

# EXHIBIT 2

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

HUAWEI DEVICE USA INC., ET AL.,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Case No. 2:17-CV-0513-JRG  
(LEAD CASE)

**JURY TRIAL DEMANDED**

**PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S OPPOSITION TO  
THE HUAWEI DEFENDANTS' MOTION TO TRANSFER VENUE  
TO THE NORTHERN DISTRICT OF CALIFORNIA (DKT. NO. 36)**

**TABLE OF CONTENTS**

**Page No(s).**

INTRODUCTION ..... 1

FACTUAL BACKGROUND..... 3

    A. AGIS Software Development, LLC, AGIS, Inc., and AGIS Holdings, LLC..... 3

    B. AGIS’s Witnesses..... 4

    C. Huawei’s Witnesses and Connections to This District..... 5

    D. Non-Party Witnesses ..... 6

ARGUMENT ..... 7

    I. The Applicable Legal Standards for Transfer of Venue..... 7

    II. The Private Interest Factors All Weigh Against Transfer..... 8

        A. Ease of Access to Sources of Proof Weighs Against Transfer..... 8

        B. This District is More Convenient for Willing Witnesses ..... 10

        C. Availability of Compulsory Process Also Disfavors Transfer ..... 13

        D. Judicial Economy Favors This District ..... 14

    III. The Public Interest Factors Weigh Strongly Against Transfer ..... 14

        A. This District’s Strong Localized Interest Weighs Against Transfer..... 14

        B. Faster Disposition in This District Weighs Against Transfer..... 15

        C. Other Public Interest Factors Are Neutral and Do Not Support Transfer ..... 15

CONCLUSION..... 15

**TABLE OF AUTHORITIES**

	<b>Page(s)</b>
<b>Cases</b>	
<i>Aerielle, Inc. v. Monster Cable Prod., Inc.</i> , No. 206CV382TJW, 2007 WL 951639 (E.D. Tex. Mar. 26, 2007) .....	12, 13
<i>AGCS Marine Ins. Co. v. Associated Gas &amp; Oil Co.</i> , 775 F. Supp. 2d 640 (S.D.N.Y. 2011).....	11
<i>Aloft Media, LLC v. Adobe Sys.</i> , No. 6:07–CV–355, 2008 WL 819956 (E.D. Tex. Mar. 25, 2008).....	7, 11, 13
<i>Beijing Zhongyi Zhongbiao Elec. Info. Tech. v. Microsoft Corp.</i> , No. 4:12-CV-4077, 2013 WL 3808009 (W.D. Ark. July 22, 2013).....	8, 9
<i>Cell &amp; Network Selection, LLC v. AT &amp; T Mobility LLC</i> , No. 6:11-CV-706 LED-JDL, 2013 WL 1855972, at *5 (E.D. Tex. Apr. 29, 2013).....	14
<i>ContentGuard Holdings, Inc. v. Amazon.com, Inc., et al.</i> , No. 2:13-cv-01112-JRG, D.I. 110-17, at ¶ 6 (E.D. Tex. Feb. 15, 2014) .....	1
<i>Continental Grain Co. v. The FBL-585</i> , 364 U.S. 19 (1960).....	14
<i>Core Wireless Licensing v. Apple</i> , 2013 WL 682849 *at 4 (E.D. Tex. 2013).....	12
<i>Eidos Display, LLC v. AU Optronics Corp.</i> , No. 6:11CV201 LED-JDL, 2011 WL 13098296, at *2 (E.D. Tex. Dec. 21, 2011).....	12
<i>Frito-Lay N. Am., Inc. v. Medallion Foods, Inc.</i> , 867 F. Supp. 2d 859 (E. D. Tex. 2012).....	10, 11, 13, 14
<i>Gulf Oil Corp. v. Gilbert</i> , 330 U.S. 501 (1947).....	7
<i>In re Horseshoe Entm 't</i> , 337 F.3d 429 (5th Cir. 2003) .....	8
<i>Mangosoft Intellectual Property, Inc. v. Skype Techs. SA</i> , 2007 WL 2008899 (E.D. Tex. July 5, 2007) .....	11
<i>Mears Techs., Inc. v. Finisar Corp.</i> , No. 2:13-cv-376-JRG, 2014 WL 1652603 (E.D. Tex. April 24, 2014).....	7

..

*Network-1 Sec. Sols., Inc. v. D-Link Corp.*,  
433 F. Supp. 2d 795 (E.D. Tex. 2006).....9, 15

*PersonalWeb Technologies, LLC v. NEC Corp. of Am., Inc.*,  
No. 6:11-CV-655, 2013 WL 9600333 (E.D. Tex. Mar. 21, 2013).....13, 14

*Regents of Univ. of Cal. v. Eli Lilly & Co.*,  
119 F.3d 1559 (Fed. Cir. 1997).....8

*Rosco Holdings Inc. v. Best W. Int'l Inc.*,  
No. H-06-0155, 2006 WL 1007474 (S.D. Tex. Apr. 18, 2006).....11

*Shoemake v. Union Pacific R.R. Co.*,  
233 F. Supp. 2d 828 (E.D. Tex. 2002).....11

*Uniloc USA, Inc. v. Tangome, Inc.*,  
No. 6:16-CV-380-JRG, 2016 WL 9240543 (E.D. Tex. Nov. 14, 2016).....12

*Vertical Computer Sys., Inc. v. LG Elecs. MobileComm U.S.A., Inc.*,  
No. 2:10-CV-490-JRG, 2013 WL 2241947 (E.D. Tex. May 21, 2013).....15

*In re Vistaprint*,  
628 F.3d 1342 (Fed. Cir. 2010).....14

*In re Volkswagen AG*,  
371 F.3d 201 (5th Cir. 2004) (*Volkswagen I*).....7, 8

*In re Volkswagen of Am., Inc.*,  
545 F.3d 304 (5th Cir. 2008) (*en banc*) (*Volkswagen II*).....7

*In re Volkswagen of Am., Inc.*,  
566 F.3d 1349 (Fed. Cir. 2009).....14

**Statutes**

28 U.S.C. § 1404(a) .....1, 7

**Other Authorities**

Rule 3-1(g) .....9

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.