

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE NEO WIRELESS, LLC	§	
PATENT LITIG.	§	2:22-MD-03034-TGB
	§	
	§	HON. TERRENCE G. BERG
	§	
	§	
	§	
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NEO WIRELESS, LLC	§	
	§	2:22-CV-11404-TGB
v.	§	
	§	HON. TERRENCE G. BERG
VOLKSWAGEN GROUP OF	§	
AMERICA, INC., ET AL.	§	

**NOTICE OF STIPULATION REGARDING CLAIM CONSTRUCTION**

In the parties’ Joint Claim Construction Statement filed on January 18, 2023 (Dkt. 114), Defendants Volkswagen Group of America, Inc. and Volkswagen Group of America Chattanooga Operations, LLC (“Volkswagen”) noted in a footnote to Exhibits A and B that they do not take a position on the claim constructions proposed by the other parties to this Multi-District Litigation. Plaintiff Neo Wireless, LLC (“Neo”) noted its objection in footnotes to the same document.

Since that filing, Volkswagen and Neo have met and conferred regarding the dispute, and have agreed to resolve the dispute and clarify Volkswagen’s position by entering the following stipulation:

1. Volkswagen will be bound by and will not challenge the Court's claim constructions regarding U.S. Patent Nos. 8,467,366; 10,075,941; 10,447,450; 10,771,302; 10,833,908; or 10,965,512 issued in the above-referenced district court matters, and waives any right to appeal the claim constructions issued by Judge Berg in those matters on these patents;
2. In any IPR proceedings filed or joined by Volkswagen against U.S. Patent Nos. 8,467,366; 10,075,941; 10,447,450; 10,771,302; 10,833,908; or 10,965,512 (including but not limited to IPR2022-01537, IPR2022-01538, IPR2022-01539, IPR2022-01567, IPR2023-00086, and IPR2023-00426), should the Patent Trial and Appeal Board adopt any claim construction that was also proposed by the parties in the above-referenced MDL and adopted by Judge Berg, Volkswagen will not challenge those constructions by the PTAB and also waives any right to appeal those claim constructions.

The parties below so stipulate.

Date: January 25, 2023

/s/Daniel E. Yonan

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### **CERTIFICATE OF SERVICE**

The undersigned certifies that on January 25, 2023, the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/ Jason D. Cassady  
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