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15 *Attorneys for Defendant/Counterclaim Plaintiff*  
 16 *AGIS Software Development LLC*

17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19 LYFT, INC.,  
 20 Plaintiff,  
 21 v.  
 22 AGIS SOFTWARE DEVELOPMENT LLC,  
 23 Defendant.

Case No. 5:21-cv-04653-BLF (SVK)

**DECLARATION OF VINCENT RUBINO IN  
 SUPPORT OF DEFENDANT AGIS  
 SOFTWARE DEVELOPMENT LLC'S  
 RESPONSE IN OPPOSITION TO LYFT,  
 INC.'S MOTION TO STAY PENDING  
 PATENT OFFICE PROCEEDINGS  
 INVOLVING THE PATENTS-IN-SUIT  
 (Dkt. 103)**

Dept: Courtroom 3 – 5th Floor  
 Judge: Hon. Beth Labson Freeman

Trial date: October 16, 2023

1 I, Vincent J. Rubino, hereby declare as follows:

2 1. I am a partner at the law firm of Fabricant LLP and counsel for AGIS Software  
3 Development LLC (“AGIS Software”). I am admitted to practice before this Court. I submit this  
4 declaration in support of AGIS Software’s Response in Opposition to Lyft’s Motion to Stay  
5 Pending Patent Office Proceedings Involving the Patents-In-Suit (Dkt. 103). I have personal  
6 knowledge of the facts stated in this declaration and can and would testify truthfully thereto if  
7 called upon to do so.

8 2. Attached hereto as **Exhibit 1** is a true and correct copy of *Ex Parte* Reexamination  
9 Filing Data from the United States Patent and Trademark Office.

10 I declare under penalty of perjury under the laws of the United States the foregoing is true  
11 and correct.

12 Executed May 2, 2022.

Respectfully submitted,

13  
14 /s/ Vincent J. Rubino, III  
15 Vincent J. Rubino, III, Declarant  
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RUSS AUGUST & KABAT