Patent Application No. 14/303,442.
Ex. 1035	Budget Rent-a-Car Common Questions (Dec. 2, 2010).
Ex. 1036	Docket Control Order.
Ex. 1037	Plaintiff Emerging Automotive LLC’s Disclosure of Asserted Claims and Infringement Contentions Against Toyota Defendants.
Ex. 1038	Text Comparison of U.S. Patent Application No. 13/842,158 to U.S. Patent Application No. 14/063,638.
Ex. 1039	9/3/2015 Response to Office Action, App. No. 14/063,638.
Ex. 1040	RPX Q1 in Review, April 2024 and RPX Q2 in Review, July 2024
Ex. 1041	Ryan Davis, <i>Judge-Shopping Guidance Unlikely to Affect Patent Hot Spots</i> , Law360 (Mar. 27, 2024)
Ex. 1042	Dani Kass, <i>EDTX Eclipses WDTX As Top Patent Venue</i> , Law360 (Feb. 7, 2024)

Exhibits	Description
Ex. 1043	Collection of Orders Consolidating Cases signed by Judge Rodney Gilstrap (annotated, striking dismissed cases)
Ex. 1044	Docketing Statement in <i>In re Kia Corp.</i> , Case No. 24-138, Dkt. No. 12 (CAFC, July 26, 2024)
Ex. 1045	Order on Discovery Motions, <i>Emerging Auto. LLC v. Kia Corp.</i> , No. 2:23-cv-437-JRG, Dkt. No. 94 (E.D. Tex. Sep. 5, 2024)
Ex. 1046	Order Denying-as-Moot Toyota's Rule 12(c) Motion for Partial Judgment on the Pleadings, <i>Emerging Auto. LLC v. Kia Corp.</i> , No. 2:23-cv-437-JRG, Dkt. No. 96 (E.D. Tex. Sep. 11, 2024)
Ex. 1047	Time to Trial Statistics for Judge Rodney Gilstrap

Dated: October 4, 2024

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Petitioners' Updated Exhibit List and Exhibits 1040 through 1047** were served on October 4, 2024, via email directed to counsel of record for the Patent Owner at the following:

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