JS-CAND 44 (Rev. 06/17)

## Filed 10/09/18 Page 1 of 1 Case 4:18-cv-06185-H $\mathbf{G}_{\mathbf{V}}$ Dock

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

ZTE (USA) Inc.

П

- (b) County of Residence of First Listed Plaintiff Dallas County, Texas (EXCÉPT IN U.S. PLAINTIFF CASES)
- (c) Attorneys (Firm Name, Address, and Telephone Number)

Michael Liu Su, FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP, 3300 Hillview Ave., Palo Alto, California 94304; (650) 849-6600; michael.liu.su@finnegan.com

## DEFENDANTS

AGIS Software Development LLC, AGIS Holdings, Inc. and Advanced Ground Information Systems, Inc.

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. NOTE:

Attorneys (If Known)

| II. | BASIS OF JURISDICTION (Place an "X" in One Box Only)                                |   | CITIZENSHIP OF P<br>(For Diversity Cases Only) | PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) |     |  |     |     |  |  |
|-----|---|---|--|---|-----|--|-----|-----|--|--|
|     |   |   |  | PTF   | DEF |  | PTF | DEF |  |  |
| 1   | U.S. Government Plaintiff × 3 Federal Question (U.S. Government Not a Party)        | C | itizen of This State                           | 1   | 1   | Incorporated <i>or</i> Principal Place of Business In This State     | 4   | 4   |  |  |
| 2   | U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III) |   | Sitizen of Another State                       | 2   | 2   | Incorporated <i>and</i> Principal Place of Business In Another State | 5   | 5   |  |  |
|     | (marcule Culzenship of 1 arties in them 111)  | ( | itizen or Subject of a oreign Country          | 3   | 3   | Foreign Nation   | 6   | 6   |  |  |

NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT **TORTS** FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES 110 Insurance 625 Drug Related Seizure of 422 Appeal 28 USC § 158 375 False Claims Act PERSONAL INJURY PERSONAL INJURY Property 21 USC § 881 120 Marine 423 Withdrawal 28 USC 376 Qui Tam (31 USC 310 Airplane 365 Personal Injury - Product 690 Other § 3729(a)) 130 Miller Act Liability 315 Airplane Product Liability 400 State Reapportionment LABOR PROPERTY RIGHTS 140 Negotiable Instrument 367 Health Care/ 320 Assault, Libel & Slander Pharmaceutical Personal 410 Antitrust 150 Recovery of 330 Federal Employers' 710 Fair Labor Standards Act 820 Copyrights Injury Product Liability 430 Banks and Banking Overpayment Of Liability 720 Labor/Management ×830 Patent 368 Asbestos Personal Injury Veteran's Benefits 450 Commerce 340 Marine Relations 835 Patent-Abbreviated New Product Liability 151 Medicare Act 460 Deportation 740 Railway Labor Act 345 Marine Product Liability Drug Application PERSONAL PROPERTY 152 Recovery of Defaulted 470 Racketeer Influenced & 751 Family and Medical 350 Motor Vehicle 840 Trademark Student Loans (Excludes 370 Other Fraud Corrupt Organizations 355 Motor Vehicle Product Leave Act SOCIAL SECURITY 371 Truth in Lending 480 Consumer Credit 790 Other Labor Litigation Liability 153 Recovery of 380 Other Personal Property 861 HIA (1395ff) 490 Cable/Sat TV 360 Other Personal Injury 791 Employee Retirement Overpayment Damage 862 Black Lung (923) Income Security Act 850 Securities/Commodities/ 362 Personal Injury - Medical of Veteran's Benefits 385 Property Damage Product Exchange 863 DIWC/DIWW (405(g)) Malpractice 160 Stockholders' Suits IMMIGRATION Liability 864 SSID Title XVI 890 Other Statutory Actions 190 Other Contract 462 Naturalization PRISONER PETITIONS CIVIL RIGHTS 865 RSI (405(g)) 891 Agricultural Acts Application 195 Contract Product Liability 893 Environmental Matters 440 Other Civil Rights HABEAS CORPUS FEDERAL TAX SUITS 465 Other Immigration 196 Franchise 895 Freedom of Information 441 Voting 463 Alien Detainee Actions 870 Taxes (U.S. Plaintiff or REAL PROPERTY Act 442 Employment 510 Motions to Vacate Defendant) 896 Arbitration 210 Land Condemnation 443 Housing/ Sentence 871 IRS-Third Party 26 USC 899 Administrative Procedure Accommodations 530 General § 7609 220 Foreclosure Act/Review or Appeal of 445 Amer, w/Disabilities-535 Death Penalty 230 Rent Lease & Ejectment Agency Decision **Employment** 240 Torts to Land OTHER 950 Constitutionality of State 446 Amer. w/Disabilities-Other 245 Tort Product Liability 540 Mandamus & Other Statutes 448 Education 290 All Other Real Property 550 Civil Rights 555 Prison Condition 560 Civil Detainee-Conditions of Confinement ODICIN (D)

| ٧.         | OKIGIN (P. | 'lace an " | X' in One Box Only | ") |                 |   |               |   |                            |   |                     |   |                      |
|------------|------------|------------|--------------------|----|-----------------|---|---------------|---|----------------------------|---|---------------------|---|----------------------|
| $\times$ 1 | Original   | 2          | Removed from       | 3  | Remanded from   | 4 | Reinstated or | 5 | Transferred from           | 6 | Multidistrict       | 8 | Multidistrict        |
|            | Proceeding |            | State Court        |    | Appellate Court |   | Reopened      |   | Another District (specify) |   | Litigation-Transfer |   | Litigation-Direct Fi |

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): CAUSE OF 35 U.S.C. § 1 et. seq. and 28 U.S.C. §§ 2201-2202 ACTION

Declaratory Judgment of Non-Infringement, Invalidity, and Unenforceability of Patents-in-Suit

**REOUESTED IN** CHECK IF THIS IS A CLASS ACTION **DEMAND S** CHECK YES only if demanded in complaint: UNDER RULE 23, Fed. R. Civ. P. JURY DEMAND: × Yes **COMPLAINT:** 

**DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)** 

JUDGE

SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DOCKET NUMBER



VIII. RELATED CASE(S),

**IF ANY** (See instructions):

Find authenticated court documents without watermarks at docketalarm.com.