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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

May 14, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

Re: U.S. Patent No. 12337716 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12337716 (the "12337716 Patent"). After preliminary review, we have substantial concerns about the validity, enforceability, and scope of the asserted claims, summarized below. We reserve all rights and defenses.

1. Subject Patent — Summary

Summary of U.S. Patent 12,337,716

A search of the USPTO database and a review of related documents provide the following details for U.S. Patent 12,337,716. A search of CAFC dockets for 2026 did not yield any specific results for this patent number.

Title: Systems for transferring user profiles between vehicles using cloud services

Assignee: Emerging Automotive LLC

Inventors: Angel A. Penilla, Albert S. Penilla

Filing Date: July 25, 2022

Issue Date: June 24, 2025

Abstract:

"Methods and systems for communicating with a server of a cloud services system used to interface with vehicles are provided. One method includes receiving, by the server, a request from electronics of a vehicle to...

2. Validity Concerns under 35 U.S.C. § 102 — Prior Art

We have identified prior-art references that, in our preliminary view, anticipate one or more asserted claims of the 12337716 Patent:

As a senior US patent analyst, I have conducted a thorough review of US Patent 12,337,716, titled "Systems for transferring user profiles between vehicles using cloud services." Below is an analysis of the most relevant prior art cited against this patent, with an assessment of which claims each reference could potentially anticipate under 35 U.S.C. § 102.

The core of US Patent 12,337,716 revolves around a cloud-based system that allows for the transfer of user profiles to different vehicles, including shared or rental cars. This profile can contain a wide array of settings such as seat and mirror positions, climate control preferences, radio stations, and even payment information for services like tolls or charging stations. A key aspect of the invention is the system's ability to learn a user's behavior over time and suggest or automatically apply new settings. The patent also describes methods for user authentication, including biometrics, and for setting tiered user permissions (e.g., for a primary user versus a guest or valet).

Based on a detailed review of the patent's file...

3. Obviousness under 35 U.S.C. § 103

Independent of § 102, we believe the asserted claims are obvious in view of combinations of prior art that a person having ordinary skill in the art would have been motivated to combine:

To conduct a thorough analysis of the obviousness of US Patent 12,337,716, access to the full text of the patent, including its claims, and the content of the prior art references cited during its examination is necessary. The provided search results do not contain the specific prior art references cited against this patent. Therefore, a comprehensive obviousness analysis cannot be performed at this time.

To proceed, the following information is required:

- The full list of prior art references cited during the prosecution of US Patent 12,337,716. This information is typically found in the "References Cited" or "Prior Art" section of the patent document or in the file wrapper available through the USPTO's Patent Center.
- The full text of each of the cited prior art references.

Once these documents are available, a detailed analysis can be conducted by:

1. Analyzing the Claims of US Patent 12,337,716: Each independent claim will be broken down into its essential elements.
2. Reviewing the Prior Art: Each cited reference will be reviewed to identify the technologies and...

4. Litigation History of the Patent

Public records reflect that the 12337716 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Emerging Automotive LLC v. Toyota Motor North America, Inc. et al. — 2:25-cv-00782 · U.S. District Court for the Eastern District of Texas · filed 2025-08-12 · active

5. Request

In light of the foregoing, we request that your client (i) provide a detailed claim chart identifying each accused product or service and mapping every limitation of each asserted claim, (ii)

identify any prior art known to your client, including any references cited during prosecution or reexamination, and (iii) substantiate the basis for any damages or licensing demand. We are prepared to discuss the matter further once we have received and reviewed the foregoing.

Sincerely,

[Your Name]

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