

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

vs.

HTC CORPORATION,

Defendant.

**CASE NO. 2:17-cv-514-JRG
(LEAD CASE)**

JURY TRIAL DEMANDED

**DECLARATION OF KYLE R. CANAVERA IN SUPPORT OF DEFENDANT
HTC CORPORATION'S REPLY IN SUPPORT OF ITS MOTION TO RECONSIDER
DENIAL OF MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(A) TO
THE NORTHERN DISTRICT OF CALIFORNIA**

I, Kyle R. Canavera, hereby declare as follows:

1. I am an attorney at the law firm of Perkins Coie LLP and counsel of record for HTC Corporation (“HTC Corp.”) in the above entitled matter. I am a member of good standing of the California and United States Patent and Trademark Bar and am admitted to practice in the Eastern District of Texas.

2. I make this declaration in support of HTC Corp.’s Reply in Support of Its Motion to Reconsider Denial of the Motion to Transfer Venue to the Northern District of California.

3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the transcript of the deposition of Eric Armstrong.

4. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the transcript of the deposition of Margaret Beyer.

5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the expert report of Mr. McAlexander, AGIS’s infringement expert. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the expert report of Mr. Wolfe, HTC Corp.’s non-infringement expert. The excerpts in Exhibits 3 and 4 are exemplary, and not exhaustive, instances of the experts citing Google source code. HTC Corp. can provide additional excerpts or the full reports should the Court so prefer.

6. On January 14, 2019, Daniel Shea, counsel for AGIS, informed counsel for HTC Corp. that Google had made additional source code available for inspection in Palo Alto, California. Attached hereto as Exhibit 5 is a true and correct copy of Mr. Shea’s January 14, 2019 email.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of January, 2019, in San Diego, California.

/s/ Kyle R. Canavera
Kyle R. Canavera