

**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.

Defendants.

CIVIL ACTION NO. 2:17-cv-513-JRG

**JURY TRIAL DEMANDED**

**DEFENDANTS HUAWEI DEVICE USA INC., HUAWEI DEVICE CO., LTD. AND  
HUAWEI DEVICE (DONGGUAN) CO., LTD.'S MOTION TO  
TRANSFER VENUE TO THE NORTHERN DISTRICT OF CALIFORNIA**

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Defendants Huawei Device USA Inc. (“Huawei USA”), Huawei Device Co., Ltd. (“Huawei Device”), and Huawei Device (Dongguan) Co., Ltd. (“Huawei Dongguan”) (collectively, the “Huawei Defendants”) respectfully move this Court pursuant to 28 U.S.C. § 1404(a) to transfer this action to the Northern District of California (“N.D. Cal.”).

## I. INTRODUCTION

This action has no meaningful connection to the Eastern District of Texas (“E.D. Tex.”). Plaintiff AGIS Software Development, LLC (“AGIS”) contends that the Huawei Defendants infringe four related U.S. patents (collectively, the “Patents-in-Suit”) based on the inclusion of “Google Maps, Android Device Manager, Find My Phone, Find My Device, Google Messages, Android Messenger, Google Hangouts, Google Plus, and Google Latitude” (the “Accused Applications”) on certain Android devices<sup>1</sup> purportedly sold by the Huawei Defendants. (FAC, ¶ 17). The vast majority of these applications were created and provided by third parties – including Google LLC (“Google”) – all headquartered in N.D. Cal. And, in particular, Google’s documents and witnesses relevant to the design, development and installation of Google’s applications are primarily located in N.D. Cal., and not in E.D. Tex.

The Huawei Defendants have no relevant connection to E.D. Tex. with respect to the Accused Devices and/or the Accused Applications. Huawei Device and Huawei Dongguan design and manufacture the Accused Devices, including any installation of Google software on those devices, outside of the United States, and they have no presence whatsoever in E.D. Tex. Although Huawei USA is incorporated in Texas, the Huawei USA employees involved in the

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<sup>1</sup> The First Amended Complaint (“FAC”) alleges that the following specific Huawei devices are at issue: The Union, Mate 9, Nexus 6P, GX8, and P8lite devices (collectively, the “Accused Devices”). (D.I. 20 (“FAC”), ¶ 17).

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