

Exhibit A for US Patent No. 8,213,970 Against Apple Accused Products

In these Infringement Contentions, AGIS Software Development LLC (“AGIS”) contends that at least the following U.S. Patent No. 8,213,970 (the “’970 Patent”) identified below are infringed by the Accused Products (i.e., phones, tablets, smart watches, smart players, watches and servers, as well as, operating systems, apps, and software) which are manufactured, sold, offered, or used by Apple Inc. (“Apple”).

The Accused Products comprise Apple products running the iOS mobile operating system, including iPhone, iPod touch, and iPad Touch models sold during and after 2011. For example, the Accused Products comprise the following iOS-based devices: iPhone (A1431, A1387), iPhone 5, (A1428, A1429, A1442), iPhone 5C (A1456, A1507, A1516, A1529, A1532), iPhone 5S (A1518, A1528, A1530, A1533), iPhone SE (A1723, A1662, A1724), iPhone 6 (A1549, A1586, A1589), iPhone 6 Plus (A1524, A1593), iPhone 6S (A1633, A1688, A1700), iPhone 6S Plus (A1634, A1687, A1699), iPhone 7 (A1660, A1701), iPhone 7 Plus (A1661, A1784, A1785), iPhone 8, iPhone 8 Plus, iPhone X, iPad (A1219, A1337), iPad 2 (A1395, A1401), iPad 3rd generation (A1416, A1430, A1403), iPad 4th generation (A1458, A1459, A1460), iPad 5th generation (A1829, A1894), iPad mini (A1432, A1454, A1455), iPad mini 2 (A1489, A1490, A1491), iPad mini 3 (A1599, A1600), iPad mini 4 (A1538, A1570), iPad Air (A1474, A1475), iPad Air 2 (A1566, A1567), iPad Pro 12.9-inch (A1584, A1652), iPad Pro 9.7-inch (A1673, A1687), iPad Pro 10.5-inch (A1701, A1709), iPad Pro 12.9-inch 2nd generation (A1670, A1671). The Accused Products comprise the following iPod touch models: iPod touch 4th generation (A1367), iPod touch 5th generation 16GB Mid 2013 (A1509), iPod touch 5th generation (A1509, A1428), iPod touch 6th generation (A1574). The Accused Products comprise Apple Watch Series 1 (A1801, A1802), Apple Watch Series 2 (A1890, A1891), 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), and Apple Watch Series 3 (Cellular) (various upcoming models). The Accused Products comprise the iOS mobile operating systems, including the following (and all intervening updates and sub-versions): iOS 4, iOS 5, iOS 6, iOS 7, iOS 8, iOS 9, iOS 10, and iOS 11. The Accused Products comprise the watchOS mobile operating systems, including the following versions (and all intervening updates and sub-versions): watchOS, watchOS 2, watchOS 3, and watchOS 4 (upcoming release on September 19, 2017). The Accused Products comprise the Apple networks, servers, and/or services provided by Apple and related to: Find My iPhone, Find My Friends, iCloud, iTunes, Apple Maps, iMessage, Messages, FaceTime, iOS Device Activation network, and SMS Text Forwarding. The Accused Products comprise Apple’s iCloud (formerly MobileMe) services and Apple’s servers hosting iCloud (formerly MobileMe) data. The Accused Products comprise Apple Maps services and Apple’s internal servers hosting Apple Maps data and services. The Accused Products comprise third-party servers providing Apple with data and services for use with Apple Maps. The Accused Products comprise

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and iMessage services and Apple’s internal servers hosting Apple Messages and iMessage data and services, as well as servers providing Apple with data and services for use with Apple Messages and iMessage data and services.

AGIS does not concede that any claims of the ’970 Patent that are not listed below are not infringed by the identified Apple Accused Products. Moreover, the citations to certain documents and other information below are intended to be exemplary only and in no way limit AGIS from citing or relying on additional documents, information, source code, and/or testimony at a later time. These contentions are preliminary in nature, and an analysis of Apple’s products, internal documentation, source code, and/or testimony and other witnesses may more fully and accurately describe the infringing features of its accused products. Accordingly, AGIS reserves the right to supplement, correct, modify, and/or amend these contentions once such additional information is made available. Furthermore, AGIS reserves the right to supplement, correct, modify, and/or amend these contentions as discovery in this case progresses; in view of the Court’s claim construction order(s); in view of any positions taken by Apple, including but not limited to its positions on claim construction, invalidity, and/or non-infringement; and in connection with the preparation and exchange of expert reports.

Claim	Accused Products
<p>1[P]. A communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising: a predetermined network of participants, wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory;</p>	<p>The Apple Accused Products together constitute a “communication system” for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising a predetermined network of participants, wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory.</p> <p>Apple makes, uses, sells, and otherwise provides this communication system by manufacturing, using, selling, and importing iOS devices such as the iPhone, iPad, iPod touch, and Apple Watch as well as by providing its servers for use with iOS devices to enable features such as Find My iPhone.</p> <p>The Accused Products include Apple’s servers, which receive and relay information and otherwise provide for data transmission, as well as iOS devices and web interfaces that provide the forced message control functionality for other iOS devices.</p> <p>For example each “Apple ID” is a personal account to “access Apple services such as the App Store, iTunes Store, iCloud, iMessage, the Apple Online Store, FaceTime, and other services” which allowed users to “use the same Apple ID everywhere you sign in to ensure</p>

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Apple services and devices work together seamlessly and you can access your content from all your devices.” <https://appleid.apple.com/faq/#!/&page=faq>

Apple stores and serves Apple ID on its networks in one of its proprietary services.

System Status		
● App Store	● iCloud Backup	● iTunes U
● Apple ID	● iCloud Bookmarks & Tabs	● iWork for iCloud
● Apple Music	● iCloud Calendar	● Mac App Store
● Apple Online Store	● iCloud Contacts	● macOS Software Update
● Apple Pay	● iCloud Drive	● Mail Drop
● Apple School Manager	● iCloud Keychain	● Maps Display
● Apple TV	● iCloud Mail	● Maps Routing & Navigation
● Back to My Mac	● iCloud Notes	● Maps Search
● Beats 1	● iCloud Reminders	● Maps Traffic
● Dictation	● iCloud Storage Upgrades	● News
● Documents in the Cloud	● iCloud Web Apps (iCloud.com)	● Photo Print Products
● FaceTime	● iMessage	● Photos
● Find My Friends	● iMovie Theater	● Radio
● Find My iPhone	● iOS Device Activation	● Siri
● Game Center	● iPhone Calls to iPad and Mac	● SMS Text Forwarding
● iBooks Store	● iTunes in the Cloud	● Spotlight suggestions
● iChat	● iTunes Match	● Volume Purchase Program
● iCloud Account & Sign In	● iTunes Store	

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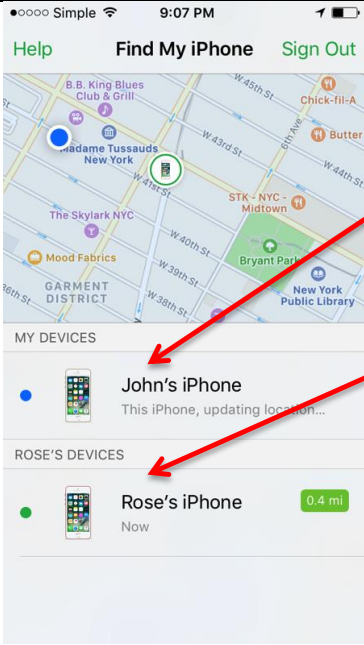
Each “Apple ID” is associated with a pre-determined number of apple devices, a CPU and a touchscreen, and which are registered with apple when a customer purchases Accused Products, such as an iOS-based device.

Apple provides this network and the associated devices to its customers. See <https://www.apple.com/ca/legal/internet-services/icloud/en/terms.html>

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	As explained below, this “communication network” can be used for “transmitting, confirming receipt, and responding to an electronic message.”
[1A] a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones in different locations;	<p>This claim term is governed by 35 U.S.C. 112(6).</p> <p>Function: facilitating the transmission of electronic files between said PDA/cell phones in different locations.</p> <p>Structure: Communications network server. '970 Patent at 1:39-43; 2:36-43; and 4.</p> <p>The Accused Products meet this limitation. Apple provides access to one or more servers that facilitate the transmission of electronic files between each of the Accused Products. These servers include the iCloud server(s), iMessage server(s), FaceTime Server(s), iPhone Server(s), and other servers that AGIS expects to identify through discovery.</p>
[1B] a sender PDA/cell phone and at least one recipient PDA/cell phone for each electronic message;	Apple makes, uses, imports, sells, or otherwise provides iOS devices, such as iPhone and iPad Accused Products, to its customers. These devices include PDA/cell phones, i.e. smartphones, and other devices with cellular connections. Each claimed electronic message is transmitted from at least one Accused Product to another Accused Product which share a common communication network.

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	<p>Sender device</p> <p>Recipient device</p>
	<p>See claim 1[P].</p>
<p>[1C] a forced message alert software application program including a list of required possible responses to be selected by a participant recipient of a forced message response loaded on each participating PDA/cell phone;</p>	<p>Apple makes, uses, imports, sells, or otherwise provides a forced message alert software application program including a list of required possible responses to be selected by a participant recipient of a forced message response loaded on each participating PDA/cell phone.</p> <p>For example, Apple's Find My iPhone software application, which Apple provides as a pre-installed application on the Accused Products, allows iOS users to track other devices, such as PDA/cell phones, computers, headphones, and watches, linked to their iTunes / iCloud account either directly or through family sharing. Find My iPhone provides a list of the status for each device within the same iTunes / iCloud / family sharing account. Find My iPhone tracks location status, responses to location requests / time since last update, and current locations.</p>

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