

**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
MOTION FOR SUMMARY JUDGMENT OF NO DIRECT INFRINGEMENT**

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 Motion for Summary Judgment of No Direct Infringement.

3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of AGIS’s Final Election of Asserted Claims, dated August 15, 2018.

4. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of HTC Corp.’s Second Set of Interrogatories, dated November 7, 2018.

5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of AGIS’s Responses to HTC Corp.’s Second Set of Interrogatories, dated December 7, 2018.

6. Attached hereto as Exhibit 4 is a true and correct copy of the November 13, 2018 Letter from Matt Bernstein to Vincent Rubino.

7. Attached hereto as Exhibit 5 is a true and correct copy of the November 28, 2018 Letter from Vincent Rubino to Matt Bernstein.

8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of AGIS’s Infringement Contentions Cover Pleading, dated January 19, 2018.

9. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of AGIS’s Infringement Contentions Cover Pleading, dated December 19, 2018.

10. Attached hereto as Exhibit 8 is a true and correct copy of excerpts of the Expert Report of Joseph McAlexander Regarding Infringement, dated December 14, 2018.

11. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of the deposition transcript of David Wiggins, taken on July 19, 2018.

12. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the deposition transcript of Tsung-Che Hsu (Tiger Hsu), taken on July 27, 2018.

13. Attached hereto as Exhibit 11 is a true and correct copy of excerpts of the deposition transcript of Nigel Newby-House, taken on August 16, 2018.

14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the deposition transcript of Yu-Ho Teng (Steven Teng), taken on October 5, 2018.

15. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the deposition transcript of Chin-Yin Wang, (Mei Wang) taken on October 5, 2018.

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

Executed this 25th day of January, 2019, in San Diego, California.

/s/ Kyle R. Canavera
Kyle R. Canavera