

EXHIBIT 10

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.

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Civil Action No. 2:17-CV-513-JRG
(LEAD CASE)

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

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Civil Action No. 2:17-CV-516-JRG
(CONSOLIDATED CASE)

DECLARATION OF DR. PAUL C. CLARK IN SUPPORT OF APPLE'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT NO. 8,213,970

I, Paul C. Clark, being over 18 years of age, hereby declare as follows:

1. I have been retained as an expert by Defendant Apple Inc. (“Apple”) to review the facts relating to the above-captioned lawsuit in which Plaintiff AGIS Software Development LLC (“AGIS”) has accused Apple of patent infringement of, among others, U.S. Patent No. 8,213,970 (the “970 patent”). 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. Attached hereto as Attachment A is a true and correct excerpted copy of my rebuttal non-infringement report entitled “Rebuttal Expert Report of Paul C. Clark Concerning Non-

Infringement Of U.S. Patent Nos. 8,213,970; 9,408,055; 9,445,251; 9,467,838; And 9,749,829,”
without exhibits, signed by me on November 19, 2018.

3. All of the statements in Attachment A are true and accurate to the best of my
knowledge, information, and belief.

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

Executed on:

12/14/18

Date



Dr. Paul C. Clark

Attachment A

RESTRICTED – ATTORNEYS’ EYES ONLY
RESTRICTED CONFIDENTIAL SOURCE CODE

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

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

**REBUTTAL EXPERT REPORT OF PAUL C. CLARK CONCERNING
NONINFRINGEMENT OF U.S. PATENT NOS. 8,213,970; 9,408,055; 9,445,251;
9,467,838; AND 9,749,829**

Dated: November 19, 2018



Paul C. Clark

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