

Attachment E – U.S. Patent No. 9,171,268 (“the ’268 Patent”)

Toyota’s User Profile technology provides users of Toyota’s vehicles (including Toyota and Lexus-branded vehicles) the ability to customize their driving experience, with each user profile tailored to the user’s individual preferences and settings, such as personalized navigation and music streaming preferences, vehicle setting preferences, radio preferences, as well as vehicle and notification settings. *See* Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US.

Toyota Connected Services technology – whether offered in conjunction with User Profile technology or as a standalone service – also includes the ability to transfer user profiles between vehicles using cloud services via a digital device (e.g., smartphone, smartwatch, digital assistant) application. As Toyota advertises, Connected Services technology, such as Remote Connect and Drive Connect, also a user to remotely access a User Profile, change User Profile settings, and customize User Profile settings for a vehicle. *See* Toyota, Audio Multimedia and Connected Services, at <https://www.toyota.com/connected-services/>; *see also* Lexus, Privacy Rights, at <https://www.lexus.com/privacy> (Lexus Connected Services is a division of Toyota Motor Sales USA, Inc.).

The Accused Instrumentalities include servers used to support or implement Toyota’s Connected Services technology (references to which include the Lexus-branded equivalent), such as Remote Connect and Drive Connect, which are included as a trial subscription service plan to all or some Connected Services as part of the purchase price of select vehicles, as well as Connected Services Subscription Plans with User Profile capability, such as the Music Lover, Go Anywhere, and Premium subscription plans, and including those set forth in the cover pleading accompanying this claim chart (including as may be amended). *See, e.g.,* Toyota Support Home, Subscription Plans, at https://support.toyota.com/s/article/Subscription-Plans?language=en_US. Based on Toyota’s marketing materials and sales information, a subscription is included and/or activated automatically when a vehicle is initially sold.

The Accused Instrumentalities include Toyota’s servers that are used to support or implement Toyota’s collection, use, dissemination and sale of User Profile data, which (1) Toyota itself uses to provide, offer to sell, and sell other Toyota services and products, (2) Toyota shares with third parties, (3) Toyota sells to third parties, and (4) Toyota itself uses to create its Mobility Services Platform feature (“MSPF” or “MSP”). Examples include Toyota’s sales of User Profile data to third parties who offer services to the user and/or for their own marketing purposes, Toyota’s sharing of profile data with third parties who offer their services to the user and/or for their own marketing purposes, Toyota’s sharing of profile data for targeted advertising, and Toyota’s own use of User Profile data to offer or sell additional services and products to the user. *See* Toyota, Your Privacy Rights (October 24, 2023), at <https://www.toyota.com/support/privacy-notice/>; For example, Toyota shares User Profile data to insurance companies, enabling such third-party insurers to make sales offers to user. *See* Toyota Pressroom, Toyota Expands Partnership with Connected Analytic

Services, at <https://pressroom.toyota.com/toyota-expands-partnership-with-connected-analytic-services/>. Toyota’s use, sharing, and sale of User Profile data further includes the sharing and sale of User Profile data for third party service providers, such as rental car companies, car-sharing companies, mobile retailers, etc. and is further used to create Toyota’s Mobility Services Platform. See United States Securities and Exchange Commission, Toyota Motor Corporation, Form 20-F (June 30, 2023), at <https://app.quotemediacom/data/downloadFiling?webmasterId=90423&ref=317596090&type=PDF&symbol=TOYOF&cdn=01303c2712e9b793c3df5155e787e8e1&companyName=Toyota+Motor+Corporation&formType=20-F&formDescription=Annual+and+transition+report+of+foreign+private+issuers+%5BSections+13+or+15%28d%29%5D&dateFiled=2023-06-30>; and see Automotive Logistics, Channell[ing] Big Data into Connected Services at Toyota (April 10, 2019), at <https://www.automotivelogistics.media/digital-technology/channelling-big-data-into-connected-services-at-toyota/37898.article>.

The Accused Instrumentalities include Toyota’s servers that are used to implement Rent a Toyota, wherein Toyota’s use of User Profile data enables Toyota’s provision of services and sales to “Rent a Toyota” customers. See Toyota, Rent a Toyota, FAQ (2023), at <https://www.toyota.com/rental/faq.html>. For example, when a user registers a User Profile with Toyota, the Toyota app dashboard advertises to the user the ability to add a vehicle or rent a Toyota vehicle. See Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, How to Create Your Profile, at <https://connectedtechnologiestoyota.com/toyota/feature/Toyota%20App/c0dafef0-1bde-11ec-b8cc-7df09d7dbdc2?model=&year=null>; see also Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, at <https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52ba95c0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023>; see Lexus, Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, How to Create a User Profile?, at <https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6ba8b100-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024>. Toyota’s Rent a Toyota service uses User Profile data from Rent a Toyota customers, *inter alia*, “to provide Connected Services and for internal research and data analysis.” Toyota Rent a Toyota further uses User Profile data for “navigation assistance and to activate remote services.” See Toyota, Rent a Toyota, FAQ (2023).

While this chart principally identifies information related to Toyota branding, substantially similar (or identical) features are included in relation to Lexus-branded vehicles, with documentation that largely mirrors the Toyota-branded ones, indicating they are equivalent in relevant respects. For example, 2024 Lexus vehicles are advertised as having “User Profiles enabl[ing] the driver’s personalized settings and experience can be kept securely in the cloud and accessed on the go in other Lexus Interface equipped vehicles.” See Lexus Pressroom, What’s New: 2024 Lexus NX 250/ 350/ 350h/ 450h+ (March 15, 2023), at <https://pressroom.lexus.com/whats-new-2024-lexus-nx-250-350-350h-450h/>; see also Lexus Pressroom, Intuitive Technology Added to 2023 Lexus LS 500, 500h with Lexus Interface Integration (November 15, 2022), at <https://pressroom.lexus.com/intuitive-technology-added-to-2023-lexus-ls-500-500h-with-lexus-interface-integration/>. Additionally, instructional videos for the Lexus Interface Multimedia System are substantially the

same as the Toyota Multimedia System videos identified and cited herein. See Toyota USA, How to: User Profiles on Toyota's New Audio Multimedia System / Toyota (November 17, 2021), at <https://www.youtube.com/watch?v=IBS6mlpArFQ>; and see Lexus Interface: App Registration (2023), at <https://www.lexus.com/My-Lexus/resources/video-detail-page/interface/remote-start-remote-connect>.

The Toyota User Profile is stored on the cloud, supported by Toyota data center servers, making the profile portable from vehicle to vehicle, and accessible to the user from the Toyota App. See Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System To Deliver Best In-Car User Experience (June 11, 2021), at <https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/>; see also Toyota Audio & Connected Services Support, Home/ BZ4X / 2023 / Support Topics / Toyota User Profile, at <https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023>.

Toyota's User Profile functionality is achieved using vehicle-embedded hardware devices, including a Toyota factory-installed data communication module ("DCM") and a Toyota factory-installed telematics system. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, at <https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf>; see Toyota Putting Software First in Global, Connected-Car Architecture—Toyota tags its North American team to lead its worldwide connectivity efforts, using a whole-cloth in-house data approach to monetize convenience (November 9, 2021), at <https://www.mobilityengineeringtech.com/component/content/article/ae/stories/news/45165>; see also Lexus Connect, FAQ, What is a DCM?, at <https://faq.lexus-connect.com/11104-en/>; and see Lexus, Support Home, What is Lexus Service Connect? (September 24, 2022), at <https://support.lexus.com/s/article/What-is-Lexus-Service-9420>.

The DCM is an embedded cellular device which enables wireless/GPS technology and allows Toyota to collect data from the user and the user's vehicle. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2. The telematics system uses digital wireless telecommunications technology and GPS technology to enable Toyota Connected Services and Toyota-installed software via third party wireless networks, satellites, and related infrastructure. See *id.* at 2, 8; and see Toyota, 2023 Highlander Owner's Manual, Audio & Multimedia, Connected Services, Connected Services overview, Types of functions, at <https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.ibo1649038197243>; see also Toyota, 2023 Highlander Owner's Manual, Audio & Multimedia, Connected Services, Connected Services overview, Functional overview, at <https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.fgi1649038197149>.

Toyota User Profile technology also includes the ability to change or customize settings and perform other functions via a smartphone (or other comparable device) application.

Toyota instructs and encourages customers to utilize infringing Toyota User Profile technology, including through user manuals and instructional videos. Toyota also instructs, encourages, and provides assistance to other entities (e.g., on information and belief, rental car companies, fleet managers, hospitality) to activate and utilize infringing Toyota User Profile technology.

Toyota places the Accused Instrumentalities in communication with Toyota Connected Services and Toyota Mobility Intelligence Platform (including a server/cloud infrastructure) to enable User Profile and Connected Services technologies and related products and services, including permissions, usage conditions, analytics, notifications, and the like.

The asserted claims include elements that are implemented, at least in part, by proprietary and specialized electronics, firmware and software in the Accused Instrumentalities. The precise designs, processes and algorithms used in them are held in secret, at least in part, and are not publicly available in their entirety. An analysis of Toyota's and third-parties' documentation and/or source code may be necessary to fully describe all infringing features and functionalities of the Accused Instrumentalities. Accordingly, Plaintiff reserves the right to supplement these contentions, including as discovery progresses, in view of any non-infringement arguments Toyota may make (e.g., to allege infringement under the doctrine of equivalents), in view of the Court's final claim construction in this action and in connection with expert reports.

Claim 10	Toyota Accused Instrumentalities
10[Pre] 10. A method, comprising,	The Accused Instrumentalities include all servers ¹ that are associated with implementing any connected service for Toyota and Lexus. Whether Toyota or Lexus-branded, the accused functionalities of the Toyota Accused Instrumentalities operate in the same manner for purposes of this patent. Product documentation reflects the interchangeability of the Accused Instrumentalities as between Toyota and Lexus brands. ²

¹ A "server" or "servers," whether used in the singular or plural in the charts herein, applies to one server or multiple servers.

² See, e.g., Lexus Support, <https://support.lexus.com/s/article/If-I-own-a-Lexus-and-10451>; Lexus Support, https://support.toyota.com/s/article/If-I-own-a-Toyota-and-10534?language=en_US; Lexus, Privacy Rights, <https://www.lexus.com/privacy>; Lexus Connect Services Privacy Statement, <https://www.lexus.com/privacyvts>.

Claim 10	Toyota Accused Instrumentalities
	To the extent the preamble is limiting, the Accused Instrumentalities perform the method of claim 10. Whether or not this preamble is considered to be limiting, the Toyota Accused Instrumentalities are configured to perform the method of claim 1, including by a server of a cloud system configured to interface with vehicles to enable access to User Profiles. For example, Toyota Accused Instrumentalities with Connected Services³ are configured to communicate with a server of Remote Connect or Drive Connect services to enable access to User Profiles. For example, Toyota, through the manufacture, offer of sale, and sale of vehicles equipped with hardware and software enabling User Profile functionality, as well as Toyota applications, e.g. the Toyota app, and supporting infrastructure, e.g. cloud servers, performs the recited method for setting and transferring user profiles to vehicles as set forth in claim 10. <i>See, e.g.</i>, Toyota Newsroom, Innovation, Toyota Motor North America Introduces Next-Generation Multimedia System to Deliver Best In-Car User Experience, at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/: In the age of digital transformation in mobility, having a more personalized experience that moves from vehicle to vehicle with the driver is essential. Through the new multimedia system's User Profile feature, the driver's personalized settings and experience, from preferred media or radio station to climate settings in some models, will be retained and accessible when the driver next returns to the vehicle.

³ Toyota Connected Services include User Profile capability, such as Remote Connect and Drive Connect. Toyota provides User Profile access to users who agree to Toyota's provision of Connected Services and Terms of Use, for example, via a Trial Service Plan or Standard Service Plan. Such Connected Services are included as a trial subscription service plan to all or some Connected Services as part of the purchase price of select vehicles, as well as Connected Services Subscription Plans with User Profile capability, such as the Music Lover, Go Anywhere, and Premium subscription plans. *See, e.g.*, Toyota Support Home, Subscription Plans, at https://support.toyota.com/s/article/Subscription-Plans?language=en_US.

Claim 10	Toyota Accused Instrumentalities
	... • User Profiles– To help improve the user’s overall driving experience, a user will receive the same personalized settings in new vehicles making it portable from vehicle to vehicle. The new profile system is stored on the cloud, meaning users can access and take their experiences on the go with them across vehicles featuring the new multimedia system. Once created, users can use a Bluetooth handheld device such as a smartphone or tablet, smart key, or manual login to access their profile. See also Lexus Connected Technology, User Profiles, at https://www.lexus.com/My-Lexus/resources/connected-technology#connected_technology_connect_more_interface: USER PROFILES Take the best of Lexus Interface* with you. With the User Profile feature, your personalized navigation,* streaming music preferences, radio favorites and vehicle settings are stored in the cloud and accessible on the go in other Interface-equipped vehicles. Once a profile is created in the Lexus app, it can be accessed by a Bluetooth* handheld device, smart key or manual login. Using the Toyota app, users of connected Toyota vehicles can link a User Profile associated with the registered name of the user to a vehicle. Toyota enables users to customize settings for their User Profile, for example, the Toyota app prompts the user to enter requested personal data and select preferred settings, such as audio preferences, cloud navigation preferences, and vehicle settings, which may vary by vehicle.

Claim 10	Toyota Accused Instrumentalities
	Toyota stores the User Profile data on cloud servers. A user can access the Toyota app to associate their User Profile(s) with a Toyota vehicle and/or rent a Toyota vehicle, and through its vehicle hardware and software, which enable communication with a Toyota server, Toyota makes the User Profile portable from vehicle to vehicle. See Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System To Deliver Best In-Car User Experience, at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/; see also https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. Toyota uses the vehicle’s factory installed telematics system and factory-installed data communication module (“DCM”) to communicate stored User Profile data among Toyota’s server, the multimedia system of the User Profile-associated vehicle, and a linked identification device, such as a smart phone or smart key. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf. The DCM is an embedded cellular device which enables wireless/GPS technology and allows Toyota to collect data from the user and the user’s vehicle. See <i>id.</i> The telematics system uses digital wireless telecommunications technology and GPS technology to enable Toyota Connected Services and Toyota-installed software via third party wireless networks, satellites, and related infrastructure. See <i>id.</i> at 2, 8; and see Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Types of functions, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.ibo1649038197243:

Claim 10	Toyota Accused Instrumentalities
	Types of functions PREVIOUS SECTION < Functional overview NEXT SECTION Before using the function > The functions included are classified into the following types. - Type A: Function achieved by using DCM and the system - Type B: Function achieved by using DCM - Type C Function achieved by using DCM and a smartphone Function Type User Profile, Drive Connect, Wi-Fi Connect, OTA Type A Safety Connect Type B Remote Connect, Service Connect Type C See also Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Functional overview, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.fgi1649038197149:

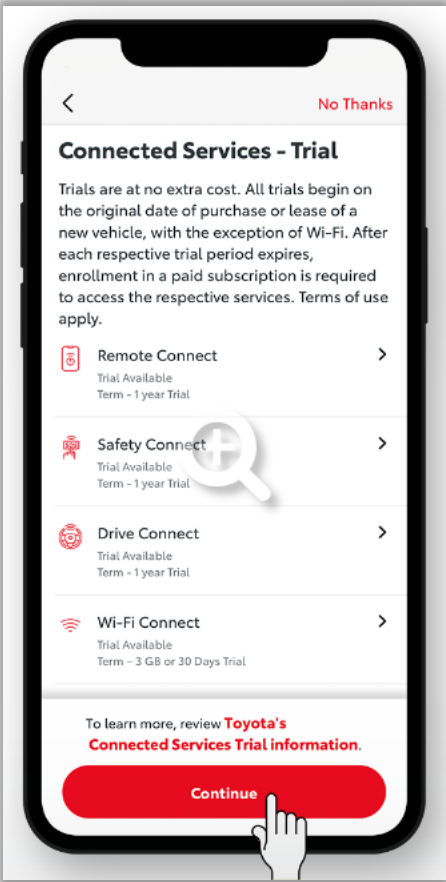
Claim 10	Toyota Accused Instrumentalities
	Type A: Function achieved by using DCM and the system PREVIOUS SECTION < Before using the function NEXT SECTION Type B: Function achieved by using DCM > The functionality of User Profile, Drive Connect (Cloud Navigation, Intelligent Assistant, Destination Assist), Wi-Fi Connect (Wi-Fi Hotspot, Integrated Streaming) is made possible through the shared work of the DCM and the system. These services are available by subscription on select, telematics hardware- equipped vehicles and supported by the Toyota, which operates 24 hours a day, 7 days a week. For details about: - User Profile: Registering a user profile - Intelligent Assistant: Using the Intelligent Assistant system - Cloud Navigation: Cloud navigation - Destination Assist: Destination Assist - Integrated Streaming: Playing Integrated Streaming - Wi-Fi Hotspot: Setting Wi-Fi Hotspot The Accused Instrumentalities practice the method of claim 10 by providing Toyota Connected Services with User Profile capability, such as Remote Connect and Drive Connect. Toyota provides User Profile access to users who agree to Toyota’s provision of Connected Services and Terms of Use, for example, via a Trial Service Plan or Standard Service Plan. Such Connected Services are included as a trial subscription service plan to all or some Connected Services as part of the purchase price of select vehicles, as well as Connected Services Subscription Plans with User Profile capability, such as the Music Lover, Go Anywhere, and Premium subscription plans. See, e.g., Toyota Support Home, Subscription Plans, at https://support.toyota.com/s/article/Subscription-Plans?language=en_US; see also Lexus Support Home, Subscription Plans, at https://support.lexus.com/s/article/Subscription-Plans-L.

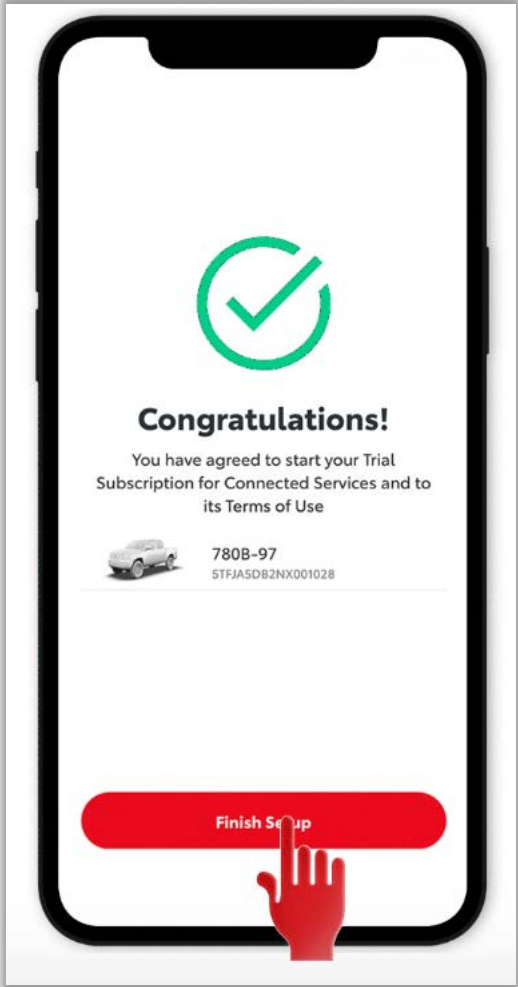
Claim 10	Toyota Accused Instrumentalities
	Before using the function PREVIOUS SECTION < Types of functions Subscription After you have accepted the Connected Services Agreement (Connected Services Terms of Use and Connected Services Privacy Notice) on the Toyota App when you register the vehicle to your account, you can begin receiving services. A variety of subscription agreements are available. Contact your Toyota dealer, or call 1-800-331-4331 in the United States, 1-877-855-8377 in Puerto Rico, or 1-888-869-6828 in Canada. NEXT SECTION Type A: Function achieved by using DCM and the system > Availability of function(s) These functions are not made available in some countries, areas, or on some models.

Claim 10	Toyota Accused Instrumentalities
	What is a User Profile? A User Profile is created when you register an account within the Toyota app. Used on select model year 2022 & newer vehicles, User Profile allows for you & other drivers of the vehicle to customize their driving experience. Personalized settings and preferences stored in your profile are accessed when the vehicle recognizes the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each is tailored to their individual preferences and settings. The multimedia system in the vehicle first detects your profile when your Toyota app is open and signed in, and Bluetooth® is enabled on your smartphone. Once your profile is saved to the vehicle's multimedia system it can be linked to your mobile phone or smart key fob so it is detected automatically when you enter the vehicle. For additional assistance with User Profile, please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. ... <i>Use only if aware of circumstances surrounding vehicle and it is legal and safe to do so (e.g., do not remotely start engine if vehicle is in an enclosed space or vehicle is occupied by a child). Toyota Digital Key depends on factors outside of Toyota's control, including an operative Bluetooth capable smart device, without which system functionality and availability may be limited or precluded. Service may vary by vehicle and region. Registration and Toyota app download required. Subscription required after trial. Terms of Use apply. Data charges may apply. Services subject to change at any time without notice. See usage precautions and service limitations in the Toyota Owner's Manual for additional details. To learn about Toyota's data collection, use, sharing and retention practices, please visit https://www.toyota.com/privacytvs/.</i>

Claim 10	Toyota Accused Instrumentalities
	See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US. Toyota App User Profile Eligibility <i>Which vehicles are equipped with a User Profile feature?</i> The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Toyota app or refer to your Owner's Manual. You can review your vehicle's Connected Services within the Toyota app or for assistance on how to subscribe to Connected Services please visit our Audio & Connected Services Support tool. <i>The Bluetooth word mark and logos are registered trademarks owned by Bluetooth SIG, Inc. and any use of such marks by Toyota is under license. A compatible Bluetooth enabled phone must first be paired. Phone performance depends on software, coverage and carrier.</i> <i>Use only if aware of circumstances surrounding vehicle and it is legal and safe to do so (e.g., do not remotely start engine if vehicle is in an enclosed space or vehicle is occupied by a child). Toyota Digital Key depends on factors outside of Toyota's control, including an operative Bluetooth capable smart device, without which system functionality and availability may be limited or precluded. Service may vary by vehicle and region. Registration and Toyota app download required. Subscription required after trial. Terms of Use apply. Data charges may apply. Services subject to change at any time without notice. See usage precautions and service limitations in the Toyota Owner's Manual for additional details. To learn about Toyota's data collection, use, sharing and retention practices, please visit https://www.toyota.com/privacyts/.</i>

Claim 10	Toyota Accused Instrumentalities
	See Toyota, Support Home, Toyota App User Profile Eligibility, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10736?language=en_US. The image shows a smartphone screen displaying the Toyota app interface. At the top, it says 'Stay connected wherever you go' with a clock and user icon. Below this is a section with three car images and an 'Add a Vehicle' button. Further down is a 'Rentals' section with a magnifying glass icon, a 'Rent a Toyota' heading, the text 'Find your favorite vehicle to rent', and a 'Make a Reservation' button. See Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, How to Create Your Profile, at https://connectedtechnologiestoyota.com/toyota/feature/Toyota%20App/c0dafef0-1bde-11ec-b8cc-7df09d7dbdc2?model=&year=null; see <i>id.</i>:

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	 <i>And see id.:</i>

Claim 10	Toyota Accused Instrumentalities
	

Claim 10	Toyota Accused Instrumentalities
	2. SERVICE REQUIREMENTS; SERVICE PROVIDERS; LIMITATIONS; APP (a) To obtain Services: (i) your Vehicle must contain a factory installed telematics system (the “System”) – see Section 11(a) for more details; (ii) your Vehicle must include the software installed by or on behalf of Toyota with all updates made available to you by Toyota (whether such update installed by you, Toyota or a dealer) (collectively, the “Software”) – for more details, see the EULA referenced in Section 1(b) above; (iii) the DCM must be on/active and properly functioning; and (iv) you must have an active Service Plan as provided under Section 3(b) below. (b) Service Plans. Certain new Vehicles come with a trial subscription Service Plan to all or some Services (“Trial Service Plan”). For all other Vehicles, you can obtain the Services by subscribing to an available monthly, annual, or other Service Plan via the App or Website, by contacting us or through other options we may make available to you from time-to-time (“Standard Service Plan”). Unless otherwise noted, all references to “Service Plan” refer to both a Trial Service Plan and Standard Service Plan. You may terminate your Service Plan as provided in Section 7 below. We may terminate your Service Plan or any of the Services at any time as provided in Section 8 below. (i) <i>Trial Service Plans.</i> A Trial Service Plan includes any of the Services included in the price of your Vehicle, whether or not labelled as “Trial”. The duration of your Trial Service Plan, along with the Services available through the Trial Services Plan, will vary by Vehicle and available options. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf; and see, e.g., Toyota, 2023 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY23_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf:

Claim 10

Toyota Accused Instrumentalities

2023
Audio Multimedia & Connected Services
Feature Applicability

Connected Services Plans

	Connected Services ¹		
	 Remote Connect ^{2,5} Start, lock/unlock your doors and more	 Integrated Streaming Access to your Apple Music [®] and Amazon Music [™] accounts	 Drive Connect ⁷ Cloud Navigation, Intelligent Assistant, and Destination Assist
 Music Lover \$15/Month	✓	✓	X
 Go Anywhere \$15/Month	✓	X	✓
 Premium \$25/Month	✓	✓	✓

OPTIONAL ADD-ON

Wi-Fi Connect
 \$25/Month via AT&T

Connected by AT&T, Wi-Fi Connect is your gateway to keeping up with important information while on the go. Easily connect up to five devices at 4G LTE speeds.

*No restriction on data consumption for Integrated Streaming for customers who purchase the Music Lover or Premium Plan.

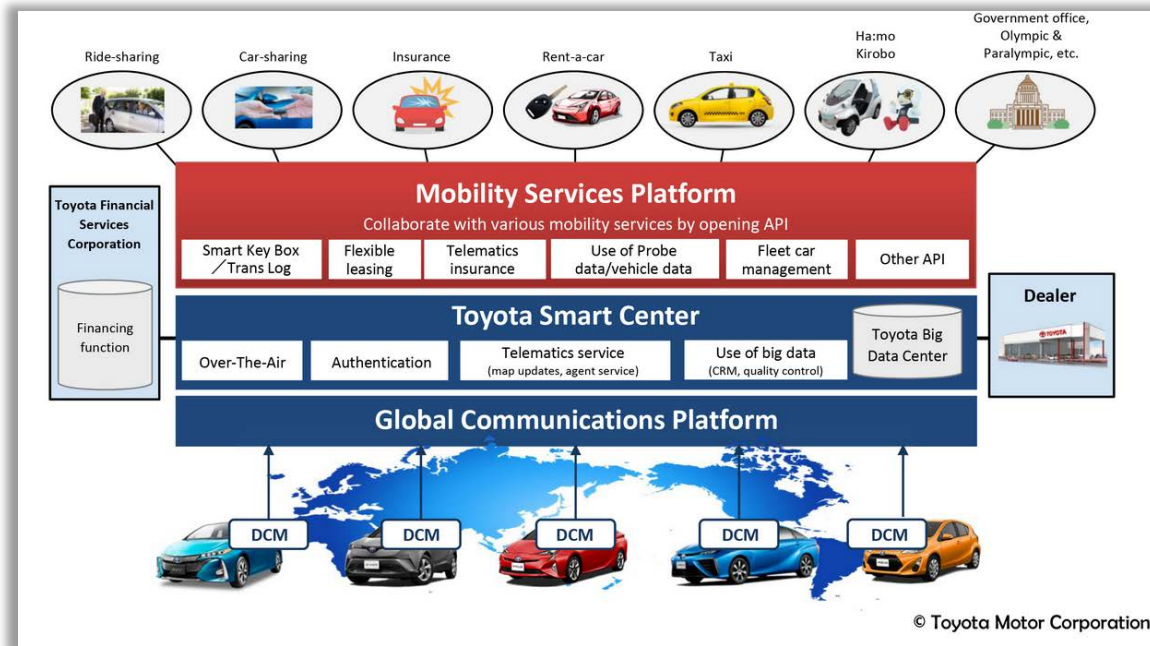
Additionally, Toyota performs the method of claim 10 through Toyota’s servers that are used to implement Toyota’s collection of User Profile data, which (1) Toyota itself uses to provide, offer to sell, and sell other Toyota services and products, (2) Toyota shares with third parties, (3) Toyota sells to third parties, and (4) Toyota itself uses to create its Mobility Services Platform feature (“MSPF” or “MSP”). Examples include Toyota’s sales of User Profile data to third parties who offer services to the user and/or for their own marketing purposes, Toyota’s sharing of profile data with third parties who offer their services to the user and/or for their own marketing purposes, Toyota’s sharing of profile data for targeted advertising, and

Claim 10	Toyota Accused Instrumentalities
	Toyota’s own use of User Profile data to offer or sell additional services and products to the user. See Toyota, Your Privacy Rights, at https://www.toyota.com/support/privacy-notice/. For example, Toyota Connected advertises itself as a company which uses “big data collected from vehicles and analyzed on a cloud platform” to “humanize the driving experience by providing customers secure, seamless and contextual services, elevating the customer experience while benefiting dealers, distributors, and partners”: About Toyota Connected, Inc. Based in Plano, Texas, Toyota Connected North America (TCNA) was established in 2016 to drive Toyota's global efforts for an intelligent mobile society. With big data collected from vehicles and analyzed on a cloud platform, Toyota Connected humanizes the driving experience by providing customers secure, seamless and contextual services, elevating the customer experience while benefiting dealers, distributors, and partners. At the heart of TCNA is Toyota's belief in human-centered mobility and a fundamental commitment to personal privacy. See Toyota Connected, Toyota Connected Leverages Twilio to Build A Faster and More Responsive ‘Drivelink’ Experience, at https://toyotaconnected.com/insights/drivelink-experience.

Claim 10	Toyota Accused Instrumentalities
	Toyota utilizes Connected Services to collect data from connected vehicles, and Toyota creates “new value” for the company by utilizing these data to deliver additional Toyota products and services and promote collaborations with third party service providers. So significant is the value of data collected from connected vehicles, “Toyota is working towards having all of its vehicles become connected vehicles”: To date, Toyota has sold 20 million Lexus and Toyota vehicles that are connected cars, mainly in Japan, the United States, Europe, and China. Toyota’s vision of the connected car is not simply one of connecting the car to the internet. Rather, it is about providing customers with emotional experiences through the movement of people, goods, and activities — a vision centered on people that we call “human connected.” To achieve this, we are operating a call center as a point of contact with customers; the Toyota Smart Center, which provides a variety of services; and the Toyota Big Data Center, which utilizes vehicle information gathered from cars. In addition, we have established the Mobility Service Platform (“MSPF”) to provide mobility services and are promoting collaboration with service providers. Connected cars and connected technologies will be applied to a variety of areas, and we anticipate that which is to be connected will expand to include people, cars, communities, and society (business-to-society, or BtoS). Toyota will handle the information gathered from customers and vehicles with care, utilizing it for the happiness of customers and the development of society while creating new value from experiences centered on mobility. ... through the purchase of installment and lease contracts originated by Toyota dealers. Related to Toyota’s automotive operations, Toyota is working towards having all of its vehicles become connected vehicles, creating new value and reforming businesses by utilizing big data obtained from those connected vehicles, and establishing new mobility services. Toyota’s all other operations business segment includes the information technology related businesses including a web portal for automobile information called GAZOO.com. See United States Securities and Exchange Commission, Toyota Motor Corporation, Form 20-F, June 30, 2023, at https://app.quotemedias.com/data/downloadFiling?webmasterId=90423&ref=317596090&type=PDF&symbol=TOYOF&cdn=01303c2712e9b793c3df5155e787e8e1&companyName=Toyota+Motor+Corporation&formType=20-F&formDescription=Annual+and+transition+report+of+foreign+private+issuers+%5BSections+13+or+15%28d%29%5D&dateFiled=2023-06-30. Toyota’s use, sharing, and sale of User Profile data includes the sharing and sale of User Profile data with/to third party service providers, such as insurance companies, rental car companies, car-sharing companies, mobile retailers, etc. Moreover, Toyota’s collection, use and transfer of User Profile data is used to create Toyota’s Mobility Services Platform, as depicted in the graphic below.

Claim 10

Toyota Accused Instrumentalities



See IEEE, Connected & Autonomous Vehicles, Toyota establishes a Mobility Services Platform and announces collaboration with a car-sharing company, at <https://site.ieee.org/connected-vehicles/2016/10/31/toyota-establishes-mobility-services-platform-announces-collaboration-car-sharing-company/>.

Toyota operates “its cloud data center for big data collected from connected cars” and is developing “new mobility services that utilize integrated vehicle connectivity and big data”:

Claim 10	Toyota Accused Instrumentalities
	In the automotive industry, the value of cars is changing significantly, due to diversification of market needs, the development of new areas such as MaaS and CASE, the entry of new industries utilizing IoT technology, and the emergence of new services such as ride sharing and car sharing. Toyota entered this era by announcing its Connected Strategy at the end of 2016. In order to accelerate MaaS initiatives, Toyota is promoting the deployment of MSPF that supports the MaaS strategy. Toyota Connected will develop MSPF and operate its cloud data center for big data collected from connected cars, which are increasing by millions each year worldwide. ... "This business alliance with NTT Data, with its open and advanced software development capabilities, will enable us to take care of accelerating the development of our TOYOTA's connected strategies. The alliance will strengthen the global structure for providing higher quality mobility services, and contribute to the creation of a thriving mobility society." said Shigeki Tomoyama, President, Toyota Connected. ... Toyota Connected, uses technology and automotive and IT know-how to create new mobility services that utilize integrated vehicle connectivity and big data. See RCR Wireless News, Toyota Connected and NTT Data to collaborate on mobility service business, April 2020, at https://www.rcrwireless.com/20200408/news/toyota-connected-ntt-data-collaborate-mobility-service-business. Toyota's "ingestion" and "analytics" of data from connected vehicles, including User Profile data, enables Toyota to "create the Mobility Service Platform[,] which "enables in turn other services":

Claim 10	Toyota Accused Instrumentalities
	“Thanks to that ingestion of data and the analytics of it, we can create the Mobility Service Platform. That is an open architecture that enables in turn other services,” he said. “You can imagine the vast quantity of information that is going through the Toyota Big Data Centers across the world. Our ability to turn this data into insights and those insights into relevant services is what we are talking about.” See Automotive Logistics, Channel[ing Big Data into Connected Services at Toyota, at https://www.automotivelogistics.media/digital-technology/channelling-big-data-into-connected-services-at-toyota/37898.article. For example, Toyota’s collection of User Profile data is used by Toyota to offer additional Toyota services, such as Navigation services. • Navigation. Your vehicle’s <i>navigation</i> feature (such as Drive Connect) allows you to choose a place of interest, a location on a map, one of your favorites, a destination from your history, or enter an address or coordinates (latitude and longitude). In certain vehicles, navigation includes the Destination Assist program, which connects you with a live agent to provide navigation directions. Your vehicle’s Location Data, Profile Data (such as in-vehicle preferences, favorites, and usage history), and your Account Information are used to verify your account and to offer these features. See Toyota Privacy Notice, Connected Services, Intro, at https://www.toyota.com/privacyvts/.

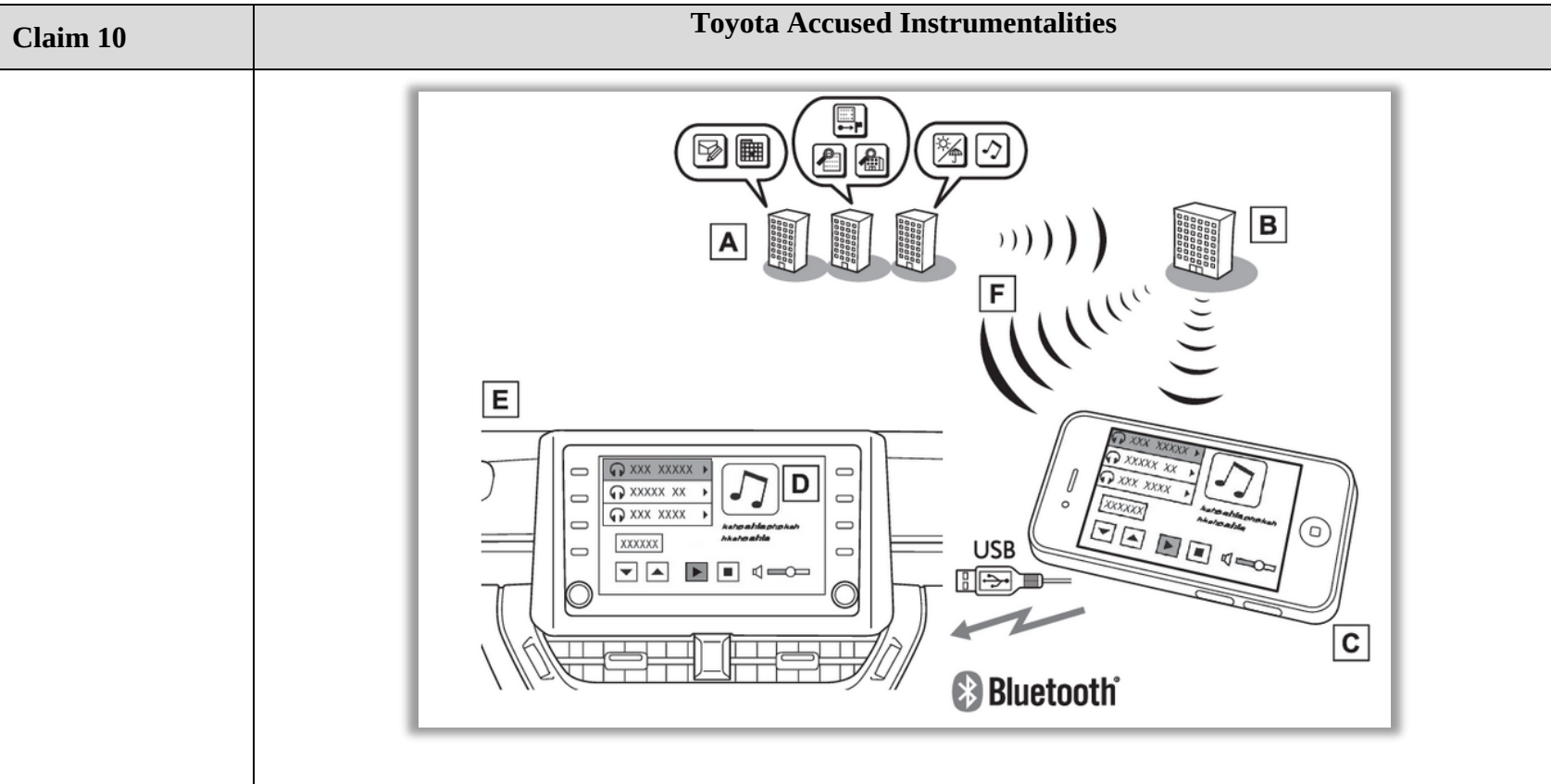
Claim 10	Toyota Accused Instrumentalities
	As another example, Toyota shares User Profile data with insurance companies, enabling such third-party insurers to make sales offers to users. “Toyota’s Connected Services provide value to customers by offering them unprecedented convenience and peace of mind,” said Steve Basra, group vice president of Connected Technologies at Toyota Motor North America. “Using the latest technologies, we’re able to provide more features and safety resources than ever before. We work with CAS to empower interested customers to use their driving data to obtain potential insurance savings. It’s a great example of how new technology can benefit customers in ways never before possible.” See Toyota Pressroom, Toyota Expands Partnership with Connected Analytic Services, at https://pressroom.toyota.com/toyota-expands-partnership-with-connected-analytic-services/. Toyota further performs the method of claim 10 through Toyota’s servers that are used to implement Toyota’s Rent a Toyota service and platform, wherein Toyota’s collection and transfer of User Profile data enable Toyota’s provision of services and sales to “Rent a Toyota” customers. For example, when a user registers a User Profile with Toyota, the Toyota app dashboard advertises to the user the ability to add a vehicle or “Rent a Toyota” vehicle:

Claim 10	Toyota Accused Instrumentalities
	See Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, How to Create Your Profile, at https://connectedtechnologiestoyota.com/toyota/feature/Toyota%20App/c0dafef0-1bde-11ec-b8cc-7df09d7dbdc2?model=&year=null; see also Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, at

Claim 10	Toyota Accused Instrumentalities
	https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52ba95c0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. Toyota’s Rent a Toyota service uses User Profile data from Rent a Toyota customers, <i>inter alia</i>, “to provide Connected Services and for internal research and data analysis.” Toyota Rent a Toyota further uses User Profile data for “navigation assistance and to activate remote services.” Profile: What information is required in my Toyota app profile? If you have already accessed the Toyota app, your profile is already setup. To complete a rental reservation in the Toyota app, you will need to provide valid driver details. You also have the option to upload your driver’s license and insurance information to save time at the counter.

Claim 10	Toyota Accused Instrumentalities
	Profile and Security: 1. Is the rental vehicle equipped with connected services? If so, how are they used? Toyota Connected Services Privacy and Protection Notice. Your rental vehicle may wirelessly transmit location, driving, and vehicle health data to provide Connected Services and for internal research and data analysis. Connected Services include the use of this vehicle data to respond to emergencies, navigation assistance, and/or to activate remote services. We also collect and use your personal information to facilitate your usage of Connected Services, fulfill your requests, and to manage our relationship with you. To learn more, please visit www.toyota.com/privacyvts. See Toyota, Rent a Toyota, FAQ, at https://www.toyota.com/rental/faq.html. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 10	Toyota Accused Instrumentalities
10[a] receiving, at a server, information for a user profile of a user, the user profile defining one or more settings that are preferred to be set in vehicles if the vehicles support the settings;	See claim 10[pre], above. The Accused Instrumentalities receive information for a user profile of a user. For example, as described above, Toyota provides a Toyota app for users to register and specify user-profile settings for a vehicle associated with a User Profile, such as music preferences, weather alerts, etc.; Toyota stores the User Profile data to a cloud server; Toyota receives content, such as Apple Music and weather alerts from content service providers, at a Toyota server; Toyota transmits user profile-defined content, as specified by the User Profile, to a vehicle associated with the User Profile. Using the Toyota app, communication is relayed between the vehicle's multimedia system, Toyota's server and the applicable content provider(s). Toyota's connected vehicle's embedded hardware and software enable communication among the Toyota app, the user profile-associated vehicle's multimedia system, Toyota's server and the content providers, allowing the vehicle to apply User Profile settings in the vehicle according to the user defined content.



Claim 10	Toyota Accused Instrumentalities
	A Content providerProvides contents to the application server. B Application serverProvides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D ApplicationsDisplay usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E SystemContent received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Toyota makes and sells vehicles with factory installed multimedia system hardware and software, which includes an on-board DCM. The DCM enables wireless/GPS technology and allows for the collection of data from the user and the user’s vehicle. By default, the DCM is on/active when the vehicle is delivered to the customer and will remain on/active and continue to collect data from the user and the user’s vehicle until the customer contacts Toyota and requests deactivation. See, e.g.:

Claim 10	Toyota Accused Instrumentalities
	(i) the Connected Services Privacy Notice located at www.Toyota.com/privacyvts (“Privacy Notice”). Carefully review the Privacy Notice as it applies to your personal information and Vehicle (as defined below) data that we collect, use, store, share and secure to provide the Services. Please note that your Vehicle comes with a data communication module (“DCM”) that enables the Wireless/GPS Technology, as described in Section 11(a), and allows for the collection of data from you and your vehicle (e.g., location, health and driving data). BY DEFAULT, THE DCM IS ON/ACTIVE WHEN YOUR VEHICLE IS DELIVERED AND WILL REMAIN ON/ACTIVE (AND CONTINUE TO COLLECT DATA FROM YOU AND YOUR VEHICLE) UNTIL YOU CONTACT US AND REQUEST THAT IT BE DEACTIVATED. Toyota Connected Services Terms of Use, Effective March 7, 2023, at 1-2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf; see <i>id.</i> at 2: 2. SERVICE REQUIREMENTS; SERVICE PROVIDERS; LIMITATIONS; APP (a) To obtain Services: (i) your Vehicle must contain a factory installed telematics system (the “System”) – see Section 11(a) for more details; (ii) your Vehicle must include the software installed by or on behalf of Toyota with all updates made available to you by Toyota (whether such update installed by you, Toyota or a dealer) (collectively, the “Software”) – for more details, see the EULA referenced in Section 1(b) above; (iii) the DCM must be on/active and properly functioning; and (iv) you must have an active Service Plan as provided under Section 3(b) below. Toyota advertises that its vehicles with Connected Services functionality “carry onboard technologies to process complex road data.” The data is processed via edge computing or “via cloud computing through an online server”:

Claim 10	Toyota Accused Instrumentalities
	And data engineers are working to make that data easy to consume, to process it faster via edge computing (processing data closer to the source where it is picked up, such as directly in a vehicle's onboard computer systems) or via cloud computing through an online server. They have to be able to do this with millions of vehicles today and this number grows daily with every car sale. These vehicles carry onboard technologies to process complex road data – securely and able to scale to solve for solutions we don't even know we need yet. See Toyota Connected, Case Study, Living on the Edge, Dreaming on a cloud, and the Big Idea of Big Data: How Toyota Connected is using Data to Make Smarter Cars, at https://www.toyotaconnected.com/insights/living-on-the-edge. Toyota stores User Profile data on cloud servers, so that “even if a profile is deleted in the vehicle, it is not deleted from the cloud.” Toyota uses the Toyota app as a platform in which the user defines settings for a User Profile and identifies an associated vehicle, enabling Toyota to receive the User Profile data at the cloud server, then transfer the User Profile data to the associated vehicle. See, e.g.:

Claim 10	Toyota Accused Instrumentalities
	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. ...

Claim 10	Toyota Accused Instrumentalities
	User profiles Driving positions, multimedia settings, and other vehicle settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● The following setting information can be saved in a profile: • Some multimedia settings : Volume and tone quality, navigation system, audio, etc. • Some vehicle settings : Driving position, air conditioning, meters, etc. ● Vehicle settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a device to identify the driver, your profile will be automatically loaded. You can select a smartphone and smart key as the device to be registered. See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf

Claim 10	Toyota Accused Instrumentalities		
	● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49; and see <i>id.</i> at 55: <table border="1" data-bbox="627 919 1694 1252"> <tr> <td data-bbox="636 925 821 1245">[Saved profiles]</td><td data-bbox="821 925 1686 1245"> The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle. </td></tr> </table>	[Saved profiles]	The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle.
[Saved profiles]	The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle.		

Claim 10	Toyota Accused Instrumentalities
	The Accused Instrumentalities receive information for a user profile of a user, the user profile defines one or more settings that are preferred to be set in vehicles if the vehicles support the settings. Toyota provides various settings options to be set in vehicles, which may vary by vehicle, and which may be selected by the user during user profile registration on the Toyota app. Examples of user profile defined settings include audio settings, cloud navigation settings, and vehicle preferences. <i>See, e.g.:</i> What is a Toyota User Profile? A User Profile allows you to have a personalized cloud-stored collection of select driver preferences & settings to enhance your Toyota driving experience. ...

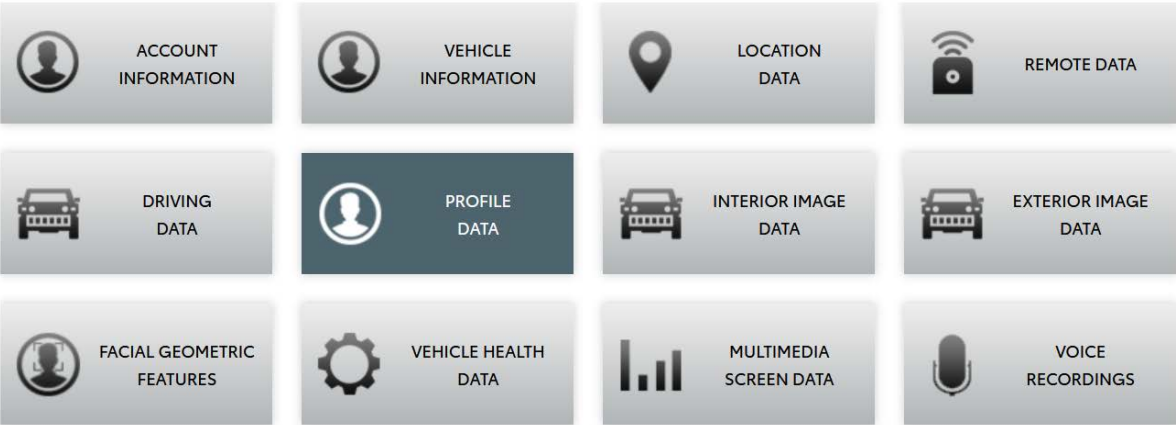
Claim 10	Toyota Accused Instrumentalities
	Examples of Cloud-Stored Personalized Settings: Audio Settings ▪ Radio Station Favorites ▪ Recently Played AM/FM Stations ▪ Treble/Bass/Mid Programming ▪ Music Streaming Preferences Cloud Navigation Settings ▪ Home & Work Addresses ▪ Recent Addresses ▪ Show/Hide Traffic ▪ Avoid Toll Roads ▪ Notification Preferences Vehicle Preferences ▪ Date & Time ▪ Language & Units ▪ Driver seat adjustments ▪ Heads up display settings See Toyota, Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile,

Claim 10	Toyota Accused Instrumentalities
	https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. <i>See also:</i> What are the key features of a User Profile? Driver settings in the vehicle are saved to the User profile and can be carried along with you when switching between select model year 2022 and newer vehicles. · Your radio and preset favorites · Your preferences such as display day/night mode, seat settings, language · Use your account PIN to easily sign in when your profile has been detected · You can quickly sign out to Guest mode when using services like Valet · Use various devices such as a smartphone Bluetooth® device, smart key/key fob, Digital Key, or Driver Monitor Face Identification to sign into your profile automatically Note: Driver Monitor Camera Face Identification is only available on select model year 2023 and new vehicles. Digital Key is only available on select model year 2022 and newer vehicles. For additional assistance on your vehicle's features and capabilities please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. <i>See Toyota, Support Home, What are the key features of a User Profile?, at</i> https://support.toyota.com/s/article/What-are-the-key-features-of-a-User-Profile?language=en_US.

Claim 10	Toyota Accused Instrumentalities
	The Accused Instrumentalities receive information for a user profile of a user, the user profile defines one or more settings that are preferred to be set in vehicles if the vehicles support the settings. For example, Toyota advertises that its User Profile “service may vary by vehicle.” Toyota instructs customers “to review their vehicle’s features and capabilities within the Toyota app” or by “refer[ring] to [their] Owner’s Manual.”

Claim 10	Toyota Accused Instrumentalities
	Toyota App User Profile Eligibility <i>Which vehicles are equipped with a User Profile feature?</i> The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Toyota app or refer to your Owner's Manual. You can review your vehicle's Connected Services within the Toyota app or for assistance on how to subscribe to Connected Services please visit our Audio & Connected Services Support tool. <i>The Bluetooth word mark and logos are registered trademarks owned by Bluetooth SIG, Inc. and any use of such marks by Toyota is under license. A compatible Bluetooth enabled phone must first be paired. Phone performance depends on software, coverage and carrier.</i> <i>Use only if aware of circumstances surrounding vehicle and it is legal and safe to do so (e.g., do not remotely start engine if vehicle is in an enclosed space or vehicle is occupied by a child). Toyota Digital Key depends on factors outside of Toyota's control, including an operative Bluetooth capable smart device, without which system functionality and availability may be limited or precluded. Service may vary by vehicle and region. Registration and Toyota app download required. Subscription required after trial. Terms of Use apply. Data charges may apply. Services subject to change at any time without notice. See usage precautions and service limitations in the Toyota Owner's Manual for additional details. To learn about Toyota's data collection, use, sharing and retention practices, please visit https://www.toyota.com/privacyvts/.</i> See Toyota, Support Home, Toyota App User Profile Eligibility, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10736?language=en_US; see also Lexus,

Claim 10	Toyota Accused Instrumentalities
	Support Home, Which Vehicles are Equipped with a User Profile Feature, at https://support.lexus.com/s/article/Which-vehicles-are-eq-10869: WHICH VEHICLES ARE EQUIPPED WITH A USER PROFILE FEATURE? 🕒 May 10, 2023 The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Lexus app, on the Lexus Connected Technology Support Tool or refer to your Owner's Manual. A compatible Bluetooth enabled phone must be paired. Phone performance depends on software, coverage and carrier. The Bluetooth word mark and logos are registered trademarks of Bluetooth SIG, Inc. Use of such marks by Lexus is under license. For example, Toyota advertises that it collects the user's in-vehicle preferences if the vehicle is equipped with the ability to create and save user profiles.

Claim 10	Toyota Accused Instrumentalities
	On A Regular And Continuous Basis, We Collect And Use Your:  © 2023 Toyota Motor Sales, U.S.A., Inc. Your Privacy Choices Cookie Consent Options Profile Data. If your vehicle is equipped with the ability to create and save user profiles, we may collect your in-vehicle preferences (i.e., your linked Apple Music or Amazon Music account), favorites (i.e., your saved locations on maps or your preset radio stations), and usage history (i.e., your search and routing history on maps). This information is used to deliver Connected Services tailored to your profile. See Toyota, Privacy Notice, Connected Services, Collect & Use, Profile Data, at https://www.toyota.com/privacyvts/; see also Lexus, Privacy Notice, Connected Services, Collect & Use, at https://www.lexus.com/privacyvts/.

Claim 10	Toyota Accused Instrumentalities
	See also Toyota, 2024 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY24_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2024 vehicles); see Toyota 2023 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY23_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2023 vehicles); and see Toyota 2022 Connected Services & Audio Multimedia Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY22_Connected_Services_and_Audio_Multimedia_Feature_Applicability.pdf (identifying connected services and features available for select 2022 vehicles). Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
10[b] identifying a selected vehicle for applying the user profile, the selected vehicle having a plurality of settable settings, the selected vehicle being one of a plurality of	See claim 10[pre] and claim 10[a], above. The Accused Instrumentalities identify a selected vehicle for applying the user profile. Toyota provides multiple methods for identifying a selected vehicle for applying the User Profile. For example, the connected vehicle has embedded hardware and software, including an on-board communication module, (e.g., a DCM), which is by default on/active to collect, transmit, and relay user-identifying data, via a Bluetooth-connected handheld device, such as a smartphone or a tablet, smart key, or via manual login, to the Accused Instrumentalities for identifying a selected vehicle in order to apply a User Profile to a selected vehicle:

Claim 10	Toyota Accused Instrumentalities
vehicles identified as available by the server;	• User Profiles– To help improve the user’s overall driving experience, a user will receive the same personalized settings in new vehicles making it portable from vehicle to vehicle. The new profile system is stored on the cloud, meaning users can access and take their experiences on the go with them across vehicles featuring the new multimedia system. Once created, users can use a Bluetooth handheld device such as a smartphone or tablet, smart key, or manual login to access their profile. See Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System To Deliver Best In-Car User Experience, at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/; see also Lexus, Connected Technology Support, Internal Home, Support Topics, Lexus App, at https://connectedtechnologieslexus.com/lexus/feature/Lexusapp/80777110-051b-11ec-bb1d-63676d325770?model=&year=null:

Claim 10	Toyota Accused Instrumentalities
	To get started adding your vehicle to the Lexus App, first make sure the Bluetooth is enabled on your smartphone. Note: Bluetooth must be enabled for the vehicle to detect User Profiles. Bluetooth Hands-free pairing to the vehicle is not required for User Profile detection. (i) the Connected Services Privacy Notice located at www.Toyota.com/privacyvts (“Privacy Notice”). Carefully review the Privacy Notice as it applies to your personal information and Vehicle (as defined below) data that we collect, use, store, share and secure to provide the Services. Please note that your Vehicle comes with a data communication module (“DCM”) that enables the Wireless/GPS Technology, as described in Section 11(a), and allows for the collection of data from you and your vehicle (e.g., location, health and driving data). BY DEFAULT, THE DCM IS ON/ACTIVE WHEN YOUR VEHICLE IS DELIVERED AND WILL REMAIN

Claim 10	Toyota Accused Instrumentalities
	ON/ACTIVE (AND CONTINUE TO COLLECT DATA FROM YOU AND YOUR VEHICLE) UNTIL YOU CONTACT US AND REQUEST THAT IT BE DEACTIVATED. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 1-2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf. For example, a User Profile may be applied to a vehicle identified and selected as registered with the User Profile after the user enters a PIN, which is confirmed by the vehicle communication module's communications with the Accused Instrumentalities. As another example, if a user links a preferred identification device with their User Profile, Toyota uses vehicle embedded hardware and software to relay communications between the device and the server, using device identifier data assigned to a user's device to identify and select the vehicle associated with the User Profile, and thereafter apply the User Profile to that vehicle. <i>See, e.g.:</i> To load your saved profile, select 'Settings' (gear icon) within the menu there is a list of 'Saved profiles' to select from. Select the desired profile for the Driver. When prompted enter your profile PIN. Once the PIN is confirmed the profile is loaded to the vehicle. A banner will confirm that your profile has been successfully loaded to the multimedia system. You can also Link your preferred identification device to automatically load your saved profile. For assistance on how to Link your preferred identification device please visit our Audio & Connected Services Support tool or reference your Owner's Manual. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US; see Lexus Support Home, How Can I Add My User Profile to a Vehicle?, at https://support.lexus.com/s/article/How-can-I-add-my-User-Profile-to-a-vehicle; see also Toyota, Privacy Notice, Connected Services, at https://www.toyota.com/support/privacy-notice/:

Claim 10	Toyota Accused Instrumentalities
	• <i>Device Identifier.</i> We automatically collect your IP address or other unique identifier ("Device Identifier") for the Device (computer, mobile phone, tablet or other device) you use to access the Platforms. A Device Identifier is a number that is assigned to your Device when you access a website or its servers, and our computers identify your device by its Device Identifier. We, and our affiliates, service providers, business partners, and other parties, including authorized dealers, may use a Device Identifier to, among other things, administer the Platforms; help diagnose problems with our servers; analyze trends; track users' web page movements over time and across different websites, Platforms, or other mobile, online, or offline services; to help identify you and your shopping cart, and gather broad demographic information for aggregate use. As another example, a user can link a smart key to their User Profile, according to Toyota's instructions, and Toyota uses the vehicle's embedded hardware and software, configured to relay communications with the smart key and the Accused Instrumentalities, to apply a User Profile to the user profile associated vehicle.

Claim 10	Toyota Accused Instrumentalities
	On select model year 2022 and newer vehicles are equipped with the User Profile feature. You can link a smartphone or smart key / key fob to identify your saved profile automatically when detected by your vehicle. To link a Smartphone to your profile, select 'Settings' (gear icon), then 'Personal info' and 'Link devices'. Continue following the instruction on the display to complete. To link a smart key / key card to your profile, select 'Settings' (gear icon), then 'Personal info' and enable the 'Link key' while your smart key / key card is in the vehicle with you. Note: Your User Profile is associated with your Digital Key and allows your profile to be loaded automatically. No further setup required. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US; see also Lexus, Support Home, How can I add My User Profile to a Vehicle?, at https://support.lexus.com/s/article/How-can-I-add-my-User-Profile-to-a-vehicle:

Claim 10	Toyota Accused Instrumentalities
	HOW CAN I ADD MY USER PROFILE TO A VEHICLE? 🕒 Sep 24, 2022 Your profile is initially detected by the multimedia system using your smartphone when you enter the vehicle. The Lexus app must be open and signed in, and Bluetooth® must be enabled on the smartphone. Once a profile is detected, the multimedia will display a message with the option to select “Settings.” Within the menu there is a list of “Detected profiles” to select from. Select the desired profile for the driver. When prompted enter your profile PIN. Once the PIN is confirmed the profile is loaded to the vehicle. The system will suggest to “Save profile” and continue. A banner will confirm that your profile has been successfully saved to the multimedia system. For more assistance with User Profile please visit our Connected Technology Support Tool or reference your Owner’s Manual. <i>The Bluetooth word mark and logos are registered trademarks owned by Bluetooth SIG, Inc. and any use of such marks by Lexus is under license. A compatible Bluetooth enabled phone must first be paired. Phone performance depends on software, coverage and carrier.</i> The Accused Instrumentalities identify the selected vehicle for applying the user profile, the selected vehicle having a plurality of settable settings. For example, Toyota’s User Profile functionality includes the selected vehicle having up to three User Profiles, wherein each profile of the three user profiles may be tailored to the user’s individual setting preferences.

Claim 10	Toyota Accused Instrumentalities
	<i>What is a User Profile?</i> A User Profile is created when you register an account within the Toyota app. Used on select model year 2022 & newer vehicles, User Profile allows for you & other drivers of the vehicle to customize their driving experience. Personalized settings and preferences stored to your profile are accessed when the vehicle recognizes the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US. Toyota’s User Profile functionality allows for three User Profiles per vehicle, wherein each of the three users can customize their own “driving positions, multimedia settings, and other vehicle settings,” including different settings allowable for the primary driver.

Claim 10	Toyota Accused Instrumentalities
	User profiles Driving positions, multimedia settings, and other vehicle settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● The following setting information can be saved in a profile: • Some multimedia settings : Volume and tone quality, navigation system, audio, etc. • Some vehicle settings : Driving position, air conditioning, meters, etc. ● Vehicle settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a device to identify the driver, your profile will be automatically loaded. You can select a smartphone and smart key as the device to be registered. ...

Claim 10	Toyota Accused Instrumentalities
	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. See Toyota, bZ4X 2023 Multimedia Owner’s Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner’s profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49; and see <i>id.</i> at 55:

Claim 10	Toyota Accused Instrumentalities		
	<table border="1" data-bbox="627 280 1694 613"> <tr> <td data-bbox="636 287 821 607">[Saved profiles]</td><td data-bbox="821 287 1686 607"> The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle. </td></tr> </table> See also Lexus, Connectivity, Multimedia FAQ, What is a User Profile?, at https://www.lexus.com.au/connectivity/apple-carplay-and-android-auto-support: WHAT IS A USER PROFILE? — A User Profile is created when you register an account within the Lexus Connected app. User Profile allows for you & other drivers of the vehicle to customise their driving experience. Personalised settings and preferences stored to your profile are accessed when the vehicle recognises the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences.	[Saved profiles]	The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle.
[Saved profiles]	The user profile registered on the vehicle are displayed in a list. Touch the profile that desired to be used and enter the PIN code to change the profile. Touching [Edit] enables saved profiles to be deleted. Profiles are still stored on the cloud, preserving all settings and personalized information. Up to three user profiles can be saved on the vehicle.		

Claim 10	Toyota Accused Instrumentalities
	Toyota’s User Profile functionality allows a primary driver to customize their User Profile to receive “vehicle health reports, manage services, and more,” whereas the additional two User Profiles for a vehicle cannot have these settings. See Toyota, Support, How To: User Profiles on Toyota’s New Audio Multimedia System, at https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/fc9a2440-4959-11ec-99e3-59782dff31a1?model=bZ4X&year=2023; see also Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024:

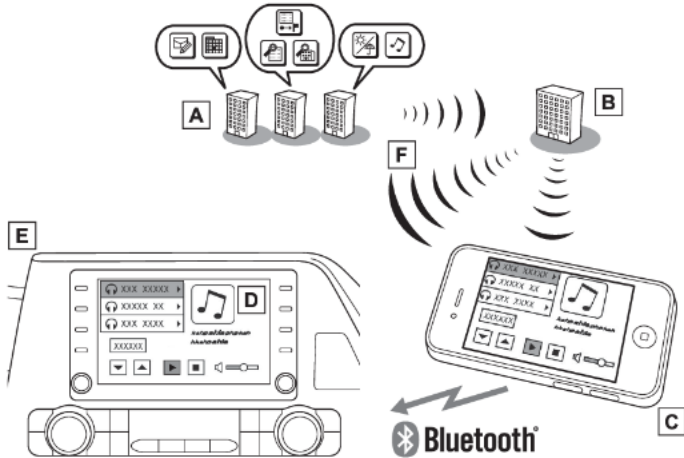
Claim 10	Toyota Accused Instrumentalities
	GUEST MODE & PROFILE MODE If the vehicle does not detect a profile, the Lexus Interface will not load any personalized preferences or settings. This is referred to as "Guest Mode." On selecting a detected/saved profile, the Lexus Interface will load the personalized preferences or settings of that profile. This is referred to as the "Profile Mode." The below Profile types can be saved to a vehicle: Primary Driver - The main driver or vehicle's owner is the Primary Driver. Additional Profile/s- a family member or a friend who wants to access their profile preferences/settings can create additional profiles. Upto two additional profiles can be saved.

Claim 10	Toyota Accused Instrumentalities
	The Accused Instrumentalities identify the selected vehicle for applying the user profile, the selected vehicle having a plurality of settable settings, the selected vehicle being one of a plurality of vehicles identified as available by the server (e.g., one of the vehicles recognized by the server). A User Profile stored to Toyota's server can include a user profile-associated vehicle, for example identified by vehicle identification number ("VIN"). Toyota's server, storing the User Profile data, including the user profile-associated vehicle, identifies the user profile-associated vehicle and selects said vehicle to apply a User Profile to the vehicle. How do I add a vehicle to my My Toyota account? After logging into your My Toyota account > select Manage Your Profile from the top right > select Manage Vehicles > Add Vehicle > Enter the Vehicle Identification Number (VIN) or the model and year. The new vehicle will be added to your profile. See Toyota, Support Home, How do I add a vehicle to my My Toyota account?, at https://support.toyota.com/s/article/How-do-I-add-a-vehicle-7598?language=en_US. Toyota's User Profile functionality allows for User Profile data to be stored to the Toyota server, as opposed to locally saved to the vehicle's multimedia system.

Claim 10	Toyota Accused Instrumentalities
	<i>Can I still use my profile if I don't want to save it to the vehicle?</i> Yes. Your profile may be detected and loaded for use within the multimedia system without saving it. Once the profile is detected, the multimedia will display a message with the option to select 'Settings'. Within the menu there is a list of 'Detected profiles' to select from. Select the desired profile for the Driver. When prompted enter your profile PIN. Once the PIN is confirmed the profile is loaded to the vehicle. The system will suggest to 'Save profile'. If you do not wish to save the profile to the multimedia system, simply select 'Do not save' when prompted. See Toyota, Support Home, Toyota App User Profile key Features Breakdown, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10737?language=en_US. Toyota's User Profile functionality includes the Toyota server identifying and selecting a user profile-associated vehicle on which to load a User Profile, for example, where the user linked the vehicle to the User Profile via the Toyota app. ■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf

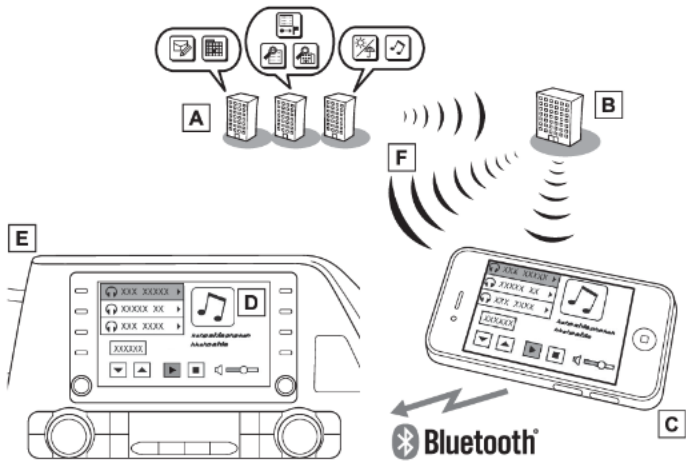
Claim 10	Toyota Accused Instrumentalities
	● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49. Additionally, the Toyota vehicle's embedded hardware and software enable communication between the vehicle and Toyota's server to verify user-identifying data, for example, via a Bluetooth-connected handheld device, such as a smartphone or a tablet, smart key, or via manual login, in order to identify and select the appropriate user profile-associated vehicle among a plurality of vehicles available to the server. Toyota's connected vehicles, embedded with a DCM and telematics system, can detect Multiple Toyota User Profiles if there are other Toyota app users in the vehicle's vicinity, however, through communications with the server, for example, verification of a PIN or linked identification device, the server selects the user profile-associated vehicle on which to apply the User Profile.

Claim 10	Toyota Accused Instrumentalities
	HOME / SUPPORT TOPICS / TOYOTA APP Your Toyota User Profile should now be displayed under "Detected Profiles." To load your profile, select your "name." The User Profile name matches the first and last name you entered when registering for the Toyota App. Note: Multiple Toyota User Profiles may be detected by the Audio Multimedia system if there are other Toyota app users in the vehicle's vicinity. Make sure to choose the correct profile name you wish to load. See Toyota Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, How to Create Your Profile, at https://toyotaaudioandconnectedservicessupport.com/toyota/feature/Toyota%20App/af779a10-bbf7-11ec-9c26-bda36a4d479f?model=&year=null.

Claim 10	Toyota Accused Instrumentalities
	Toyota's multimedia system, including embedded DCM hardware to communicate with Toyota servers, and identification device(s), enables Toyota servers to identify and select user profile-associated vehicles on which to apply User Profile data to the user profile-associated vehicle. <i>See, e.g.:</i> By using a smartphone or DCM  A Content provider Provides contents to the application server. B Application server Provides applications to the system or a smartphone. C Smartphone * Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D Applications Display usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E System Content received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM

Claim 10	Toyota Accused Instrumentalities
	See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
10[c] determining, by the server, applicable settings for the selected vehicle, the applicable settings being settings that are preferred to be set as identified from the user profile and are compatible with settings that are	See claim 10[pre] and claim 10[a]-[b], above. The Accused Instrumentalities determine applicable settings for the selected vehicle. For example, Toyota stores User Profile data, including User Profile settings to the Accused Instrumentalities (e.g., in the cloud), and the user profile settings are loaded from the cloud to a user profile-associated vehicle.

Claim 10	Toyota Accused Instrumentalities
settable in the selected vehicle; and	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf. When a user changes the vehicle settings, for example by accessing the Toyota app, Toyota's server updates the User Profile and further updates the settings for the user profile-associated vehicle. ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States.

Claim 10	Toyota Accused Instrumentalities
	<i>Id.</i> at 49. As described above, Toyota's connected vehicles include embedded hardware and software enabling communications among the vehicle's multimedia system, Toyota's server, and the identification device(s) linked to the User Profile. <i>See, e.g.:</i> By using a smartphone or DCM  A Content providerProvides contents to the application server. B Application serverProvides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D ApplicationsDisplay usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E SystemContent received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM

Claim 10	Toyota Accused Instrumentalities
	See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Toyota performs the method of claim 10, including determining, by the server, applicable settings for the selected vehicle, the applicable settings being settings that are preferred to be set as identified from the user profile and are compatible with settings that are settable in the selected vehicle. The applicable settings for the selected vehicle are settings that are preferred to be set as identified from the User Profile. Examples of user profile preferred settings include audio settings, cloud navigation settings, and vehicle preferences. See, e.g.: What is a Toyota User Profile? A User Profile allows you to have a personalized cloud-stored collection of select driver preferences & settings to enhance your Toyota driving experience. ...

Claim 10	Toyota Accused Instrumentalities
	Examples of Cloud-Stored Personalized Settings: Audio Settings ▪ Radio Station Favorites ▪ Recently Played AM/FM Stations ▪ Treble/Bass/Mid Programming ▪ Music Streaming Preferences Cloud Navigation Settings ▪ Home & Work Addresses ▪ Recent Addresses ▪ Show/Hide Traffic ▪ Avoid Toll Roads ▪ Notification Preferences Vehicle Preferences ▪ Date & Time ▪ Language & Units ▪ Driver seat adjustments ▪ Heads up display settings

Claim 10	Toyota Accused Instrumentalities
	See Toyota, Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, at https://toyotaaudioandconnectedservicessupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023; see also Lexus, Connected Technology Support, Home UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024: WHAT IS A USER PROFILE? A User Profile is a cloud-stored collection of select driver preferences & settings (from the Lexus app & vehicles).It allows a personalization of your Lexus experience. The User Profile name matches the first and last name you entered when registering for the Lexus app. ... Examples of profile preferences and settings:

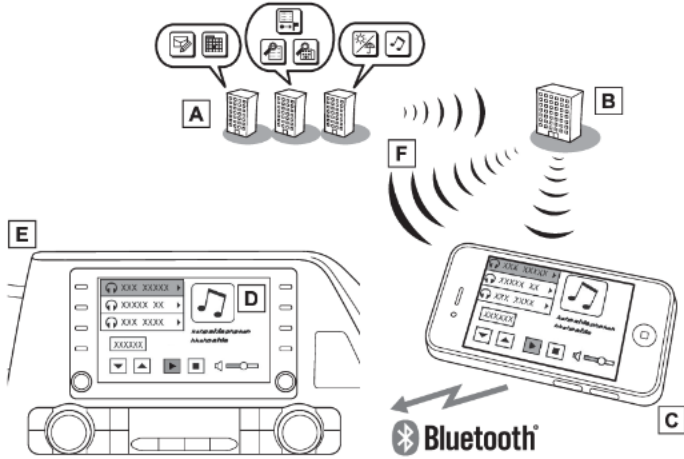
Claim 10	Toyota Accused Instrumentalities
	Music Streaming Preferences/Settings Explicit Content, Default Source (Apple Music® or Amazon Music) Radio Settings Radio 'Favorites', Recently played AM/FM, Treble/Bass/Mid programming Map/Navigation Preferences & Settings • Home Address, Work Address, Recents, Show/Hide Traffic, Avoid Toll Roads • Notification Preferences • Software updates, HOV/HOT lanes Vehicle Preferences Clock Format, Date Format, Head Unit Language, Seat Adjustment, Heads Up Display, Units Toyota vehicles have varying features and capabilities, thus the preferred settings must be compatible with the user profile-associated vehicle before Toyota's server applies user profile settings in the vehicle.

Claim 10	Toyota Accused Instrumentalities
	What are the key features of a User Profile? Driver settings in the vehicle are saved to the User profile and can be carried along with you when switching between select model year 2022 and newer vehicles. · Your radio and preset favorites · Your preferences such as display day/night mode, seat settings, language · Use your account PIN to easily sign in when your profile has been detected · You can quickly sign out to Guest mode when using services like Valet · Use various devices such as a smartphone Bluetooth® device, smart key/key fob, Digital Key, or Driver Monitor Face Identification to sign into your profile automatically Note: Driver Monitor Camera Face Identification is only available on select model year 2023 and new vehicles. Digital Key is only available on select model year 2022 and newer vehicles. For additional assistance on your vehicle's features and capabilities please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. See Toyota, Support Home, What are the key features of a User Profile?, at https://support.toyota.com/s/article/What-are-the-key-features-of-a-User-Profile?language=en_US. Using vehicle identifying data associated with the User Profile, for example the vehicle's VIN or model and year, a Toyota server can determine which settings that are preferred to be set as identified from the User Profile are compatible with settings that are settable in the selected vehicle. See, e.g., Toyota, 2024 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-

Claim 10	Toyota Accused Instrumentalities
	multimedia/pdf/new/MY24_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2024 vehicles); see Toyota 2023 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY23_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2023 vehicles); and see Toyota 2022 Connected Services & Audio Multimedia Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY22_Connected_Services_and_Audio_Multimedia_Feature_Applicability.pdf (identifying connected services and features available for select 2022 vehicles). Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
10[d] sending, by the server, the applicable settings for programming to the selected vehicle, wherein the applicable settings are programmed on the selected vehicle after receipt by the	See claim 10[pre] and claim 10[a]-[c], above. The Accused Instrumentalities send the applicable settings for programming to the selected vehicle. Toyota stores User Profile data, including User Profile settings, in the cloud, and Toyota’s server sends the applicable settings to Toyota’s vehicles, including, e.g., a user profile-associated vehicle.

Claim 10	Toyota Accused Instrumentalities
selected vehicle over a wireless connection, wherein the method is executed by the server, the server including a processor;	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf; see also <i>id.</i> at 49: ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. Toyota performs the method of claim 10, including sending, by the server, the applicable settings for programming to the selected vehicle, wherein the applicable settings are programmed on the selected

Claim 10	Toyota Accused Instrumentalities
	vehicle after receipt by the selected vehicle over a wireless connection, wherein the method is executed by the server, the server including a processor. As described above, Toyota's connected vehicles include embedded hardware and software enabling communications, over a wireless connection, among the vehicle's multimedia system, Toyota's server, and the identification device(s) linked to the User Profile. <i>See, e.g.:</i>

Claim 10	Toyota Accused Instrumentalities
	By using a smartphone or DCM  A Content providerProvides contents to the application server. B Application serverProvides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D ApplicationsDisplay usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E SystemContent received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and

Claim 10	Toyota Accused Instrumentalities
	Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. For example, Toyota stores User Profile data, e.g., User Profile personalized settings and preferences, to a cloud server, and by a wireless connection between an identification device associated with the User Profile and the vehicle's embedded DCM and telematics system, the applicable User Profile settings are received by and programmed on the vehicle. Toyota App User Profile Overview <i>What is a User Profile?</i> A User Profile is created when you register an account within the Toyota app. Used on select model year 2022 & newer vehicles, User Profile allows for you & other drivers of the vehicle to customize their driving experience. Personalized settings and preferences stored to your profile are accessed when the vehicle recognizes the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences. Additionally, Toyota's cloud server includes processor.

Claim 10	Toyota Accused Instrumentalities
	To Toyota Connected Managing Engineer Dany Benjamin, who oversees Big Data ingestion, it is an enabler to drive our customers' capabilities. "We're constantly innovating and creating new data services for our customers," said Benjamin. "To do that, we need passionate, talented engineers who understand and love data at scale. This could be telemetry data, diagnostic data or even video streams – anything that provides insights to improve the mobility experience for everyone." ... In many cases, Toyota Connected is Toyota's first stop for anonymized macro trends – Big Data – before those trends can be turned into technology. It's no secret that data informs how cars operate and will more so in the future as they become more and more automated. For instance, a vehicle with a navigation system can see when a road turns using cellular and GPS signals. ...

Claim 10	Toyota Accused Instrumentalities
	And data engineers are working to make that data easy to consume, to process it faster via edge computing (processing data closer to the source where it is picked up, such as directly in a vehicle's onboard computer systems) or via cloud computing through an online server. They have to be able to do this with millions of vehicles today and this number grows daily with every car sale. These vehicles carry onboard technologies to process complex road data – securely and able to scale to solve for solutions we don't even know we need yet. See Toyota Connected, Case Study, Living on the Edge, Dreaming on a cloud, and the Big Idea of Big Data: How Toyota Connected is using Data to Make Smarter Cars, at https://www.toyotaconnected.com/insights/living-on-the-edge; see also https://www.toyota.com/support/privacy-notice/ (describing, for privacy disclosure, processing of user data and purpose of processing). Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
10[e] wherein the selected vehicle includes vehicle electronics for applying the	See claim 10[pre] and claim 10[a]-[d], above, The selected vehicle includes vehicle electronics for applying the programming to cause the applicable settings to be activated on the selected vehicle and communication circuitry for communicating via the wireless connection.

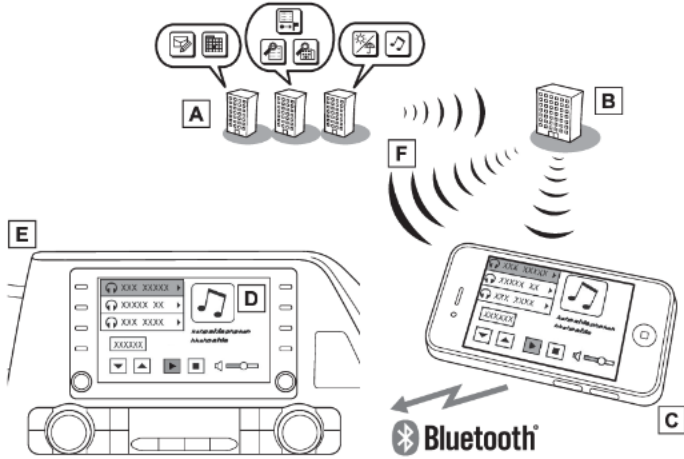
Claim 10	Toyota Accused Instrumentalities
programming to cause the applicable settings to be activated on the selected vehicle and communication circuitry for communicating via the wireless connection.	Toyota uses the vehicle’s factory installed telematics system and factory-installed DCM to communicate stored User Profile data among Toyota’s server, the multimedia system of the User Profile-associated vehicle, and a linked identification device, such as a smart phone or smart key. <i>See</i> Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, <i>at</i> https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf. The DCM is an embedded cellular device which enables wireless/GPS technology and allows Toyota to collect data from the user and the user’s vehicle. <i>See id.</i> The telematics system uses digital wireless telecommunications technology and GPS technology to enable Toyota Connected Services and Toyota-installed software via third party wireless networks, satellites, and related infrastructure. <i>See id.</i> at 2, 8; <i>and see</i> Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Types of functions, <i>at</i> https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.ibo1649038197243:

Claim 10	Toyota Accused Instrumentalities
	Types of functions PREVIOUS SECTION < Functional overview NEXT SECTION Before using the function > The functions included are classified into the following types. - Type A: Function achieved by using DCM and the system - Type B: Function achieved by using DCM - Type C Function achieved by using DCM and a smartphone Function Type User Profile, Drive Connect, Wi-Fi Connect, OTA Type A Safety Connect Type B Remote Connect, Service Connect Type C See also Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Functional overview, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.fgi1649038197149:

Claim 10	Toyota Accused Instrumentalities
	Type A: Function achieved by using DCM and the system PREVIOUS SECTION < Before using the function NEXT SECTION Type B: Function achieved by using DCM > The functionality of User Profile, Drive Connect (Cloud Navigation, Intelligent Assistant, Destination Assist), Wi-Fi Connect (Wi-Fi Hotspot, Integrated Streaming) is made possible through the shared work of the DCM and the system. These services are available by subscription on select, telematics hardware- equipped vehicles and supported by the Toyota, which operates 24 hours a day, 7 days a week. For details about: - User Profile: Registering a user profile - Intelligent Assistant: Using the Intelligent Assistant system - Cloud Navigation: Cloud navigation - Destination Assist: Destination Assist - Integrated Streaming: Playing Integrated Streaming - Wi-Fi Hotspot: Setting Wi-Fi Hotspot By default, the DCM is on/active when the vehicle is delivered to the customer and will remain on/active and continue to collect data from the user and the user’s vehicle until the customer contacts Toyota and requests deactivation. <i>See, e.g.:</i> (i) the Connected Services Privacy Notice located at www.Toyota.com/privacyvts (“Privacy Notice”). Carefully review the Privacy Notice as it applies to your personal information and Vehicle (as defined below) data that we collect, use, store, share and secure to provide the Services. Please note that your Vehicle comes with a data communication module (“DCM”) that enables the Wireless/GPS Technology, as described in Section 11(a), and allows for the collection of data from you and your vehicle (e.g., location, health and driving data). BY DEFAULT, THE DCM IS ON/ACTIVE WHEN YOUR VEHICLE IS DELIVERED AND WILL REMAIN

Claim 10	Toyota Accused Instrumentalities
	ON/ACTIVE (AND CONTINUE TO COLLECT DATA FROM YOU AND YOUR VEHICLE) UNTIL YOU CONTACT US AND REQUEST THAT IT BE DEACTIVATED. Toyota Connected Services Terms of Use, Effective March 7, 2023, at 1-2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf; <i>see id.</i> at 2: 2. SERVICE REQUIREMENTS; SERVICE PROVIDERS; LIMITATIONS; APP (a) To obtain Services: (i) your Vehicle must contain a factory installed telematics system (the “System”) – see Section 11(a) for more details; (ii) your Vehicle must include the software installed by or on behalf of Toyota with all updates made available to you by Toyota (whether such update installed by you, Toyota or a dealer) (collectively, the “Software”) – for more details, see the EULA referenced in Section 1(b) above; (iii) the DCM must be on/active and properly functioning; and (iv) you must have an active Service Plan as provided under Section 3(b) below. Toyota advertises that its vehicles with Connected Services functionality “carry onboard technologies to process complex road data.” <i>See, e.g.:</i>

Claim 10	Toyota Accused Instrumentalities
	And data engineers are working to make that data easy to consume, to process it faster via edge computing (processing data closer to the source where it is picked up, such as directly in a vehicle's onboard computer systems) or via cloud computing through an online server. They have to be able to do this with millions of vehicles today and this number grows daily with every car sale. These vehicles carry onboard technologies to process complex road data – securely and able to scale to solve for solutions we don't even know we need yet. See Toyota Connected, Case Study, Living on the Edge, Dreaming on a cloud, and the Big Idea of Big Data: How Toyota Connected is using Data to Make Smarter Cars, at https://www.toyotaconnected.com/insights/living-on-the-edge.

Claim 10	Toyota Accused Instrumentalities
	By using a smartphone or DCM  A Content provider Provides contents to the application server. B Application server Provides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D Applications Display usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E System Content received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and

Claim 10	Toyota Accused Instrumentalities
	Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 11	Toyota Accused Instrumentalities
11. The method of claim 10, wherein sending the applicable settings to the vehicle includes, sending the applicable settings directly to the vehicle electronics of the selected vehicle, or sending the applicable settings to a computing device for subsequent transfer to the selected vehicle.	See claim 10, above. Sending the applicable settings to the vehicle includes, sending the applicable settings directly to the vehicle electronics of the selected vehicle, or sending the applicable settings to a computing device for subsequent transfer to the selected vehicle. For example, Toyota provides multiple methods for identifying a selected vehicle for applying the User Profile settings to a user profile-associated vehicle. For example, the connected vehicle has embedded hardware and software, including, e.g., an on-board communication module, a DCM, which is by default on/active to collect, transmit, and relay user-identifying data, via a Bluetooth-connected handheld device, such as a smartphone or a tablet, smart key, or via manual login, to apply a User Profile to a selected vehicle: • User Profiles– To help improve the user’s overall driving experience, a user will receive the same personalized settings in new vehicles making it portable from vehicle to vehicle. The new profile system is stored on the cloud, meaning users can access and take their experiences on the go with them across vehicles featuring the new multimedia system. Once created, users can use a Bluetooth handheld device such as a smartphone or tablet, smart key, or manual login to access their profile. See Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System To Deliver Best In-Car User Experience, at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/. As another example, Toyota may apply a User Profile to a vehicle identified and selected as registered with the User Profile after the user enters a PIN, which is confirmed by the vehicle communication module’s

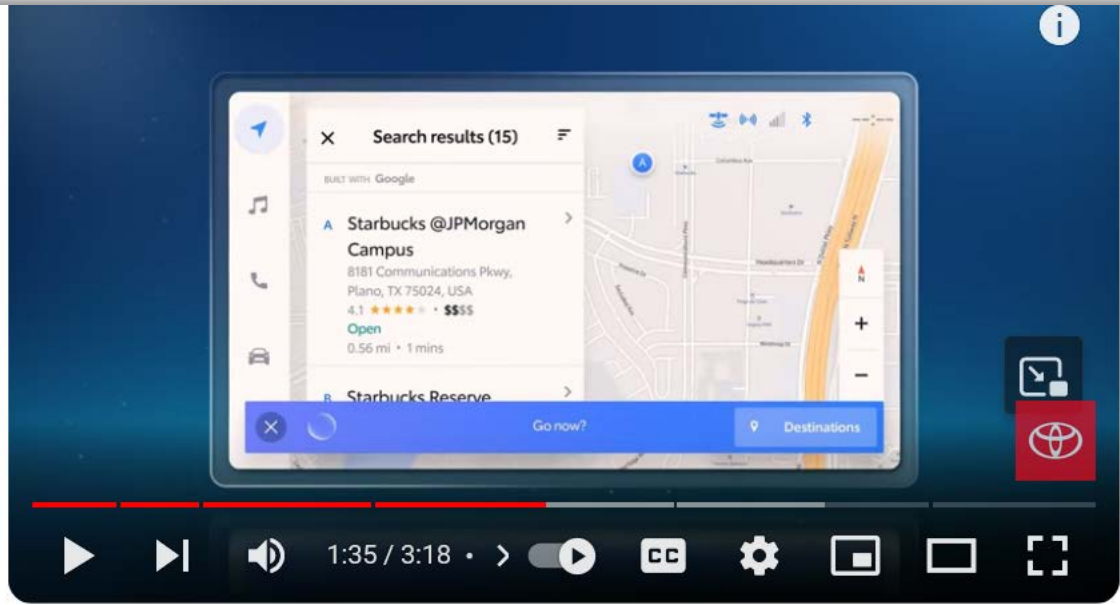
Claim 11	Toyota Accused Instrumentalities
	communications with a Toyota server. Alternatively, as described above, if a user links a preferred identification device with their User Profile, Toyota uses vehicle embedded hardware and software to relay communications between the device and the server, using device identifier data assigned to a user's device to identify and select the vehicle associated with the User Profile, and thereafter apply the User Profile to that vehicle. <i>See, e.g.:</i> To load your saved profile, select 'Settings' (gear icon) within the menu there is a list of 'Saved profiles' to select from. Select the desired profile for the Driver. When prompted enter your profile PIN. Once the PIN is confirmed the profile is loaded to the vehicle. A banner will confirm that your profile has been successfully loaded to the multimedia system. You can also Link your preferred identification device to automatically load your saved profile. For assistance on how to Link your preferred identification device please visit our Audio & Connected Services Support tool or reference your Owner's Manual. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US; see also Toyota, Privacy Notice, Connected Services, at https://www.toyota.com/support/privacy-notice/:

Claim 11	Toyota Accused Instrumentalities
	• <i>Device Identifier.</i> We automatically collect your IP address or other unique identifier ("Device Identifier") for the Device (computer, mobile phone, tablet or other device) you use to access the Platforms. A Device Identifier is a number that is assigned to your Device when you access a website or its servers, and our computers identify your device by its Device Identifier. We, and our affiliates, service providers, business partners, and other parties, including authorized dealers, may use a Device Identifier to, among other things, administer the Platforms; help diagnose problems with our servers; analyze trends; track users' web page movements over time and across different websites, Platforms, or other mobile, online, or offline services; to help identify you and your shopping cart, and gather broad demographic information for aggregate use. As another example, a user can link a smart key to their User Profile, according to Toyota's instructions, and Toyota uses the vehicle's embedded hardware and software, configured to relay communications with the smart key and the Toyota server, to apply a User Profile to the user profile-associated vehicle.

Claim 11	Toyota Accused Instrumentalities
	On select model year 2022 and newer vehicles are equipped with the User Profile feature. You can link a smartphone or smart key / key fob to identify your saved profile automatically when detected by your vehicle. To link a Smartphone to your profile, select 'Settings' (gear icon), then 'Personal info' and 'Link devices'. Continue following the instruction on the display to complete. To link a smart key / key card to your profile, select 'Settings' (gear icon), then 'Personal info' and enable the 'Link key' while your smart key / key card is in the vehicle with you. Note: Your User Profile is associated with your Digital Key and allows your profile to be loaded automatically. No further setup required. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 12	Toyota Accused Instrumentalities
12. The method of claim 10, further comprising, examining setting modifications over a period of time that defines a history use; generating learned settings by analyzing the history of use; and sending the learned settings to the user profile for use or transfer to the selected vehicle.	See claim 10, above. The Accused Instrumentalities examine setting modifications over a period of time that defines a history use; generating learned settings by analyzing the history of use; and sending the learned settings to the user profile for use or transfer to the selected vehicle. As shown below, for example, user profile settings are “automatically saved to the current profile when they are changed[,]” “[r]egistered profiles are saved in the cloud[,]” “[b]y using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle[,]” and “changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears.” User profiles Multimedia settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● Multimedia settings like navigation, audio and volume can be saved in a profile. ● Settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a Bluetooth® device that identifies the driver, such as a smartphone, the profile is automatically loaded when getting in the vehicle.

Claim 12	Toyota Accused Instrumentalities
	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. 2-1. Multimedia system initial setup ● Changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. Toyota, Mirai 2023 Multimedia Owner's Manual, at 50-51, at https://assets.sia.toyota.com/publications/en/omnav-s/OM62112U/pdf/OM62112U.pdf The Accused Instrumentalities examine setting modifications over a period of time that defines a history of use, generating learned settings by analyzing the history of use, and sending the learned settings to the user profile for use or transfer to the selected vehicle. As an example, Toyota's Intelligent Assistant relies on

Claim 12	Toyota Accused Instrumentalities
	machine learning artificial intelligence to process commands using the inputs and changes made to the systems of the vehicle, including user profile settings, to learn behavior associated with such inputs and changes, and deliver “a smart, personalized experience” for the user. As instructed in the video below, for example, Toyota’s “Intelligent Assistant goes a step further than Toyota’s standard voice assistant feature by relying on machine learning AI for a smart, personalized experience. ...For example, Intelligent Assistant works great with cloud navigation. ...Intelligent Assistant can also be used for music. ...If you’re curious about what’s playing, just ask ‘what track is playing?’ And if it’s a song you love, you can say, ‘play more music like this.’”  How To: Intelligent Assistant on Toyota's New Audio Multimedia System Toyota https://www.youtube.com/watch?app=desktop&v=kiPysxvkmoU

Claim 12	Toyota Accused Instrumentalities
	Toyota’s Intelligent Assistant “utilize[es] learned user data stored in the cloud” and “cloud content is constantly kept up-to-date in the Toyota server,” and “changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears.” The Intelligent Assistant allows the customer with the following enhancements: ● Enhanced Voice Recognition / Natural Language Understanding Improved voice performance by utilizing both in-vehicle and cloud-based voice recognition. ● Personalized experience Offers a unique experience catered to the particular user by utilizing learned user data stored in the cloud. ● Up-to-date information Cloud content is constantly kept up-to-date in the Toyota server, so there is no need to visit dealer for a data update. Toyota, Mirai 2023 Multimedia Owner’s Manual, at 39, 50-51, at https://assets.sia.toyota.com/publications/en/omnav-s/OM62112U/pdf/OM62112U.pdf Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for

Claim 12	Toyota Accused Instrumentalities
	aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 13	Toyota Accused Instrumentalities
13. The method of claim 10, wherein the plurality of settable settings of the selected vehicle are predefined for specific types of vehicles associated with automobile makers or automobile models; wherein the settable settings include one or more of radio settings, or user interface settings, or temperature settings for particular times of day, or temperature settings, or air settings, or display settings, or speed settings, or internet settings, or pairing settings, or remote access	See claim 10, above. The plurality of settable settings of the selected vehicle are predefined for specific types of vehicles associated with automobile makers or automobile models; wherein the settable settings include one or more of radio settings, or user interface settings, or temperature settings for particular times of day, or temperature settings, or air settings, or display settings, or speed settings, or internet settings, or pairing settings, or remote access settings, or home control settings, or audio settings, or entertainment settings, or mapping settings, or heating settings, or payment settings, or sub-user settings, or key fob settings, or user ID settings, or biometric settings, fingerprint settings, or eye scan settings, or role settings, or administrator settings, or login settings, or calendar settings, or location based settings, or tracking settings, or vehicle mode settings, or operational settings, or combinations of two or more settings, or learned settings from user historical use, or seat settings, or automatic payment settings, or combinations of two or more thereof. As shown below, for example, Toyota advertises that its User Profile “service may vary by vehicle.” Toyota instructs customers “to review their vehicle’s features and capabilities within the Toyota app” or by “refer[ring] to [their] Owner’s Manual.”

Claim 13	Toyota Accused Instrumentalities
settings, or home control settings, or audio settings, or entertainment settings, or mapping settings, or heating settings, or payment settings, or sub-user settings, or key fob settings, or user ID settings, or biometric settings, or fingerprint settings, or eye scan settings, or role settings, or administrator settings, or login settings, or calendar settings, or location based settings, or tracking settings, or vehicle mode settings, or operational settings, or combinations of two or more	Toyota App User Profile Eligibility <i>Which vehicles are equipped with a User Profile feature?</i> The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Toyota app or refer to your Owner's Manual. You can review your vehicle's Connected Services within the Toyota app or for assistance on how to subscribe to Connected Services please visit our Audio & Connected Services Support tool. <i>The Bluetooth word mark and logos are registered trademarks owned by Bluetooth SIG, Inc. and any use of such marks by Toyota is under license. A compatible Bluetooth enabled phone must first be paired. Phone performance depends on software, coverage and carrier.</i> <i>Use only if aware of circumstances surrounding vehicle and it is legal and safe to do so (e.g., do not remotely start engine if vehicle is in an enclosed space or vehicle is occupied by a child). Toyota Digital Key depends on factors outside of Toyota's control, including an operative Bluetooth capable smart device, without which system functionality and availability may be limited or precluded. Service may vary by vehicle and region. Registration and Toyota app download required. Subscription required after trial. Terms of Use apply. Data charges may apply. Services subject to change at any time without notice. See usage precautions and service limitations in the Toyota Owner's Manual for additional details. To learn about Toyota's data collection, use, sharing and retention practices, please visit https://www.toyota.com/privacyvts/.</i>

Claim 13	Toyota Accused Instrumentalities
settings, or learned settings from user historical use, or seat settings, or automatic payment settings, or combinations of two or more thereof.	See Toyota, Support Home, Toyota App User Profile Eligibility, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10736?language=en_US; see also Lexus, Support Home, Which Vehicles are Equipped with a User Profile Feature, at https://support.lexus.com/s/article/Which-vehicles-are-eq-10869: WHICH VEHICLES ARE EQUIPPED WITH A USER PROFILE FEATURE? 🕒 May 10, 2023 The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Lexus app, on the Lexus Connected Technology Support Tool or refer to your Owner's Manual. A compatible Bluetooth enabled phone must be paired. Phone performance depends on software, coverage and carrier. The Bluetooth word mark and logos are registered trademarks of Bluetooth SIG, Inc. Use of such marks by Lexus is under license. A plurality of settable settings of the selected vehicle that are predefined for specific types of vehicles associated with automobile models. Examples of settable settings include radio settings, temperature settings, display settings, and audio settings. <i>See, e.g.:</i>

Claim 13	Toyota Accused Instrumentalities
	What is a Toyota User Profile? A User Profile allows you to have a personalized cloud-stored collection of select driver preferences & settings to enhance your Toyota driving experience. ...

Claim 13	Toyota Accused Instrumentalities
	Examples of Cloud-Stored Personalized Settings: Audio Settings ▪ Radio Station Favorites ▪ Recently Played AM/FM Stations ▪ Treble/Bass/Mid Programming ▪ Music Streaming Preferences Cloud Navigation Settings ▪ Home & Work Addresses ▪ Recent Addresses ▪ Show/Hide Traffic ▪ Avoid Toll Roads ▪ Notification Preferences Vehicle Preferences ▪ Date & Time ▪ Language & Units ▪ Driver seat adjustments ▪ Heads up display settings

Claim 13	Toyota Accused Instrumentalities
	See Toyota, Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. See also: What are the key features of a User Profile? Driver settings in the vehicle are saved to the User profile and can be carried along with you when switching between select model year 2022 and newer vehicles. · Your radio and preset favorites · Your preferences such as display day/night mode, seat settings, language · Use your account PIN to easily sign in when your profile has been detected · You can quickly sign out to Guest mode when using services like Valet · Use various devices such as a smartphone Bluetooth® device, smart key/key fob, Digital Key, or Driver Monitor Face Identification to sign into your profile automatically Note: Driver Monitor Camera Face Identification is only available on select model year 2023 and new vehicles. Digital Key is only available on select model year 2022 and newer vehicles. For additional assistance on your vehicle's features and capabilities please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. See Toyota, Support Home, What are the key features of a User Profile?, at https://support.toyota.com/s/article/What-are-the-key-features-of-a-User-Profile?language=en_US.

Claim 13	Toyota Accused Instrumentalities
	Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 14	Toyota Accused Instrumentalities
14. The method of claim 10, wherein the determining of the applicable settings for the selected vehicle includes performing a mapping between settings associated with the user profile and settings obtained from an automobile database, wherein the user profile is deactivated on the selected vehicle when use of the vehicle is discontinued or when the user profile is switched to a new user profile or when the user profile is turned off or removed from the vehicle, and wherein upon deactivating	See claim 10, above. The determining of the applicable settings for the selected vehicle includes performing a mapping between settings associated with the user profile and settings obtained from an automobile database, wherein the user profile is deactivated on the selected vehicle when use of the vehicle is discontinued or when the user profile is switched to a new user profile or when the user profile is turned off or removed from the vehicle, and wherein upon deactivating settings of the selected vehicle are returned to a neutral setting. As shown below, for example, Toyota’s User Profile functionality allows each of the three users per registered account to customize their own “driving positions, multimedia settings, and other vehicle settings,” including different settings allowable for the primary driver.

Claim 14	Toyota Accused Instrumentalities
settings of the selected vehicle are returned to a neutral setting.	User profiles Driving positions, multimedia settings, and other vehicle settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● The following setting information can be saved in a profile: • Some multimedia settings : Volume and tone quality, navigation system, audio, etc. • Some vehicle settings : Driving position, air conditioning, meters, etc. ● Vehicle settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a device to identify the driver, your profile will be automatically loaded. You can select a smartphone and smart key as the device to be registered. See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf The user profile can be deactivated on the selected vehicle after determining the applicable settings for the selected vehicle, performing a mapping between settings associated with the user profile and settings obtained

Claim 14	Toyota Accused Instrumentalities
	from an automobile database. For example, as shown below, the user who is “registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner’s profile.” ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner’s profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49; <i>see also</i> Toyota, Support, Can I delete my User Profile?, at https://support.toyota.com/s/article/Can-I-delete-my-User-Profile?language=en_US:

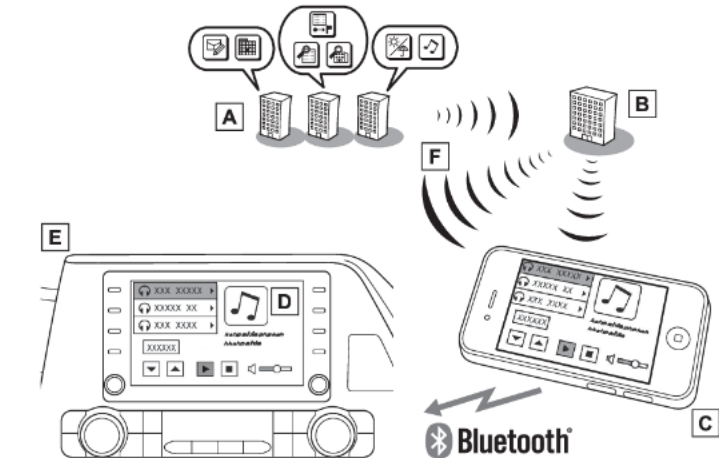
Claim 14	Toyota Accused Instrumentalities
	Can I delete my User Profile? Yes. You can delete your profile from the multimedia system from either the settings menu within the vehicle when the vehicle is in Park (P) or remotely from within your Toyota app. From within the vehicle while in Park (P), select “Settings” (gear icon), select “Edit” from the top right corner. Then select the profiles which you would like to delete from the multimedia system and confirm. A banner will confirm that your profile has been successfully deleted. From within the Toyota app navigate to “Security Settings” within your Account information and select “Your Saved Profile”. Select the vehicle you wish to remove your profile from. Select “Remove profile from vehicle?” NOTE: Only the Primary Driver can remove the Primary Driver profile from the vehicle’s multimedia system. Removing the Primary Driver will also automatically remove all other saved profiles from the vehicle. This can be done by removing the vehicle from within the Toyota app. Select the vehicle nickname or VIN, scroll down to the bottom and select “Remove Vehicle.” For additional assistance on removing vehicles from the Toyota app please visit our Audio & Connected Services Support Tool or reference your Owner’s Manual. As shown below, for example, a user can also delete a prior driver’s user profile.

Claim 14	Toyota Accused Instrumentalities
	How do I delete a prior driver's User Profile? In the event that the Primary Driver is an active profile and the passcode is not required: 1. Select 'Settings' 2. Select the 'Edit' option above Saved profiles 3. Select (-) to delete the 'Primary driver' 4. Select 'Delete' to confirm the process NOTE: Only the Primary Driver can remove the Primary Driver profile from the vehicle's multimedia system. Removing the Primary Driver will also automatically remove all other saved profiles from the vehicle. This can also be done by removing the vehicle from the Toyota app. For assistance with removing vehicles from Toyota app, please visit our <a data-bbox="1402 769 1738 797" href="#">Audio & Connected Services Support Tool or reference your Owner's Manual. Toyota, Support, How do I delete a prior driver's User Profile?, at <a data-bbox="1331 906 1856 933" href="https://support.toyota.com/s/article/How-do-I-delete-a-pri-10889?language=en_US">https://support.toyota.com/s/article/How-do-I-delete-a-pri-10889?language=en_US When a profile is deleted or deactivated, the settings of the vehicle are returned to a neutral setting (e.g., a default setting).

Claim 14	Toyota Accused Instrumentalities
	How do I delete a prior driver's User Profile? In the event that the Primary Driver is an active profile and the passcode is not required: 1. Select 'Settings' 2. Select the 'Edit' option above Saved profiles 3. Select (-) to delete the 'Primary driver' 4. Select 'Delete' to confirm the process NOTE: Only the Primary Driver can remove the Primary Driver profile from the vehicle's multimedia system. Removing the Primary Driver will also automatically remove all other saved profiles from the vehicle. This can also be done by removing the vehicle from the Toyota app. For assistance with removing vehicles from Toyota app, please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. Toyota, Support, How do I delete a prior driver's User Profile?, at https://support.toyota.com/s/article/How-do-I-delete-a-pri-10889?language=en_US Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 15	Toyota Accused Instrumentalities
15. The method of claim 10, wherein the applicable settings for the selected vehicle are saved or stored in association to the user profile, the method further includes determining applicable settings for one or more other selected vehicles and saving said applicable settings for two or more vehicles.	See, claim 10, above. The applicable settings for the selected vehicle are saved or stored in association to the user profile, the method further includes determining applicable settings for one or more other selected vehicles and saving said applicable settings for two or more vehicles. For example, Toyota stores User Profile data, including User Profile settings, in the cloud, and Toyota enables the user profile settings to be loaded “from the cloud in any vehicle.” ■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. See Toyota, bZ4X 2023 Multimedia Owner’s Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf. When a user changes the vehicle settings, for example by accessing the Toyota app, Toyota’s server updates the User Profile and further updates the settings for the user profile-associated vehicles.

Claim 15	Toyota Accused Instrumentalities
	● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49. As described above, Toyota's connected vehicles include embedded hardware and software enabling communications among the vehicle's multimedia system, Toyota's server, and the identification device(s) linked to the User Profile. <i>See, e.g.:</i>

Claim 15	Toyota Accused Instrumentalities
	By using a smartphone or DCM  A Content providerProvides contents to the application server. B Application serverProvides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D ApplicationsDisplay usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E SystemContent received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and

Claim 15	Toyota Accused Instrumentalities
	Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Toyota vehicles have varying features and capabilities, thus the preferred settings must be compatible with the user profile-associated vehicle before Toyota’s server applies user profile settings in the vehicle. What are the key features of a User Profile? Driver settings in the vehicle are saved to the User profile and can be carried along with you when switching between select model year 2022 and newer vehicles. · Your radio and preset favorites · Your preferences such as display day/night mode, seat settings, language · Use your account PIN to easily sign in when your profile has been detected · You can quickly sign out to Guest mode when using services like Valet · Use various devices such as a smartphone Bluetooth® device, smart key/key fob, Digital Key, or Driver Monitor Face Identification to sign into your profile automatically Note: Driver Monitor Camera Face Identification is only available on select model year 2023 and new vehicles. Digital Key is only available on select model year 2022 and newer vehicles. For additional assistance on your vehicle’s features and capabilities please visit our Audio & Connected Services Support Tool or reference your Owner’s Manual.

Claim 15	Toyota Accused Instrumentalities
	See Toyota, Support Home, What are the key features of a User Profile?, at https://support.toyota.com/s/article/What-are-the-key-features-of-a-User-Profile?language=en_US. Using vehicle identifying data associated with the User Profile, for example the vehicle's VIN or model and year, a Toyota server can determine which settings that are preferred to be set as identified from the User Profile are compatible with settings that are settable in the selected vehicle. See, e.g., Toyota, 2024 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY24_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2024 vehicles); see Toyota 2023 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY23_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2023 vehicles); and see Toyota 2022 Connected Services & Audio Multimedia Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY22_Connected_Services_and_Audio_Multimedia_Feature_Applicability.pdf (identifying connected services and features available for select 2022 vehicles). Toyota's User Profile functionality enables the user to identify User Profile settings for more two or more vehicles. See, e.g.: How do I add a vehicle to my My Toyota account? After logging into your My Toyota account > select Manage Your Profile from the top right > select Manage Vehicles > Add Vehicle > Enter the Vehicle Identification Number (VIN) or the model and year. The new vehicle will be added to your profile.

Claim 15	Toyota Accused Instrumentalities
	Toyota, Toyota Support Home, How do I add a vehicle to My Toyota account?, <i>at</i> https://support.toyota.com/s/article/How-do-I-add-a-vehicl-7598?language=en_US. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 16	Toyota Accused Instrumentalities
16. The method of claim 10, further comprising, verifying the user as associated with the user profile using one or more biometric evaluation systems, which include one or more of image detection, or face detection, or voice detection, or finger print detection, or password detection, or combinations thereof.	See claim 10, above. The Accused Instrumentalities verify the user as associated with the user profile using one or more biometric evaluation systems, which include one or more of image detection, or face detection, or voice detection, or finger print detection, or password detection, or combinations thereof. For example, a user's access to a Toyota User Profile as a user associated with the user profile, may be verified using Toyota's face detection services. Toyota's Face Identification feature can use the user's "facial geometric features and profile data to verify [the user's] identity and load [the user's] saved user profile on the vehicle." • Face Identification. Certain vehicles equipped with an interior, driver-facing camera use sensor and/or image data from the vehicle's interior to scan your face when you open the vehicle's door. If you opt-in and link your user profile using the in-vehicle "Setup Face" process, the Face Identification feature may use your Facial Geometric Features and Profile Data to verify your identity and load your saved user profile on the vehicle. Your Facial Geometric Features will only be stored on your vehicle. See Toyota Privacy Notice, Connected Services, Intro, at https://www.toyota.com/privacyvts/; see also Lexus Connected Services Privacy Notice, at https://www.lexus.com/privacyvts/images/doc/Lexus%20Privacy%20Notice.Connected%20Services.pdf. Toyota's "Face Identification service takes and stores a facial scan which is then linked to the driver's profile in the vehicle in order to load the driver's settings in the vehicle":

Claim 16	Toyota Accused Instrumentalities
	(f) Facial Recognition System Service. Certain vehicles are equipped with Facial Identification services that are enabled through the use of interior cameras and other technology in the vehicle. The Face Identification service takes and stores a facial scan which is then linked to the driver's profile in the vehicle in order to load the driver's settings in the vehicle. These services may not operate correctly in certain instances, including if the driver's eyes, eyebrows, eyewear, masks, or other features, items, or conditions (e.g., sunlight) obstruct or interfere with the interior camera's ability to take a facial scan or identify the driver. Further, you should note that the services can result in misidentification from time-to-time, particularly with twins or others who share similar facial features. The Face Identification service is for driver convenience only and should not be relied upon for any other purpose, such as theft prevention. See Toyota Privacy Notice, Agreement, Terms of Use, at https://www.toyota.com/privacyvts/. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 17	Toyota Accused Instrumentalities
17. The method of claim 10, further comprising, associating one or more sub-user accounts to the user profile, the sub-user accounts having predefined privileges for the selected vehicle to enable or restrict settings or function of the selected vehicle.	See claim 10, above. The Accused instrumentalities associate one or more sub-user accounts to the user profile, the sub-user accounts having predefined privileges for the selected vehicle to enable or restrict settings or function of the selected vehicle. As shown below, for example, Toyota enables a user to “save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences.” WHAT IS A USER PROFILE? A User Profile is created when you register an account within the Lexus Connected app. User Profile allows for you & other drivers of the vehicle to customise their driving experience. Personalised settings and preferences stored to your profile are accessed when the vehicle recognises the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences. Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024 Toyota associates the “Primary Driver” user profile account as having different privileges than the two additional User Profile sub-user accounts. As an example, Toyota’s User Profile functionality allows a primary driver to customize their User Profile to receive “vehicle health reports, manage services, and more,” whereas the additional two User Profiles for a vehicle cannot have these settings.

Claim 17	Toyota Accused Instrumentalities
	See Toyota, Support, How To: User Profiles on Toyota’s New Audio Multimedia System, at https://toyotaaudioandconnectedservicessupport.com/toyota/feature/Toyota%20User%20Profile%20fc9a2440-4959-11ec-99e3-59782dff31a1?model=bZ4X&year=2023; see also Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024:

Claim 17	Toyota Accused Instrumentalities
	GUEST MODE & PROFILE MODE If the vehicle does not detect a profile, the Lexus Interface will not load any personalized preferences or settings. This is referred to as "Guest Mode." On selecting a detected/saved profile, the Lexus Interface will load the personalized preferences or settings of that profile. This is referred to as the "Profile Mode". The below Profile types can be saved to a vehicle: Primary Driver - The main driver or vehicle's owner is the Primary Driver. Additional Profile/s- a family member or a friend who wants to access their profile preferences/settings can create additional profiles. Upto two additional profiles can be saved.

Claim 17	Toyota Accused Instrumentalities
	Toyota's User Profile functionality allows each of the three users to customize their own "driving positions, multimedia settings, and other vehicle settings," including different settings allowable for the primary driver. User profiles Driving positions, multimedia settings, and other vehicle settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● The following setting information can be saved in a profile: • Some multimedia settings : Volume and tone quality, navigation system, audio, etc. • Some vehicle settings : Driving position, air conditioning, meters, etc. ● Vehicle settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a device to identify the driver, your profile will be automatically loaded. You can select a smartphone and smart key as the device to be registered.

Claim 17	Toyota Accused Instrumentalities
	See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf Also, as shown below, Toyota's User Profile functionality restricts privileges for the sub-users, as only the user "registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile." ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49. As shown below, for example, Toyota's User Profile functionality restricts the sub-users' privileges, as "[o]nly the Primary Driver can share and change Remote Connect access to another user."

Claim 17	Toyota Accused Instrumentalities
	Can I share my Remote Connect with another driver? The Toyota app allows you to authorize another driver to use Remote Connect with your vehicle. Only one person (the assigned user) will have Remote Connect access of the vehicle at any given time through the Toyota app. Only the Primary Driver can share and change Remote Connect access to another user. The new user you wish to assign Remote Connect access will need to start by downloading the Toyota app and registering an account. You can provide authorization to assign Remote access to another user by selecting "Remote and Sharing" > "Remote Share" > "Share Remote." Enter the new user's E-mail address or mobile number and an invitation will be sent to the new user. They can follow the instruction provided within the app to verify shared access. On select model year 2022 and newer vehicles this verification process includes a QR code scan (or Connect by code) from the vehicle's multimedia display. The multimedia system can identify a pending remote access to assist in this process to display the QR code (or Connect by code) screen. They can also manually go to "Settings" > "Apps" > "Remote Connect" to scan the QR code (or Connect by code). Note: The Primary Driver can remove given access and resume their control of Remote Connect by selecting "Remote and Sharing" > "Remove Driver" > "Remove Driver." Toyota, Can I share my Remote Connect with another driver?, at https://support.toyota.com/s/article/Can-I-share-my-Remote-10703?language=en_US. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 18	Toyota Accused Instrumentalities
18. The method of claim 10, wherein the selected vehicle is a private vehicle or a shared vehicle associated with a car sharing system, if the vehicle is associated with a car sharing system, the settable settings of the selected vehicle can be enabled or disabled using an administrator account of the car sharing system, or if the vehicle is a private vehicle, the settable settings of the selected vehicle can be enabled or disabled using an administrator account that can define one or more	See claim 10, above. The selected vehicle is a private vehicle or a shared vehicle associated with a car sharing system, if the vehicle is associated with a car sharing system, the settable settings of the selected vehicle can be enabled or disabled using an administrator account of the car sharing system, or if the vehicle is a private vehicle, the settable settings of the selected vehicle can be enabled or disabled using an administrator account that can define one or more sub-user accounts with the same or varying privileges for use of the selected vehicle, the user profile being accessible via a computer having Internet access to the server. As shown below, the settable settings of the selected vehicle can be enabled or disabled using a registered user profile account in which the primary user can define one or more sub-user accounts with the same or varying privileges for use of the selected vehicle, the user profile being accessible via a computer having Internet access to the server. Toyota enables a user to “save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences.” WHAT IS A USER PROFILE? — A User Profile is created when you register an account within the Lexus Connected app. User Profile allows for you & other drivers of the vehicle to customise their driving experience. Personalised settings and preferences stored to your profile are accessed when the vehicle recognises the profile using any one of the identification devices supported. Conveniently save a total of three (3) User profiles to a vehicle, one (1) Primary Driver & two (2) additional User Profiles. Each tailored with their individual preferences.

Claim 18	Toyota Accused Instrumentalities
sub-user accounts with the same or varying privileges for use of the selected vehicle, the user profile being accessible via a computer having Internet access to the server.	Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024 Toyota associates the “Primary Driver” user profile account as having different privileges than the two additional User Profile sub-user accounts. As an example, Toyota’s User Profile functionality allows a primary driver to customize their User Profile to receive “vehicle health reports, manage services, and more,” whereas the additional two User Profiles for a vehicle cannot have these settings. See Toyota, Support, How To: User Profiles on Toyota’s New Audio Multimedia System, at https://toyotaaudioandconnectedservicessupport.com/toyota/feature/Toyota%20User%20Profile%20/fc9a2440-4959-11ec-99e3-59782dff31a1?model=bZ4X&year=2023; see also Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024:

Claim 18	Toyota Accused Instrumentalities
	GUEST MODE & PROFILE MODE If the vehicle does not detect a profile, the Lexus Interface will not load any personalized preferences or settings. This is referred to as "Guest Mode." On selecting a detected/saved profile, the Lexus Interface will load the personalized preferences or settings of that profile. This is referred to as the "Profile Mode". The below Profile types can be saved to a vehicle: Primary Driver - The main driver or vehicle's owner is the Primary Driver. Additional Profile/s- a family member or a friend who wants to access their profile preferences/settings can create additional profiles. Upto two additional profiles can be saved.

Claim 18	Toyota Accused Instrumentalities
	Toyota's User Profile functionality allows each of the three users to customize their own "driving positions, multimedia settings, and other vehicle settings," including different settings allowable for the primary driver. User profiles Driving positions, multimedia settings, and other vehicle settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● The following setting information can be saved in a profile: • Some multimedia settings : Volume and tone quality, navigation system, audio, etc. • Some vehicle settings : Driving position, air conditioning, meters, etc. ● Vehicle settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a device to identify the driver, your profile will be automatically loaded. You can select a smartphone and smart key as the device to be registered.

Claim 18	Toyota Accused Instrumentalities
	See Toyota, bZ4X 2023 Multimedia Owner's Manual, p. 48, at https://assets.sia.toyota.com/publications/en/omnav-s/OM42D77U/pdf/OM42D77U.pdf Also, as shown below, Toyota's User Profile functionality restricts privileges for the sub-users, as only the user "registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile." ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. ● Changing the vehicle settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. <i>Id.</i> at 49. As shown below, for example, Toyota's User Profile functionality restricts the sub-users' privileges, as "[o]nly the Primary Driver can share and change Remote Connect access to another user."

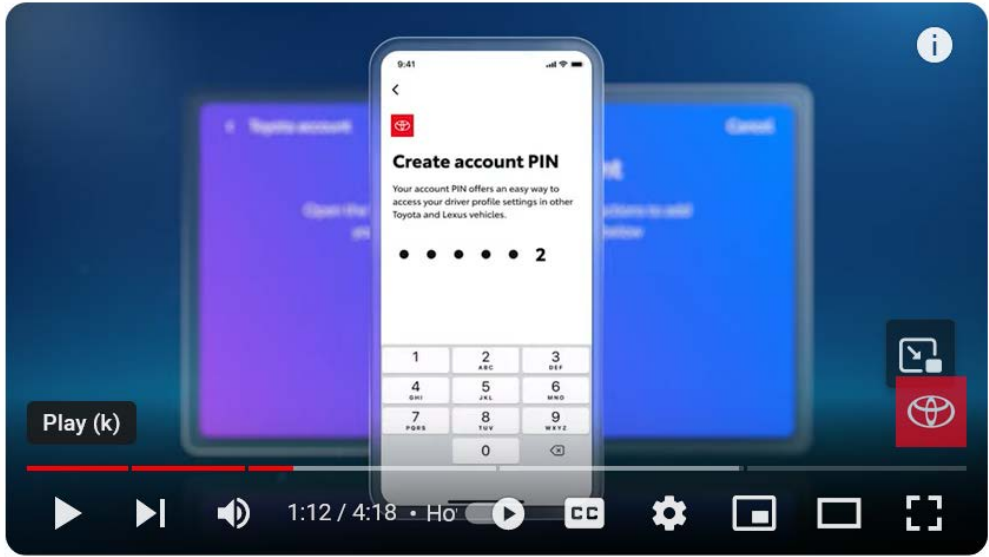
Claim 18	Toyota Accused Instrumentalities
	Can I share my Remote Connect with another driver? The Toyota app allows you to authorize another driver to use Remote Connect with your vehicle. Only one person (the assigned user) will have Remote Connect access of the vehicle at any given time through the Toyota app. Only the Primary Driver can share and change Remote Connect access to another user. The new user you wish to assign Remote Connect access will need to start by downloading the Toyota app and registering an account. You can provide authorization to assign Remote access to another user by selecting "Remote and Sharing" > "Remote Share" > "Share Remote." Enter the new user's E-mail address or mobile number and an invitation will be sent to the new user. They can follow the instruction provided within the app to verify shared access. On select model year 2022 and newer vehicles this verification process includes a QR code scan (or Connect by code) from the vehicle's multimedia display. The multimedia system can identify a pending remote access to assist in this process to display the QR code (or Connect by code) screen. They can also manually go to "Settings" > "Apps" > "Remote Connect" to scan the QR code (or Connect by code). Note: The Primary Driver can remove given access and resume their control of Remote Connect by selecting "Remote and Sharing" > "Remove Driver" > "Remove Driver." Toyota, Can I share my Remote Connect with another driver?, at https://support.toyota.com/s/article/Can-I-share-my-Remote-10703?language=en_US. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 19	Toyota Accused Instrumentalities
19. The method of claim 18, wherein particular sub-user accounts enable access to specific information concerning the selected vehicle, the information including one or more of vehicle sensors, vehicle electronics, vehicle mechanics, engine control, vehicle diagnostics, or combinations thereof, wherein said particular sub-user accounts are accessible over the Internet for viewing or control using a password.	See claim 18, above. Toyota performs the method of claim 18, wherein particular sub-user accounts enable access to specific information concerning the selected vehicle, the information including one or more of vehicle sensors, vehicle electronics, vehicle mechanics, engine control, vehicle diagnostics, or combinations thereof, wherein said particular sub-user accounts are accessible over the Internet for viewing or control using a password. As shown below, for example, Toyota’s User Profile functionality allows a sub-user account, e.g. the primary driver, to customize their User Profile to receive “vehicle health reports, manage services, and more,” whereas the additional two sub-user accounts for a vehicle cannot have these settings.

Claim 19	Toyota Accused Instrumentalities
	See Toyota, Support, How To: User Profiles on Toyota’s New Audio Multimedia System, at https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/fc9a2440-4959-11ec-99e3-59782dff31a1?model=bZ4X&year=2023; see also Lexus Connected Technology Support, Home, UX 250H, 2024, Support Topics, User Profile, What is a User Profile?, at https://lexusconnectedtechnologysupport.com/lexus/feature/User%20Profile/6bc07ec0-0929-11ed-a686-85aa58672a6c?model=UX%20250H&year=2024:

Claim 19	Toyota Accused Instrumentalities
	GUEST MODE & PROFILE MODE If the vehicle does not detect a profile, the Lexus Interface will not load any personalized preferences or settings. This is referred to as "Guest Mode." On selecting a detected/saved profile, the Lexus Interface will load the personalized preferences or settings of that profile. This is referred to as the "Profile Mode." The below Profile types can be saved to a vehicle: Primary Driver - The main driver or vehicle's owner is the Primary Driver. Additional Profile/s- a family member or a friend who wants to access their profile preferences/settings can create additional profiles. Upto two additional profiles can be saved.

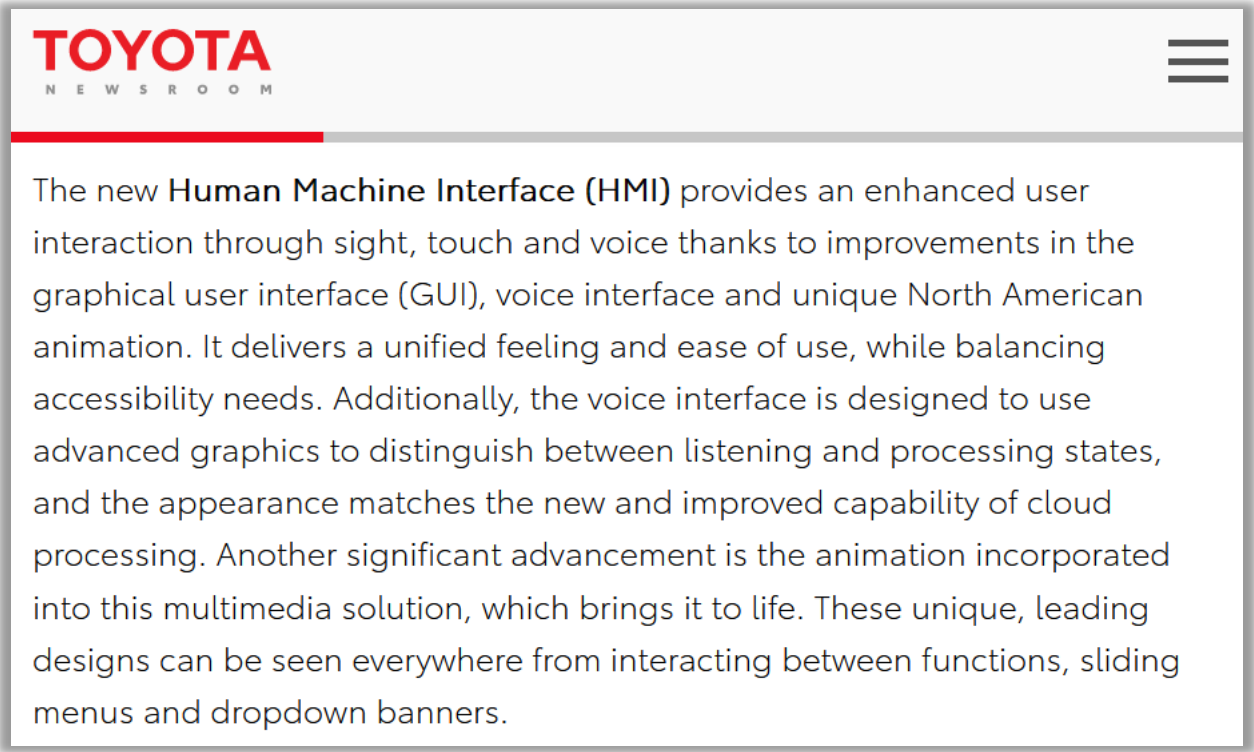
Claim 19	Toyota Accused Instrumentalities
	As shown below, a user can change personalized user profile settings within the Toyota app, accessible over the Internet for viewing or control using a password. How do I change my User Profile settings? Your profile preferences and settings can be modified in different areas depending on what you'd like to change. Some preferences, such as radio favorites, display day/night mode, seat settings, display language, etc. can be changed and stored within your profile as you adjust them in the vehicle. Other personalized profile settings such as your profile name and profile image can be changed from within the Toyota app." For additional assistance with User Profile, please visit our Audio & Connected Services Support Tool or reference your Owner's Manual. Toyota, Support Home, How do I change my User Profile settings?, at https://support.toyota.com/s/article/How-do-I-change-my-User-Profile-settings?language=en_US. For example, in the instructional video below, Toyota allows access to user profile settings within the Toyota app using a password.

Claim 19	Toyota Accused Instrumentalities
	 How To: User Profiles on Toyota's New Audio Multimedia System Toyota Toyota, How To: User Profiles on Toyota's New Audio Multimedia System - Toyota, at https://www.youtube.com/watch?v=IBS6mlpArFQ Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 20	Toyota Accused Instrumentalities
20 [pre] A method for managing a user profile of a vehicle via a cloud processing system being accessible over the Internet and wherein the vehicle is provided with wireless communication logic for connecting to the Internet for accessing the cloud processing system, comprising:	For claim 20, the Accused Instrumentalities include the Toyota Accused Vehicle Instrumentalities identified in the cover pleading. The Toyota Accused Vehicle Instrumentalities communicate with Toyota’s servers⁴ that are associated with implementing connected services for the Toyota Accused Vehicle Instrumentalities. Whether Toyota or Lexus-branded, the accused functionalities operate in the same manner for purposes of this patent. Product documentation reflects the interchangeability of the Accused Instrumentalities as between Toyota and Lexus brands.⁵ To the extent the preamble is limiting, Toyota performs a method for managing a user profile of a vehicle via a cloud processing system being accessible over the Internet and wherein the vehicle is provided with wireless communication logic for connecting to the Internet for accessing the cloud processing system. As an example, as shown below, Toyota’s method for managing a user profile of a vehicle via a cloud processing system includes a multimedia system with a “voice interface designed to use advanced graphics to distinguish between listening and processing states, and the appearance matches the new and improved capability of cloud processing.” Toyota’s voice assistant allows users to interact with the multimedia system, “[c]ombining a hybrid developed structure of in-house Toyota Connected engineered machine learning with a cloud-based platform featuring up to date content[.]”

⁴ A “server” or “servers,” whether used in the singular or plural in the charts herein, applies to one server or multiple servers.

⁵ See, e.g., Lexus Support, <https://support.lexus.com/s/article/If-I-own-a-Lexus-and-10451>; Lexus Support, https://support.toyota.com/s/article/If-I-own-a-Toyota-and-10534?language=en_US; Lexus, Privacy Rights, <https://www.lexus.com/privacy>; Lexus Connect Services Privacy Statement, <https://www.lexus.com/privacyvts>.

Claim 20	Toyota Accused Instrumentalities
	 The new Human Machine Interface (HMI) provides an enhanced user interaction through sight, touch and voice thanks to improvements in the graphical user interface (GUI), voice interface and unique North American animation. It delivers a unified feeling and ease of use, while balancing accessibility needs. Additionally, the voice interface is designed to use advanced graphics to distinguish between listening and processing states, and the appearance matches the new and improved capability of cloud processing. Another significant advancement is the animation incorporated into this multimedia solution, which brings it to life. These unique, leading designs can be seen everywhere from interacting between functions, sliding menus and dropdown banners. ...

Claim 20	Toyota Accused Instrumentalities
	Structured with a customer first approach, the newly developed Voice Assistant (VA) is intended to be the primary way occupants interact with the new multimedia system and is designed to enable a voice first application. Combining a hybrid developed structure of in-house Toyota Connected engineered machine learning with a cloud-based platform featuring up to date content, VA aims to provide a natural and easy to use interaction for vehicle occupants. Designed with dual-microphones, enhanced noise-cancellation, speaker location and seat detection capabilities, the approach allows front seat occupants an expanded and interactive functionality to access navigation, media, phone and select vehicle settings. Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System to Deliver Best In-Car User Experience (June 11, 2021), at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/ Toyota’s management of a user profile of a vehicle via a cloud processing system being accessible over the Internet includes a vehicle provided with wireless communication logic for connecting to the Internet for accessing the cloud processing system. As shown below, for example, a user can access the User Profile feature through the vehicle’s multimedia system, enabling access to the user’s “personalized settings and experience, from preferred media or radio station to climate settings in some models[.]”

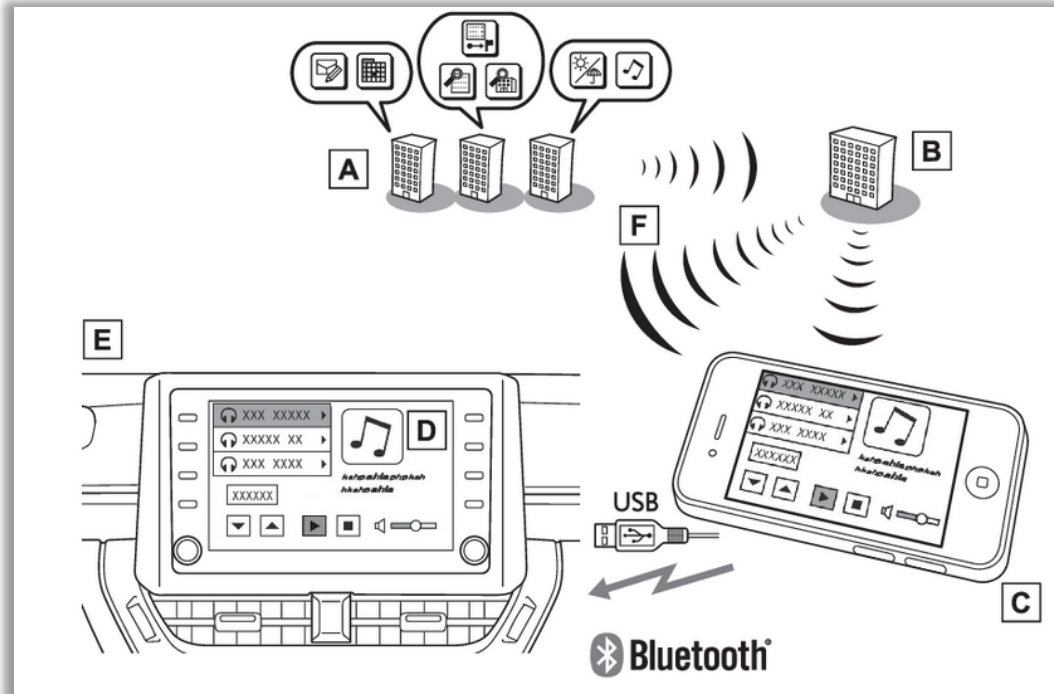
Claim 20	Toyota Accused Instrumentalities
	In the age of digital transformation in mobility, having a more personalized experience that moves from vehicle to vehicle with the driver is essential. Through the new multimedia system's User Profile feature, the driver's personalized settings and experience, from preferred media or radio station to climate settings in some models, will be retained and accessible when the driver next returns to the vehicle. Toyota stores the User Profile data on cloud servers. A user can access the Toyota app to associate their User Profile(s) with a Toyota vehicle and/or rent a Toyota vehicle, and through its vehicle hardware and software, which enable communication with Toyota cloud, Toyota provides a method for managing a User Profile of a vehicle via a cloud processing system that is accessible over the Internet. See Toyota Newsroom, Toyota Motor North America Introduces Next-Generation Multimedia System To Deliver Best In-Car User Experience, at https://pressroom.toyota.com/toyota-motor-north-america-introduces-next-generation-multimedia-system-to-deliver-best-in-car-user-experience/; see also https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. Toyota uses the vehicle's factory installed telematics system and factory-installed data communication module (e.g., a "DCM") to communicate stored User Profile data among Toyota's cloud processing system, the multimedia system of the User Profile-associated vehicle, and a linked identification device, such as a smart phone or smart key. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf. The DCM is an embedded cellular device which enables wireless/GPS technology and allows Toyota to collect data from the user and the user's vehicle. See <i>id.</i> The telematics system uses digital wireless telecommunications technology and GPS technology to enable Toyota Connected Services and Toyota-installed software via third party wireless networks, satellites, and related infrastructure. See <i>id.</i> at 2, 8; and see Toyota, 2023 Highlander Owner's Manual, Audio &

Claim 20	Toyota Accused Instrumentalities
	Multimedia, Connected Services, Connected Services overview, Types of functions, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.ibo1649038197243: Types of functions PREVIOUS SECTION < Functional overview NEXT SECTION Before using the function > The functions included are classified into the following types. - Type A: Function achieved by using DCM and the system - Type B: Function achieved by using DCM - Type C Function achieved by using DCM and a smartphone Function Type User Profile, Drive Connect, Wi-Fi Connect, OTA Type A Safety Connect Type B Remote Connect, Service Connect Type C See also Toyota, 2023 Highlander Owner's Manual, Audio & Multimedia, Connected Services, Connected Services overview, Functional overview, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.fgi1649038197149:

Claim 20	Toyota Accused Instrumentalities
	Type A: Function achieved by using DCM and the system PREVIOUS SECTION < Before using the function The functionality of User Profile, Drive Connect (Cloud Navigation, Intelligent Assistant, Destination Assist), Wi-Fi Connect (Wi-Fi Hotspot, Integrated Streaming) is made possible through the shared work of the DCM and the system. These services are available by subscription on select, telematics hardware- equipped vehicles and supported by the Toyota, which operates 24 hours a day, 7 days a week. For details about: - User Profile: Registering a user profile - Intelligent Assistant: Using the Intelligent Assistant system - Cloud Navigation: Cloud navigation - Destination Assist: Destination Assist - Integrated Streaming: Playing Integrated Streaming - Wi-Fi Hotspot: Setting Wi-Fi Hotspot NEXT SECTION Type B: Function achieved by using DCM > For example, as described above (see, e.g., claim 10, above), Toyota provides a Toyota app for users to register and specify user-profile settings for a vehicle associated with a User Profile, such as music preferences, weather alerts, etc.; Toyota stores the User Profile data to a cloud server; Toyota receives content, such as Apple Music and weather alerts from content service providers, at a Toyota server; Toyota transmits user profile-defined content, as specified by the User Profile, to a vehicle associated with the User Profile. Using the Toyota app, communication is relayed between the vehicle's multimedia system, Toyota's server and the applicable content provider(s). Toyota's connected vehicle's embedded hardware and software enable communication among the Toyota app, the user profile-associated vehicle's multimedia system, Toyota's server and the content providers, allowing the vehicle to apply User Profile settings in the vehicle according to the user defined content.

Claim 20

Toyota Accused Instrumentalities

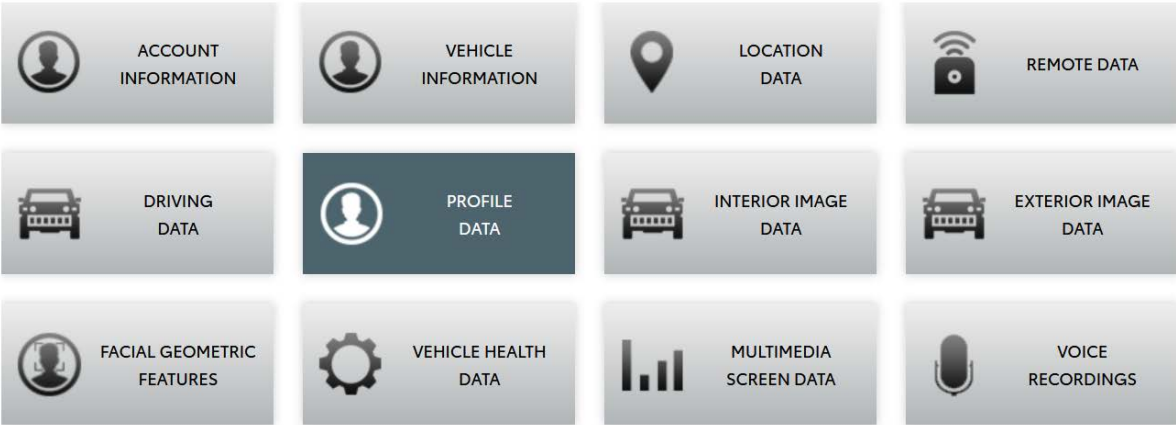


Claim 20	Toyota Accused Instrumentalities
	A Content providerProvides contents to the application server. B Application serverProvides applications to the system or a smartphone. C Smartphone *Using the Toyota mobile application, communication is relayed between the system, application server and content provider. D ApplicationsDisplay usable content from the content providers on the screen using the data connection of the connected smartphone or DCM. E SystemContent received, via a smartphone or DCM, from content provider servers is displayed on the screen. The system is equipped with an application player to run applications. F Via DCM See Toyota, 2022 Corolla Cross, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.corolla-cross.2022.digital.om0a012u.ch07se010402; and see, e.g., Toyota, 2022 Highlander Hybrid, Manuals and Warranties, Audio & Multimedia, Connected Services, Connected Services overview, Type A: Function achieved by using a smartphone or DCM, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander-hv.2022.digital.om0e140u.ch09se010402. Whether or not this preamble is considered to be limiting, the Toyota manages a user profile of a vehicle via a cloud processing system that is accessible over the Internet and wherein the vehicle is provided with wireless communication logic for connecting to the Internet for accessing the cloud processing system. For example, Toyota cloud servers are configured to save, update, allow access to, and process changes to User Profile settings, and to communicate with a User Profile associated vehicle (e.g., Toyota Accused Vehicle Instrumentality) with wireless communication logic for connecting to the Internet for accessing the cloud processing system, such as the above-described telematics system and factory-installed data communication module.

Claim 20	Toyota Accused Instrumentalities
	Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
20[a] accessing the cloud processing system by the vehicle, the user profile having user settings for the vehicle, wherein certain of the user settings are determined to be compatible for use with the vehicle;	<i>See claim 20[pre], above.</i> The Accused Toyota Vehicle Instrumentalities access the cloud processing system, the user profile having user settings for the vehicle, wherein certain of the user settings are determined to be compatible for use with the vehicle. As shown below, for example, Toyota advertises that its User Profile “service may vary by vehicle.” Toyota instructs customers “to review their vehicle’s features and capabilities within the Toyota app” or by “refer[ring] to [their] Owner’s Manual.”

Claim 20	Toyota Accused Instrumentalities
	Toyota App User Profile Eligibility <i>Which vehicles are equipped with a User Profile feature?</i> The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Toyota app or refer to your Owner's Manual. You can review your vehicle's Connected Services within the Toyota app or for assistance on how to subscribe to Connected Services please visit our Audio & Connected Services Support tool. <i>The Bluetooth word mark and logos are registered trademarks owned by Bluetooth SIG, Inc. and any use of such marks by Toyota is under license. A compatible Bluetooth enabled phone must first be paired. Phone performance depends on software, coverage and carrier.</i> <i>Use only if aware of circumstances surrounding vehicle and it is legal and safe to do so (e.g., do not remotely start engine if vehicle is in an enclosed space or vehicle is occupied by a child). Toyota Digital Key depends on factors outside of Toyota's control, including an operative Bluetooth capable smart device, without which system functionality and availability may be limited or precluded. Service may vary by vehicle and region. Registration and Toyota app download required. Subscription required after trial. Terms of Use apply. Data charges may apply. Services subject to change at any time without notice. See usage precautions and service limitations in the Toyota Owner's Manual for additional details. To learn about Toyota's data collection, use, sharing and retention practices, please visit https://www.toyota.com/privacyts/.</i>

Claim 20	Toyota Accused Instrumentalities
	See Toyota, Support Home, Toyota App User Profile Eligibility, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10736?language=en_US; see also Lexus, Support Home, Which Vehicles are Equipped with a User Profile Feature, at https://support.lexus.com/s/article/Which-vehicles-are-eq-10869: WHICH VEHICLES ARE EQUIPPED WITH A USER PROFILE FEATURE? 🕒 May 10, 2023 The User Profile capability is available on select model year 2022 and newer vehicles. You can review your vehicles features and capabilities within the Lexus app, on the Lexus Connected Technology Support Tool or refer to your Owner's Manual. A compatible Bluetooth enabled phone must be paired. Phone performance depends on software, coverage and carrier. The Bluetooth word mark and logos are registered trademarks of Bluetooth SIG, Inc. Use of such marks by Lexus is under license. For example, Toyota advertises that it collects the user's in-vehicle preferences if the vehicle is equipped with the ability to create and save user profiles.

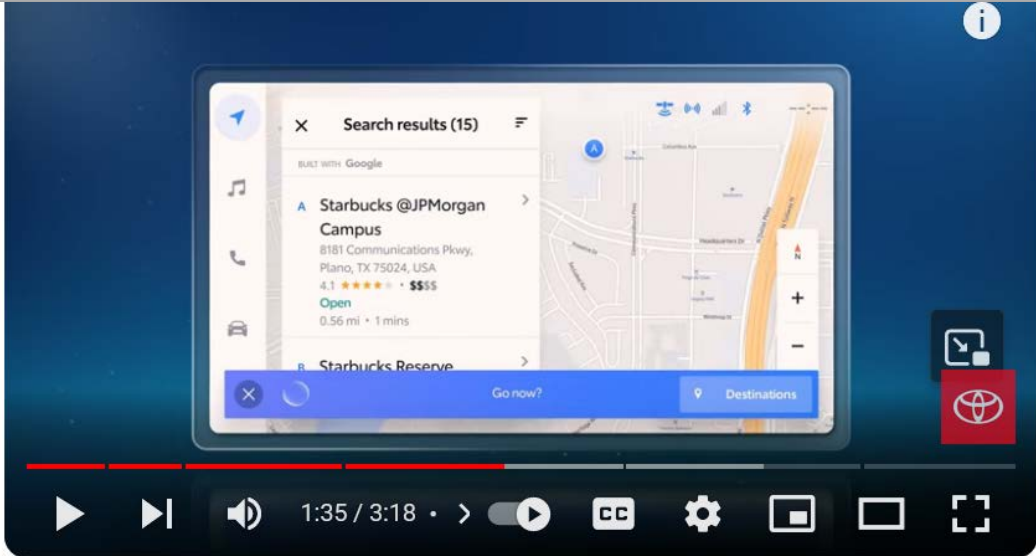
Claim 20	Toyota Accused Instrumentalities
	On A Regular And Continuous Basis, We Collect And Use Your:  © 2023 Toyota Motor Sales, U.S.A., Inc. Your Privacy Choices ☒ Cookie Consent Options Profile Data. If your vehicle is equipped with the ability to create and save user profiles, we may collect your in-vehicle preferences (i.e., your linked Apple Music or Amazon Music account), favorites (i.e., your saved locations on maps or your preset radio stations), and usage history (i.e., your search and routing history on maps). This information is used to deliver Connected Services tailored to your profile. See Toyota, Privacy Notice, Connected Services, Collect & Use, Profile Data, at https://www.toyota.com/privacyvts/; see also Lexus, Privacy Notice, Connected Services, Collect & Use, at https://www.lexus.com/privacyvts/.

Claim 20	Toyota Accused Instrumentalities
	See also Toyota, 2024 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY24_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2024 vehicles); see Toyota 2023 Audio Multimedia & Connected Services, Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY23_Connected_Services_and_Audio_Multimedia_features-Applicability.pdf (identifying connected services and features available for select 2023 vehicles); and see Toyota 2022 Connected Services & Audio Multimedia Feature Applicability, at https://www.toyota.com/content/dam/toyota/audio-multimedia/pdf/new/MY22_Connected_Services_and_Audio_Multimedia_Feature_Applicability.pdf (identifying connected services and features available for select 2022 vehicles). Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.
20[b] communicating to the cloud processing system by the vehicle, changes to user settings, the cloud processing system processing the changes and other changes to the user	See claim 20[pre] and 20[a], above. The Accused Toyota Vehicle Instrumentalities communicate to the cloud processing system by the vehicle, changes to user settings, the cloud processing system processing the changes and other changes to the user settings to learn behavior associated with the changes to the user settings. As shown below, for example, Toyota configures the vehicle’s multimedia system to communicate to the cloud processing system changes to user settings, including “multimedia settings like navigation, audio and volume,” and “[c]hanging some multimedia settings automatically updates the profile saved at the cloud[.]”

Claim 20	Toyota Accused Instrumentalities
settings to learn behavior associated with the changes to the user settings; and	2-1. Multimedia system initial setup ● Changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. See Toyota, Mirai 2023 Multimedia Owner's Manual, at 50-51, at https://assets.sia.toyota.com/publications/en/omnav-s/OM62112U/pdf/OM62112U.pdf Toyota Connected's machine learning models in the cloud process user commands, user profile settings and changes to user settings to learn behavior associated with the changes to the user settings.

Claim 20	Toyota Accused Instrumentalities
	The transcribed command text is then processed by Toyota Connected’s machine learning models in the cloud – what is the intent of the words being used, from audio commands to windshield wipers or even finding a five-star-rated burger restaurant nearby. From there, it’s fed back to the vehicle where notes are compared between the embedded and cloud voice assistants to ensure the car is most accurately executing the command the user actually wants. “This is where the Toyota Connected magic comes in,” Oehler said.

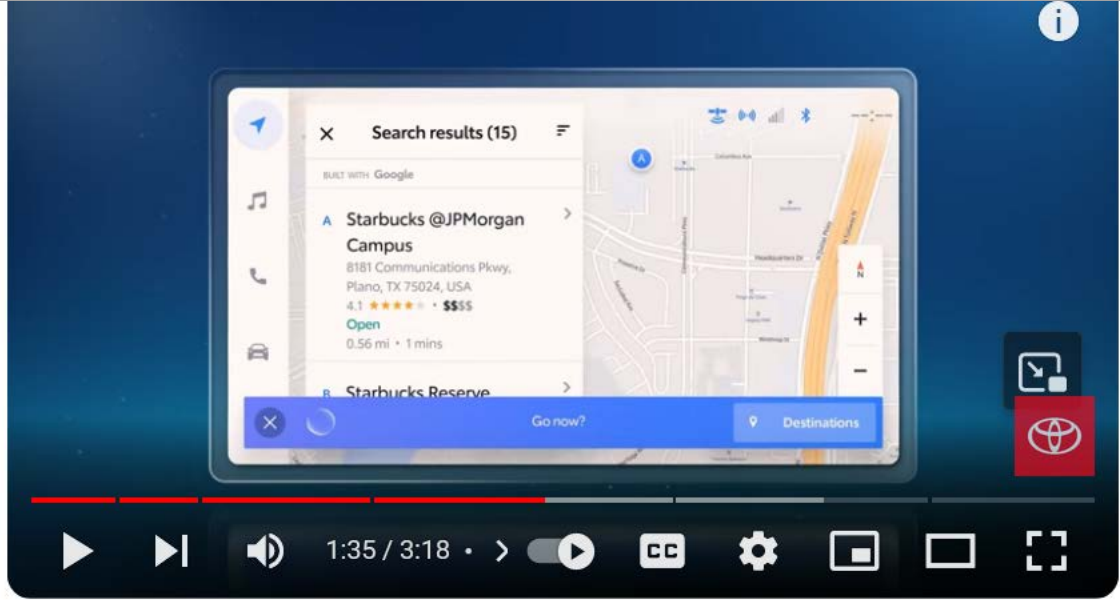
Claim 20	Toyota Accused Instrumentalities
	First up, the computer determines top-line intent – temperature, audio, navigation, etc. Then comes sub-intent – specific temperature, a song or that ice cream shop that always seems to hit the spot. If it’s a music request for a new J-Pop song, and you’re already listening to your favorite streaming platform, the head unit will attempt to find the song on that platform. If it’s not there, it will switch to the next best option, such as satellite radio. The system is constantly getting smarter, looking at accuracy and tweaking commands to add more ways to ask for specific functions. The new infotainment technologies that have brought forth the Intelligent Assistant made their way to the Lexus NX, LX, and Toyota Tundra for 2022 but are already being introduced in more models for 2023 in North America. As it proliferates to more models, the speed of the machine learning system’s ability to, well, learn will only accelerate. See Toyota Newsroom, Toyota’s New In-House Intelligent Assistant Learns Voice Commands and Gets Smarter Over Time, at https://pressroom.toyota.com/toyotas-new-in-house-intelligent-assistant-learns-voice-commands-and-gets-smarter-over-time/ Toyota’s Intelligent Assistant relies on machine learning artificial intelligence to process commands using the inputs and changes made to the systems of the vehicle, such as navigation and music, to learn behavior associated with such inputs and changes, and deliver “a smart, personalized experience” for the user. As instructed in the video below, Toyota’s “Intelligent Assistant goes a step further than Toyota’s standard voice assistant feature by relying on machine learning AI for a smart, personalized experience. ...For example, Intelligent Assistant works great with cloud navigation. ...Intelligent Assistant can also be used for music. ...If

Claim 20	Toyota Accused Instrumentalities
	you're curious about what's playing, just ask 'what track is playing?' And if it's a song you love, you can say, 'play more music like this.'”  How To: Intelligent Assistant on Toyota's New Audio Multimedia System Toyota https://www.youtube.com/watch?app=desktop&v=kiPysxvkmoU Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 20	Toyota Accused Instrumentalities
20[c] receiving by the vehicle, from time to time, automatic changes to the user settings of the vehicle, wherein a repeat pattern of the changes is qualified as learned behavior before the automatic changes are sent to the vehicle for programming on the vehicle, wherein the user profile is configured to be updated to account for the automatic changes made to the user settings of the vehicle,	See claim 20[pre], 20[a]-20[b], above. Toyota performs the method of claim 20, including receiving by the Accused Toyota Vehicle Instrumentalities, from time to time, automatic changes to the user settings of the vehicle, wherein a pattern of the changes is qualified as learned behavior before the automatic changes are sent to the vehicle for programming on the vehicle, wherein the user profile is configured to be updated to account for the automatic changes made to the user settings of the vehicle. As shown below, for example, user profile settings, like navigation, audio and volume, are “automatically saved to the current profile when they are changed[,]” “[r]egistered profiles are saved in the cloud[,]” “[b]y using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle[,]” and “changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears.”

Claim 20	Toyota Accused Instrumentalities
	User profiles Multimedia settings for each driver can be saved and the applicable driver can load them when driving the car. ● Up to three user profile can be registered. ● Multimedia settings like navigation, audio and volume can be saved in a profile. ● Settings are automatically saved to the current profile when they are changed. ● Search history, individual settings, and other private information can be protected by setting up a profile. ● By registering a Bluetooth® device that identifies the driver, such as a smartphone, the profile is automatically loaded when getting in the vehicle.

Claim 20	Toyota Accused Instrumentalities
	■ Linking to a Toyota account ● An active Toyota account is required to use a profile. ● Registered profiles are saved in the cloud, so even if a profile is deleted in the vehicle, it is not deleted from the cloud. ● By using the Toyota app and linking to a Toyota account, a profile can be loaded from the cloud in any vehicle. ● The driver who is registered as the owner can delete all drivers registered in the vehicle. Drivers who are not the vehicle owner cannot delete the owner's profile. ● The same profile cannot be used in another vehicle at the same time. 2-1. Multimedia system initial setup ● Changing some multimedia settings automatically updates the profile saved at the cloud and a screen notifying the driver that the profile has been updated appears. ● User profile portability from vehicle to vehicle may not be available in the regions other than the U.S. 48 States. Toyota, Mirai 2023 Multimedia Owner's Manual, at 50-51, at https://assets.sia.toyota.com/publications/en/omnav-s/OM62112U/pdf/OM62112U.pdf As described above, Toyota's Intelligent Assistant relies on machine learning artificial intelligence to process commands using the inputs and changes made to the systems of the vehicle, including user profile settings such as navigation and music, to learn behavior associated with such inputs and changes, and deliver "a smart,

Claim 20	Toyota Accused Instrumentalities
	personalized experience” for the user. As instructed in the video below, for example, Toyota’s “Intelligent Assistant goes a step further than Toyota’s standard voice assistant feature by relying on machine learning AI for a smart, personalized experience. ...For example, Intelligent Assistant works great with cloud navigation. ...Intelligent Assistant can also be used for music. ...If you’re curious about what’s playing, just ask ‘what track is playing?’ And if it’s a song you love, you can say, ‘play more music like this.’”  The image shows a Toyota infotainment screen with a search results overlay. The search results list 'Starbucks @JPMorgan Campus' with details like address, rating, and price range. Below the screen is a video player interface with a progress bar, play/pause button, and other controls. The video title is 'How To: Intelligent Assistant on Toyota's New Audio Multimedia System Toyota'. https://www.youtube.com/watch?app=desktop&v=kiPysxvkmoU

Claim 20	Toyota Accused Instrumentalities
	Toyota's user profile functionality is configured such that a repeat pattern of the changes to the user profile is qualified as learned behavior before the automatic changes are sent to the vehicle for programming on the vehicle, wherein the user profile is configured to be updated to account for the automatic changes made to the user settings of the vehicle. As shown below, for example, Toyota's Intelligent Assistant "utilize[es] learned user data stored in the cloud" and "cloud content is constantly kept up-to-date in the Toyota server[.]" The Intelligent Assistant allows the customer with the following enhancements: ● Enhanced Voice Recognition / Natural Language Understanding Improved voice performance by utilizing both in-vehicle and cloud-based voice recognition. ● Personalized experience Offers a unique experience catered to the particular user by utilizing learned user data stored in the cloud. ● Up-to-date information Cloud content is constantly kept up-to-date in the Toyota server, so there is no need to visit dealer for a data update. Toyota, Mirai 2023 Multimedia Owner's Manual, at 39, at https://assets.sia.toyota.com/publications/en/omnav-s/OM62112U/pdf/OM62112U.pdf Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 20	Toyota Accused Instrumentalities
20[d] wherein electronics of the vehicle enable connection of the vehicle to the Internet for enabling the accessing of the user profile, the communicating of changes and the receiving of the automatic changes, to and from, the cloud processing system, wherein the cloud processing system is accessible by vehicles having predefined access credentials, the method being executable by a processor;	See claim 20[pre], 20[a]-20[c], above. The electronics of the Accused Toyota Vehicle Instrumentalities enable connection of the vehicle to the internet for enabling the accessing of the user profile, the communicating of changes and the receiving of the automatic changes, to and from, the cloud processing system, wherein the cloud processing system is accessible by vehicles having predefined access credentials, the method being executable by a processor. As shown below, for example, Toyota uses the vehicle’s factory installed telematics system and factory-installed data communication module (e.g., a “DCM”) to enable connection of the vehicle to the internet for enabling the accessing of the user profile, the communicating of changes and the receiving of the automatic changes, to and from, the cloud processing system. See Toyota Connected Services Terms of Use, Effective March 7, 2023, at 2, at https://www.toyota.com/privacyvts/images/doc/Toyota%20-%20Connected%20Services%20Terms%20of%20Use.pdf. The DCM is an embedded cellular device which enables wireless/GPS technology and allows Toyota’s cloud processing system to be accessible by vehicles having predefined access credentials. See <i>id.</i> The telematics system uses digital wireless telecommunications technology and GPS technology to enable Toyota Connected Services and Toyota-installed software via third party wireless networks, satellites, and related infrastructure. See <i>id.</i> at 2, 8; and see Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Types of functions, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.ibo1649038197243:

Claim 20	Toyota Accused Instrumentalities
	Types of functions PREVIOUS SECTION < Functional overview NEXT SECTION Before using the function > The functions included are classified into the following types. - Type A: Function achieved by using DCM and the system - Type B: Function achieved by using DCM - Type C Function achieved by using DCM and a smartphone Function Type User Profile, Drive Connect, Wi-Fi Connect, OTA Type A Safety Connect Type B Remote Connect, Service Connect Type C See also Toyota, 2023 Highlander Owner’s Manual, Audio & Multimedia, Connected Services, Connected Services overview, Functional overview, at https://www.toyota.com/owners/resources/warranty-owners-manuals.highlander.2023.digital.om0e147u.fgi1649038197149:

Claim 20	Toyota Accused Instrumentalities
	Type A: Function achieved by using DCM and the system PREVIOUS SECTION < Before using the function NEXT SECTION Type B: Function achieved by using DCM > The functionality of User Profile, Drive Connect (Cloud Navigation, Intelligent Assistant, Destination Assist), Wi-Fi Connect (Wi-Fi Hotspot, Integrated Streaming) is made possible through the shared work of the DCM and the system. These services are available by subscription on select, telematics hardware- equipped vehicles and supported by the Toyota, which operates 24 hours a day, 7 days a week. For details about: - User Profile: Registering a user profile - Intelligent Assistant: Using the Intelligent Assistant system - Cloud Navigation: Cloud navigation - Destination Assist: Destination Assist - Integrated Streaming: Playing Integrated Streaming - Wi-Fi Hotspot: Setting Wi-Fi Hotspot As shown below, Toyota’s cloud processing system is accessible by vehicles having predefined access credentials, for example, a User Profile may be applied to a vehicle identified and selected as registered with the User Profile after the user enters a PIN, which is confirmed by the vehicle communication module’s communications with a Toyota server. As another example, if a user links a preferred identification device with their User Profile, Toyota uses vehicle embedded hardware and software to relay communications between the device and the server, using device identifier data assigned to a user’s device to identify and select the vehicle associated with the User Profile, and thereafter apply the User Profile to that vehicle. <i>See, e.g.:</i>

Claim 20	Toyota Accused Instrumentalities
	To load your saved profile, select 'Settings' (gear icon) within the menu there is a list of 'Saved profiles' to select from. Select the desired profile for the Driver. When prompted enter your profile PIN. Once the PIN is confirmed the profile is loaded to the vehicle. A banner will confirm that your profile has been successfully loaded to the multimedia system. You can also Link your preferred identification device to automatically load your saved profile. For assistance on how to Link your preferred identification device please visit our Audio & Connected Services Support tool or reference your Owner's Manual. See Toyota, Support Home, Toyota App User Profile Overview, at https://support.toyota.com/s/article/Toyota-App-User-Profi-10735?language=en_US; see Lexus Support Home, How Can I Add My User Profile to a Vehicle?, at https://support.lexus.com/s/article/How-can-I-add-my-User-Profile-to-a-vehicle; see also Toyota, Privacy Notice, Connected Services, at https://www.toyota.com/support/privacy-notice/:

Claim 20	Toyota Accused Instrumentalities
	• <i>Device Identifier.</i> We automatically collect your IP address or other unique identifier ("Device Identifier") for the Device (computer, mobile phone, tablet or other device) you use to access the Platforms. A Device Identifier is a number that is assigned to your Device when you access a website or its servers, and our computers identify your device by its Device Identifier. We, and our affiliates, service providers, business partners, and other parties, including authorized dealers, may use a Device Identifier to, among other things, administer the Platforms; help diagnose problems with our servers; analyze trends; track users' web page movements over time and across different websites, Platforms, or other mobile, online, or offline services; to help identify you and your shopping cart, and gather broad demographic information for aggregate use. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.

Claim 20	Toyota Accused Instrumentalities
20[e] wherein user settings for the user profile include one or more of radio settings, or user interface settings, or temperature settings, or air settings, or display settings, or speed settings, or internet settings, or pairing settings, or remote access settings, or home control settings, or audio settings, or entertainment settings, or map data settings, or heating settings, or payment settings, or sub-user settings, or key fob settings, or user ID settings, or biometric settings, or fingerprint settings, or eye	See claim 20[pre], 20[a]-20[d], above. User settings for the user profile include one or more of radio settings, or user interface settings, or temperature settings, or air settings, or display settings, or internet settings, or pairing settings, or remote access settings, or home control settings, or audio settings, or entertainment settings, or map data settings, or heating settings, or payment settings, or sub-user settings, or key fob settings, or biometric settings, or fingerprint settings, or eye scan settings, or role settings, or administrator settings, or login settings, or location based settings, or tracking settings, or calendar settings, or vehicle mode settings, or operational settings, or combinations of two or more settings, or learned settings from user said learned behavior, or seat settings, or automatic payment settings, or combinations of two or more thereof. As shown below, for example, Toyota provides various settings options for the cloud-stored user profile settings, which may be selected by the user during user profile registration on the Toyota app, or changed after registration. Examples of user settings for the user profile include radio settings, temperature settings, display settings, and seat settings. See, <i>e.g.</i>: What is a Toyota User Profile? A User Profile allows you to have a personalized cloud-stored collection of select driver preferences & settings to enhance your Toyota driving experience. ...

Claim 20	Toyota Accused Instrumentalities
scan settings, or role settings, or administrator settings, or login settings, or location based settings, or tracking settings, or calendar settings, or vehicle mode settings, or operational settings, or combinations of two or more settings, or learned settings from user said learned behavior, or seat settings, or automatic payment settings, or combinations of two or more thereof.	Examples of Cloud-Stored Personalized Settings: Audio Settings ▪ Radio Station Favorites ▪ Recently Played AM/FM Stations ▪ Treble/Bass/Mid Programming ▪ Music Streaming Preferences Cloud Navigation Settings ▪ Home & Work Addresses ▪ Recent Addresses ▪ Show/Hide Traffic ▪ Avoid Toll Roads ▪ Notification Preferences Vehicle Preferences ▪ Date & Time ▪ Language & Units ▪ Driver seat adjustments ▪ Heads up display settings

Claim 20	Toyota Accused Instrumentalities
	See Toyota, Audio & Connected Services Support, Home, BZ4X, 2023, Support Topics, Toyota User Profile, https://toyotaaudioandconnectedservicesupport.com/toyota/feature/Toyota%20User%20Profile%20/52cdcfa0-3376-11ec-bd3d-9d7b70ae271f?model=bZ4X&year=2023. Further information regarding this limitation, including details of its operation are expected to be found in non-public technical documents, including source code related to the operation of the vehicle electronics, as may be further informed by source code concerning the operation of Toyota/Lexus servers responsible for aspects of the User Profile technology. Plaintiff reserves the right to supplement, amend, or otherwise modify these contentions in response to non-public documents, including source code, provided in this matter.