

v.  
HUAWEI DEVICE USA INC., HUAWEI  
DEVICE CO., LTD. AND HUAWEI DEVICE  
(DONGGUAN) CO., LTD.

Defendants.

CIVIL ACTION NO. 2:17-cv-515-JRG  
**JURY TRIAL DEMANDED**

**DECLARATION OF ZHU LIU IN SUPPORT OF DEFENDANTS' MOTION TO  
TRANSFER VENUE**

I, Zhu Liu, state and declare as follows:

1. I am a Principal Engineer at Huawei Device (Dongguan) Co., Ltd. ("Huawei Dongguan") and work out of Huawei Dongguan's Shenzhen office, People's Republic of China. I have been employed by Huawei Dongguan since 2013.

2. I provide this declaration in support of Defendants' motion to transfer the above-captioned action to the United States District Court for the Northern District of California. I submit this declaration based upon my personal knowledge of the corporate structure of Huawei Dongguan and Huawei Device Co., Ltd. ("Huawei Device"), and my reasonable investigation of the location of witnesses and evidence related to the Huawei devices, and certain Android applications available for those devices, which I understand plaintiff AGIS Software Development, LLC ("AGIS") has accused of patent infringement. If called as a witness, I would and could testify competently as to the same.

Shenzhen and Dongguan, China. Huawei Dongguan is a direct subsidiary of Huawei Device and an indirect subsidiary of Huawei Technologies Co., Ltd. (“Huawei Technologies”), which is a diversified Chinese multinational networking and telecommunications equipment and service company headquartered in Shenzhen, China. Huawei Dongguan has no employees based or facilities located in the United States.

5. Huawei Dongguan and Huawei Device design and manufacture Huawei smartphones and tablets, including smartphones and tablets intended for sale within the United States. I understand that AGIS has accused the following Huawei smartphone devices of infringement: The Union, Mate 9, Nexus 6P, GX8 and P8lite devices (the “Accused Devices”). Huawei Dongguan designed, developed, and manufactures the Mate 9 and P8 Lite outside of the United States. Huawei Device designed, developed, and manufactures the Union, Nexus 6P, GX8 and P8 Lite outside of the United States.

6. To the best of my knowledge after a reasonable investigation, no design, development, or manufacture of Huawei smartphone and tablet products by Huawei Dongguan or Huawei Device occurs within the United States, including the State of Texas.

7. Huawei Device USA is responsible for U.S. sales and marketing of Huawei smartphones and tablets, including the Accused Devices, manufactured by Huawei Dongguan and Huawei Device. Huawei Dongguan and Huawei Device also work with Huawei Device USA on certain smartphone and tablet product research and development efforts, including

8. Huawei Dongguan and Huawei Device, in conjunction with Huawei Device USA, work closely with Google to integrate the above-mentioned Google applications into the Accused Devices. Huawei Dongguan and Huawei Device install the Google applications as supplied by Google on the Accused Devices outside of the United States. Huawei Dongguan and Huawei Device does not alter or modify the software applications that are supplied by Google.

9. The employees of Huawei Dongguan and Huawei Device who are most knowledgeable about the design, development, and manufacture of the Accused Devices, including the installation of Google software on those devices, work and/or reside in China. Specifically, the following Huawei Dongguan and Huawei Device employees are knowledgeable concerning the design and manufacture efforts described above with respect to the Accused Devices:

- Cui Qingyu is an Engineer at the Wuhan facility who is responsible for basic ROM application platform development and the integration of the Google software onto the Accused Devices.
- Gui Zhuomin is a software Engineer at the Wuhan facility who is responsible for managing the test of smartphone software and ensuring the conformity of software with Mobile Application Distribution Agreement with Google.


and Guangdong facilities. The documents maintained and accessible from those locations in

China include:

- Technical data concerning the creation, design, development and manufacture of the Accused Devices, including all specifications, schematics, or other documentation regarding the functionality of the Accused Devices.
- Corporate records and business data, including documents concerning marketing and sales of the Accused Devices.

Huawei Dongguan and Huawei Device do not maintain any documents or other information related to the Accused Devices that might be relevant to this action in Texas.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Shenzhen, China on November 9, 2017.

  
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Zhu Liu