Exhibit 7

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE, INC.,
Petitioner,

v.

AGIS SOFTWARE DEVELOPMENT, LLC,
Patent Owner.

_____

Case IPR2018–00818
Patent 9,408,055 B2

_____

Before TREVOR M. JEFFERSON, CHRISTA P. ZADO, and
KEVIN C. TROCK, *Administrative Patent Judges*.

TROCK, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314

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I. INTRODUCTION

Apple, Inc. ("Petitioner") filed a request for *inter partes* review of claims 1–54 (the "challenged claims") of U.S. Patent No. 9,408,055 B2 (Ex. 1001, "the '055 patent"). Paper 1 ("Pet."). AGIS Software Development, LLC ("Patent Owner") filed a Preliminary Response. Paper 6 ("Prelim. Resp.").

Under 35 U.S.C. § 314, an *inter partes* review must not be instituted "unless . . . the information presented in the petition . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." 35 U.S.C. § 314(a). Upon considering the evidence presented and the arguments made, we determine that Petitioner has not demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of at least one of the challenged claims. Accordingly, we do not institute an *inter partes* review.

A. *Related Proceedings*

Petitioner advises that the '055 patent is the subject of a civil action involving Petitioner, *AGIS Software Development LLC v. Apple Inc.*, No. 2:17-cv-00516-JRG (E.D. Tex.). Pet. 2. Petitioner also advises the '055 patent is asserted against third parties in four other cases: *AGIS Software Development LLC v. Huawei Device USA Inc. et al.,* No. 2:17-cv-00513 (E.D. Tex.); *AGIS Software Development LLC v. LG Electronics, Inc.,* No. 2:17-cv-00515 (E.D. Tex.); *AGIS Software Development LLC v. ZTE Corporation et al.,* No. 2:17-cv-00517 (E.D. Tex.); *AGIS Software Development LLC v. HTC Corporation,* No. 2:17-cv-00514 (E.D. Tex.). Petitioner further advises that it is filing IPR petitions challenging U.S.

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Patent Nos. 8,213,970, 9,467,838, and 9,455,251, which are asserted in the above litigations. *Id.*

Patent Owner acknowledges the same proceedings. Paper 5, 2–3.

B.   *The '055 Patent*

The '055 patent specification (the "Specification") generally discloses rapidly establishing an ad hoc network of devices (e.g., smartphones, PDAs, or personal computers) with users, such as first responders, logging onto a network using the network's name and security key (a common "password" for everyone). Ex. 1001, Title, Abstract, 10:55–57 (devices sign in with "the same ad hoc event name and password"). Once logged on, the users' devices exchange each other's location information via a remote server, and each participant's location is displayed as a user-selectable symbol correctly positioned on an interactive display of a georeferenced map. *Id.* at 6:47–7:40; Fig. 1. Users may communicate or send data to another user by selecting the user's symbol and the desired action. *Id.*

Figure 1 of the '055 patent is set out below.
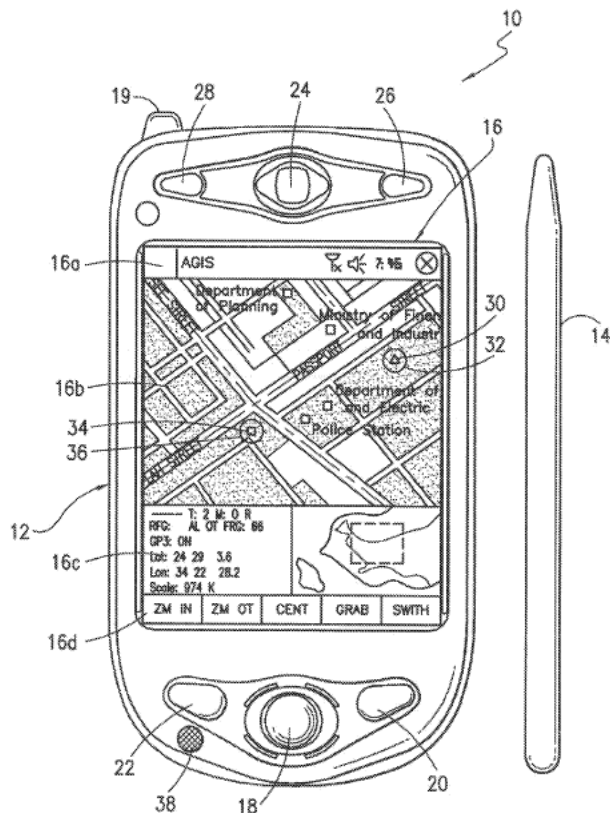
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FIG. 1

Figure 1, shown above, depicts a user's digital device 10 (cellular phone/PDA/GPS) having a touch screen 16 displaying a geographical map 16b with georeferenced entities 30, 34. *Id.* at 5:21–42, 6:49–65.

C.   Challenged Claims

Petitioner challenges claims 1–54 of the '055 patent. Claims 1, 28, 41, and 54 are independent and are substantially similar with some slight differences. Claim 1 is illustrative.

> 1. A method comprising:
>
> performing by a first device:
>
> obtaining contact information of a plurality of second devices, wherein the contact information comprises respective telephone numbers of the second devices;

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