

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

HUAWEI DEVICE USA INC., HUAWEI
DEVICE CO., LTD. AND HUAWEI DEVICE
(DONGGUAN) CO., LTD.,
HTC CORPORATION,
LG ELECTRONICS INC.,
APPLE INC.,
ZTE CORPORATION, ZTE (USA), INC.,
AND ZTE (TX), INC.,

Defendants.

**Civil Action No. 2:17-CV-513-JRG
(Lead Case)**

Member Cases:

Civil Action No. 2:17-CV-514-JRG

Civil Action No. 2:17-CV-515-JRG

Civil Action No. 2:17-CV-516-JRG

Civil Action No. 2:17-CV-517-JRG

JURY TRIAL DEMANDED

**DECLARATION OF KERRI-ANN LIMBEEK IN SUPPORT OF
DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Kerri-Ann Limbeek, declare that:

1. I am an associate with the law firm of Desmarais LLP, counsel of record for Defendant Apple Inc. ("Apple") in the above-captioned matter, and I am admitted *pro hac vice* to this Court. I submit this declaration based on personal knowledge, and if called upon as a witness, I could competently testify to the truth of each statement herein.

2. I make this Declaration in support of Defendants Responsive Claim Construction Brief.

3. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 9,467,838, bearing production numbers AGISTX_00005926-AGISTX_00005947.

4. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 8,213,970, bearing production numbers AGISTX_00005824-AGISTX_00005836.

5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from *The Oxford American Dictionary of Current English*, Oxford University Press (1999).

6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from *Webster's New World Dictionary of Computer Terms*, Bryan Pfafftnberger, Ph.D. (8 ed. 2000).

7. Attached hereto as Exhibit 5 is a true and correct copy of an October 27, 2010 office action in the prosecution history of U.S. Patent Application Serial No. 11/615,472, which issued as U.S. Patent No. 8,126,441, bearing production numbers AGISTX_00000558-AGISTX_00000582.

8. Attached hereto as Exhibit 6 is a true and correct copy of a February 23, 2011 Response and Amendment to an office action in the prosecution history of U.S. Patent Application Serial No. 11/615,472, which issued as U.S. Patent No. 8,126,441, bearing production numbers AGISTX_00000537- AGISTX_00000557.

9. Attached hereto as Exhibit 7 is a true and correct copy of an August 13, 2013 office action in the prosecution history of U.S. Patent Application Serial No. 14/633,804, which issued as U.S. Patent No. 9,445,251, bearing production numbers AGISTX_00004319-AGISTX_00004346.

10. Attached hereto as Exhibit 8 is a true and correct copy of a November 13, 2015 Response and Amendment to an office action in the prosecution history of U.S. Patent Application Serial No. 14/633,804, which issued as U.S. Patent No. 9,445,251, bearing production numbers AGISTX_00004287- AGISTX_00004314.

11. Attached hereto as Exhibit 9 is a true and correct copy of a December 10, 2015 office action in the prosecution history of U.S. Patent Application Serial No. 14/633,804, which issued as U.S. Patent No. 9,445,251, bearing production numbers AGISTX_00004261-AGISTX_00004285.

12. Attached hereto as Exhibit 10 is a true and correct copy of a February 29, 2016 Supplemental Response to an office action in the prosecution history of U.S. Patent Application Serial No. 14/695,233, which issued as U.S. Patent No. 9,408,055, bearing production numbers AGISTX_00004939- AGISTX_00004960.

13. Attached hereto as Exhibit 11 is a true and correct copy of a March 24, 2016 office action in the prosecution history of U.S. Patent Application Serial No. 14/695,233, which issued as U.S. Patent No. 9,408,055, bearing production numbers AGISTX_00004916-AGISTX_00004934.

14. Attached hereto as Exhibit 12 is a true and correct copy of an excerpt of *Microsoft Computer Dictionary*, Microsoft Press (5 ed. 2002), bearing production numbers DEFS-AGIS-CC_000333- DEFS-AGIS-CC_000336.

15. Attached hereto as Exhibit 13 is a true and correct copy of a December 17, 2010 Response and Amendment to an office action in the prosecution history of U.S. Patent Application Serial No. 2/324,122, which issued as U.S. Patent No. 8,213,970, bearing production numbers AGISTX_00001268- AGISTX_00001282.

16. Attached hereto as Exhibit 14 is a true and correct copy of a September 9, 2011 Response and Amendment to an office action in the prosecution history of U.S. Patent Application Serial No. 2/324,122, which issued as U.S. Patent No. 8,213,970, bearing production numbers AGISTX_00001224- AGISTX_00001243.

17. Attached hereto as Exhibit 15 is a true and correct copy of U.S. Patent No. 7,031,728, bearing production numbers AGISTX_00005688-AGISTX_00005700.

18. Attached hereto as Exhibit 16 is a true and correct copy of U.S. Patent No. 7,630,724, bearing production numbers AGISTX_00005701-AGISTX_00005719.

19. Attached hereto as Exhibit 17 is a true and correct copy of U.S. Patent No. 9,408,055, bearing production numbers AGISTX_00005885-AGISTX_00005905.

20. Attached hereto as Exhibit 18 is a true and correct copy of U.S. Patent No. 9,445,251, bearing production numbers AGISTX_00005906-AGISTX_00005925.

21. Attached hereto as Exhibit 19 is a true and correct copy of U.S. Patent Publication No. 2004/0148090 A1 to Melen.

22. Attached hereto as Exhibit 20 is a true and correct copy of an excerpt of 3G TS 23.040 Technical Specification V1.0.0, 3rd Generation Partnership Project (1999-05), bearing production numbers DEFS-AGIS-CC_000001-DEFS-AGIS-CC_000002, DEFS-AGIS-CC_000006.

23. Attached hereto as Exhibit 21 is a true and correct copy of an excerpt of *Microsoft Computer Dictionary*, Microsoft Press (5 ed. 2002), bearing production numbers DEFS-AGIS-CC_000353- DEFS-AGIS-CC_000355.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 13, 2018, in New York, NY.

/s/ Kerri-Ann Limbeek
Kerri-Ann Limbeek