

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

<p>AGIS SOFTWARE DEVELOPMENT, LLC, Plaintiff, v. HUAWEI DEVICE USA INC., HUAWEI DEVICE CO., LTD. AND HUAWEI DEVICE (DONGGUAN) CO., LTD., Defendants.</p>	<p>C.A. NO. 2:17-CV-0513-JRG LEAD CASE JURY TRIAL DEMANDED</p>
<p>AGIS SOFTWARE DEVELOPMENT, LLC, Plaintiff, v. HTC CORPORATION, Defendant.</p>	<p>C.A. NO. 2:17-cv-514-JRG (CONSOLIDATED CASE) JURY TRIAL DEMANDED</p>
<p>AGIS SOFTWARE DEVELOPMENT, LLC, Plaintiff, v. ZTE CORPORATION, ZTE (USA), INC., AND ZTE (TX), INC., Defendants.</p>	<p>C.A. NO. 2:17-cv-517-JRG (CONSOLIDATED CASE) JURY TRIAL DEMANDED</p>

**DEFENDANTS HTC CORPORATION, ZTE (USA), INC., AND ZTE (TX), INC.'S
INVALIDITY CONTENTIONS PURSUANT TO PATENT LOCAL RULE 3-3**

IPR2019-00485, Exhibit 2003

I. INTRODUCTION

Pursuant to Local Patent Rules (“P.R.”) 3-3 and 3-4, Defendants HTC Corporation (“HTC”)¹ and ZTE (USA), Inc., and ZTE (TX), Inc. (collectively, “ZTE”)² (HTC and ZTE are herein, collectively, referred to as “Defendants”) hereby serve their Invalidity Contentions and accompanying document production on Plaintiff AGIS Software Development LLC (“AGIS” or “Plaintiff”). Defendants’ discovery and investigation related to the above-captioned cases are continuing, and, as such, these contentions and disclosures are based on information reasonably obtained by Defendants to date in view of the unreasonable number of claims currently asserted by AGIS. Defendants reserve the right to supplement or modify these contentions, consistent with P.R. 3-6 and any applicable Court order.

AGIS has asserted the following patents and claims against Defendants in this case:

- Claims 1 and 3-9 of U.S. Patent No. 8,213,970 (the “’970 Patent”);
- Claims 1-54 of U.S. Patent No. 9,408,055 (the “’055 Patent”);
- Claims 1-35 of U.S. Patent No. 9,445,251 (the “’251 Patent”); and
- Claims 1-54 of U.S. Patent No. 9,467,838 (the “’838 Patent”)

The ’970 Patent, ’055 Patent, ’251 Patent, and ’838 Patent are collectively referred to herein as the “Patents-in-Suit” and the claims identified above are collectively referred to herein as the “Asserted Claims.” That AGIS has asserted all or substantially all the claims in each of the Patents-in-Suit is overly burdensome and unsustainable. To that end, AGIS has agreed to a phased reduction of asserted claims, but, under the amended Docket Control Order (2:17-cv-00514-JRG, D.I. 39; *see also* 2:17-cv-00513-JRG, D.I. 89), this reduction will occur after service of these Invalidity Contentions. For at least this reason, Defendants reserve the right to amend or otherwise supplement these contentions and disclosures to the extent necessary and permitted.

¹ HTC Corp. serves these invalidity contentions subject to its objection and motion to dismiss for lack of personal jurisdiction.

² Defendant ZTE Corporation has not yet been served or appeared in this matter; thus, all scheduling deadlines will apply, if Defendant ZTE Corporation is served.

remotely controlling the particular second device to perform an action, wherein the particular second device is configured to perform the action based on receiving the second message.”

Claim 47:

- “wherein the information associated with the facility comprises a uniform resource locator (URL) of a web site associated with the facility.”

Claim 48:

- “further comprising performing, by the first device: identifying user interaction with the interactive display selecting the symbol corresponding to the facility and user interaction with the display specifying an action, and based thereon, loading a web page associated with the facility.”

Claim 51:

- “wherein the first server is the second server.”

B. Patent Local Rule 3-3(a)-(c) Initial Disclosures

Pursuant to P.R. 3-3(a), and as detailed below and in the attached Exhibits, Defendants contend that the asserted claims of the Patents-in-Suit are invalid as anticipated and/or obvious under (pre-AIA and/or AIA) 35 U.S.C. §§ 102 and 103 over at least the following prior art.

Exhibit (Chart)	Reference	Inventor or Author	Date of Issue or Publication or Public Use / Availability	Filing Date
A-1	U.S. Patent Application Publication No. US 2003/0217109	Ordille et al.	Nov. 20, 2003	June 26, 2002
A-2	U.S. Patent Application Publication No. US 2008/0219416	Roujinsky	Sept. 11, 2008	Feb. 15, 2008
A-3	U.S. Patent No. 7,609,669	Sweeney	Oct. 27, 2009	Feb. 14, 2005
A-4	U.S. Patent No. 7,386,589	Tanumihardja et al.	June 10, 2008	June 27, 2001

A-5	U.S. Patent No. 6,816,878	Zimmers et al.	Nov. 9, 2004	Feb. 11, 2000
A-6	U.S. Patent Application Publication No.	Kubala	Sept. 28., 2006	Mar. 24, 2005
A-6 A-7	U.S. Pat. No. 6,854,007	Hammond	Feb. 8, 2005	Sept. 17, 1998
A-7	U.S. Patent No. 5,325,310	Johnson et al.	June 28, 1994	June 26, 1992
A-7	U.S. Patent No. 5,742,905	Pepe et al.	Apr. 21, 1998	Sept. 19, 1994
A-8	U.S. Patent No. 7,619,584	Wolf	Nov. 17, 2009	Sept. 8, 2006
A-9	U.S. Patent No. 7,912,913	Accapadi et al.	Mar. 22, 2011	Sept. 15, 2005
A-10	WO 2008/118878	Swanburg et al.	Oct. 2, 2008	Mar. 24, 2008
C-1 E-1 G-1	U.S. Patent Application Publication No. US 2007/0281690	Altman et al.	Dec. 6, 2007	June 1, 2006
C-2 E-2 G-2	U.S. Patent No. 7,330,112	Emigh et al.	Feb. 12, 2008	Sept. 9, 2004
C-3 E-3 G-3	U.S. Patent No. 7,917,866	Karam	Mar. 29, 2011	Dec. 30, 2005
C-4 E-4 G-4	U.S. Patent Application Publication No. US 2002/0115453	Poulin et al.	Aug. 22, 2002	Feb. 15, 2002
C-5 E-5 G-5	U.S. Patent No. 6,867,733	Sandhu et al.	Mar. 15, 2005	Apr. 9, 2001
C-5 E-5 G-5	U.S. Patent No. 7,271,742	Sheha et al.	Sept. 18, 2007	Mar. 3, 2003

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/s/ Miguel Bombach

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