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Attorneys for Plaintiff Lyft, Inc.

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

LYFT, INC.

Plaintiff,

v.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant.

Case No. 5:21-cv-04653-BLF

**DECLARATION OF ARYA MOSHIRI IN
SUPPORT OF PLAINTIFF LYFT, INC.'S
MOTION TO COMPEL DISCOVERY
AND COMPLIANCE WITH LOCAL
PATENT RULES**

Date: July 28, 2022
Time: 9:00 AM
Judge: Hon. Beth Labson Freeman
Trial Date: October 16, 2023
Courtroom: 3, Fifth Floor

1 I, Arya Moshiri, declare as follows:

2 1. I am over the age of 21 and am fully competent to make this declaration. I have
3 personal knowledge of all facts recited herein and state that such facts are true and correct to my
4 knowledge or information and belief, and, if called upon to do so, I would testify competently about
5 them.

6 2. I am duly admitted to practice law in the State of California and before this Court. I
7 am counsel at the law firm of Baker Botts L.L.P., 101 California Street, San Francisco, California
8 94111, and I represent Lyft, Inc. in the above-captioned action.

9 3. I have reviewed and complied with the Northern District of California's Civil L.R.
10 (dated November 1, 2021).

11 4. I submit this declaration in support of Defendant Lyft, Inc.'s Motion To Compel
12 Discovery and Compliance with Local Patent Rules.

13 5. Attached hereto as Exhibit 1 is a true and correct copy of the publicly available AGIS
14 Inc. press release announcing AGIS Software Development LLC entered into a settlement
15 agreement with Facebook and WhatsApp.

16 6. Attached hereto as Exhibit 2 is a true and correct copy of the publicly available listing
17 of AGIS, Inc.'s U.S. patents, foreign patents, and pending patents.

18 7. Attached hereto as Exhibit 3 is a true and correct copy of the publicly available
19 Declaration of Malcolm K. Beyer, Jr. in Support of Reply to Office Action for U.S. Patent App. No.
20 90/014,510 (March 24, 2021).

21 8. Attached hereto as Exhibit 4 is a true and correct copy of Defendant AGIS Software
22 Development LLC's Disclosure of Asserted Claims and Infringement Contentions (February 25,
23 2022) (Case No. 5:21-cv-04653-BLF).

24 9. Attached hereto as Exhibit 5 is a true and correct copy of the publicly available
25 Exhibit 1 to the Declaration of Malcolm K. Beyer, Jr. in Support of Reply to Office Action for U.S.
26 Patent App. No. 90/014,510 (March 24, 2021).

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1 10. Attached hereto as Exhibit 6 is a true and correct copy of the publicly available
2 Exhibit 2 to the Declaration of Malcolm K. Beyer, Jr. in Support of Reply to Office Action for U.S.
3 Patent App. No. 90/014,510 (March 24, 2021).

4 11. Attached hereto as Exhibit 7 is a true and correct copy of the publicly available
5 Exhibit 5 to the Declaration of Malcolm K. Beyer, Jr. in Support of Reply to Office Action for U.S.
6 Patent App. No. 90/014,510 (March 24, 2021).

7 12. Attached hereto as Exhibit 8 is a true and correct copy of the publicly available
8 Eastern District of Texas Patent Rules, obtained from [https://www.txed.uscourts.gov/?q=patent-](https://www.txed.uscourts.gov/?q=patent-rules)
9 [rules](https://www.txed.uscourts.gov/?q=patent-rules) on March 21, 2022.

10 13. Attached hereto as Exhibit 9 is a true and correct copy of the publicly available
11 Northern District of California Patent Local Rules, obtained from
12 <https://www.cand.uscourts.gov/rules/patent-local-rules/> on March 21, 2022.

13 14. Attached hereto as Exhibit 10 is a true and correct copy of Defendant AGIS Software
14 Development LLC's First Supplemental Objections and Responses to Lyft Inc.'s First Set of
15 Jurisdictional Interrogatories (Nos. 1-5) to Defendant AGIS Software Development LLC, AGIS,
16 Inc., and AGIS Holdings, Inc., which AGIS designated as highly confidential. Lyft takes no position
17 with regard to this designation (March 17, 2022) (Case No. 5:21-cv-04653-BLF). [FILED UNDER
18 SEAL]

19 15. Attached hereto as Exhibit 11 is a true and correct copy of Plaintiff Lyft, Inc.'s First
20 Set of Jurisdictional Interrogatories to Defendant AGIS Software Development LLC, AGIS, Inc.,
21 and AGIS Holdings, Inc (February 4, 2022) (Case No. 5:21-cv-04653-BLF).

22 16. Attached hereto as Exhibit 12 is a true and correct copy of Plaintiff Lyft, Inc.'s
23 Jurisdictional 30(b)(6) Notice to Defendant AGIS Software Development LLC (February 4, 2022)
24 (Case No. 5:21-cv-04653-BLF).

25 17. Attached hereto as Exhibit 13 is a true and correct copy of Plaintiff Lyft, Inc.'s Notice
26 of Subpoena to AGIS Holdings, Inc. (February 4, 2022) (Case No. 5:21-cv-04653-BLF).

27 18. Attached hereto as Exhibit 14 is a true and correct copy of Plaintiff Lyft, Inc.'s Notice
28 of Subpoena to AGIS, Inc. (February 4, 2022) (Case No. 5:21-cv-04653-BLF).

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19. Attached hereto as Exhibit 15 is a true and correct copy of AGIS Holdings, Inc.’s Objections and Responses to Plaintiff Lyft, Inc.’s Notice of Subpoena to Testify in a Civil Action (March 16, 2022) (Case No. 5:21-cv-04653-BLF).

20. Attached hereto as Exhibit 16 is a true and correct copy of AGIS, Inc.’s Objections and Responses to Plaintiff Lyft, Inc.’s Notice of Subpoena to Testify in a Civil Action (March 16, 2022) (Case No. 5:21-cv-04653-BLF).

21. Attached hereto as Exhibit 17 is a true and correct copy of the Declaration of Malcolm K. Beyer, Jr. in Opposition to Defendant Lyft, Inc.’s Motion to Dismiss for Improper Venue (May 27, 2021) (Case No. 2:21-cv-00072-JRG).

22. Attached hereto as Exhibit 18 is a true and correct copy of the March 22, 2022 Deposition Tr. of Thomas Meriam, which AGIS designated as confidential. Lyft takes no position with regard to this designation. [FILED UNDER SEAL]

23. Executed on this 28th day of March, 2022 at San Francisco, California, County of San Francisco. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

1 Dated: March 28, 2022

Respectfully submitted,

2 By: /s/ Arya Moshiri

3 Arya Moshiri

4 Jeremy J. Taylor (SBN 249075)
5 Arya Moshiri (SBN 324231)
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20 *Attorneys for Plaintiff Lyft, Inc.*

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via electronic mail on March 28, 2022.

/s/ Arya Moshiri

Arya Moshiri