

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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| AGIS SOFTWARE DEVELOPMENT LLC, | § | |
| | § | |
| | § | |
| Plaintiff, | § | Civil Action No. 2:17-CV-516-JRG |
| | § | |
| v. | § | <u>JURY TRIAL DEMANDED</u> |
| | § | |
| APPLE INC., | § | |
| | § | |
| Defendants. | § | |
| | § | |

**PLAINTIFF’S DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS**

Plaintiff AGIS Software Development LLC (“AGIS”) hereby makes the following infringement disclosures under the Patent Local Rules with respect to United States Patent Nos. 9,467,838 (the “’838 Patent”), 9,445,251 (the “’251 Patent”), 9,408,055 (the “’055 Patent”), and 8,213,970 (the “’970 Patent”) (collectively, “patents-in-suit”). AGIS’s investigation is ongoing and discovery has not yet commenced. Accordingly, these disclosures are based on information available to AGIS at this time. AGIS reserves the right to supplement this disclosure after further discovery from the defendants and non-parties, particularly documents and other discovery regarding the defendants’ accused products. AGIS also reserves the right to assert additional claims of the patents-in-suit, accuse different products, or find alternative literal and/or equivalent infringing elements in the defendant’s products.

**I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS
PURSUANT TO PATENT LOCAL RULE 3-1**

A. ASSERTED CLAIMS

Defendant Apple Inc. (“Apple”) has infringed and continues to infringe at least the following claims of the patents-in-suit in connection with the Apple Accused Products set forth below:

- Claims 1-84 of the ’838 Patent;
- Claims 1-35 of the ’251 Patent;
- Claims 1-54 of the ’055 Patent; and
- Claims 1-9 of the ’970 Patent.

AGIS reserves the right to seek leave of court to add, delete, substitute, or otherwise amend this list of asserted claims should further discovery, the Court’s claim construction, or other circumstances so merit.

B. ACCUSED INSTRUMENTALITIES

AGIS is currently aware that the Apple Accused Products (with back-panel model numbers identified where possible) infringe each of the patents-in-suit either alone or in concert with one or more other Accused Products:

- iPhone 4s (A1431, A1387)
- iPhone 5, (A1428, A1429, A1442)
- iPhone 5C (A1456, A1507, A1516, A1529, A1532)
- iPhone 5S (A1453, A1457, A1518, A1528, A1530, A1533)

- iPhone SE (A1723, A1662, A1724)
- iPhone 6 (A1549, A1586, A1589)
- iPhone 6 Plus (A1522, A1524, A1593)
- iPhone 6S (A1633, A1688, A1700)
- iPhone 6S Plus (A1634, A1687, A1699)
- iPhone 7 (A1660, A1778, A1779)
- iPhone 7 Plus (A1661, A1784, A1785)
- iPhone 8
- iPhone 8 Plus
- iPhone X
- iPad (A1219, A1337)
- iPad 2 (A1395, A1396, A1397)
- iPad 3rd generation (A1416, A1430, A1403)
- iPad 4th generation (A1458, A1459, A1460)
- iPad 5th generation (A1822, A1823)
- iPad mini (A1432, A1454, A1455)
- iPad mini 2 (A1489, A1490, A1491)
- iPad mini 3 (A1599, A1600)
- iPad mini 4 (A1538, A1550)
- iPad Air (A1474, A1475)
- iPad Air 2 (A1566, A1567)

- iPad Pro 12.9-inch (A1584, A1652)
- iPad Pro 9.7-inch (A1673, A1674, A1675)
- iPad Pro 10.5-inch (A1701, A1709)
- iPad Pro 12.9-inch 2nd generation (A1670, A1671)
- iPod touch 4th generation (A1367)
- iPod touch 5th generation 16GB Mid 2013 (A1509)
- iPod touch 5th generation (A1509, A1421)
- iPod touch 6th generation (A1574)
- Apple Watch Series 1(A1801, A1802)
- Apple Watch Series 2 (A1757, A1758)
- Apple Watch Edition (A1816, A1817)
- Apple Watch Hermes (A1757, A1758)
- Apple Watch Nike+ (A1757, A1758)
- Apple Watch 1st generation (A1553, A1554)
- Apple Watch Sport (A1553, A1554),
- Apple Watch Edition (A1553, A1554)
- Apple Watch Hermes (A1553, A1554)
- Apple Watch Series 3 (GPS+Cellular) (various upcoming models)
- Apple Watch Series 3 (GPS) (various upcoming models)
- Apple Servers including but not limited to iMessage servers, iCloud servers, Apple Maps servers, and FaceTime servers.

- Apple Third-Party Servers
- iOS 4
- iOS 5
- iOS 6
- iOS 7
- iOS 8
- iOS 9
- iOS 10
- iOS 11
- watchOS
- watchOS 2
- watchOS 3
- watchOS 4 (upcoming release on September 19, 2017)
- Find My iPhone app, network, servers, and services
- Find My Friends app, network, servers, and services

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