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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:17-CV-0514-JRG
	§	(LEAD CASE)
Plaintiff,	§	
	§	
v.	§	<u>JURY TRIAL DEMANDED</u>
	§	
HTC CORPORATION,	§	
	§	
Defendant.	§	
	§	

**PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S OBJECTIONS AND
RESPONSES TO DEFENDANT HTC CORPORATION'S
FIRST SET OF REQUESTS FOR ADMISSION TO PLAINTIFF (NOS. 1-38)
AND OBJECTIONS AND RESPONSES TO
DEFENDANT HTC CORPORATION'S REQUESTS FOR ADMISSION
RELATING TO AUTHENTICATION AND PRIOR ART (NOS. A1-A185)**

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff AGIS Software Development LLC ("AGIS" or "Plaintiff") hereby responds to Defendant HTC Corporation's ("HTC" or "Defendant") First Set of Requests to Admission to Plaintiff (Nos. 1-38) and Requests Relating to Authentication and Prior Art (Nos. A1-A185) in writing, under oath, and in accordance with the following definitions and instructions, within thirty (30) days of the date of service, November 7, 2018, thereof.

GENERAL OBJECTIONS

AGIS incorporates by reference the general and specific objections in *AGIS's Objections and Responses to HTC Corporation's First Set of Interrogatories to Plaintiff (Nos. 1-15)*, served June 18, 2018; and *AGIS's First Supplemental Objections and Responses to HTC Corporation's First Set of Interrogatories to Plaintiff (Nos. 1-15)*, served August 17, 2018, and further objects as follows:

Each of the following General Objections is incorporated into each specific response below. The recitation of one or more specific objection in any particular Response is not to be construed as a waiver of any applicable General Objection. The responses are made subject to and in reliance on the General Objections set forth below:

AGIS objects to Defendant's definition of "AGIS," "You," and "Your" to the extent that those definitions include any persons or entities other than AGIS Software Development LLC, which are not parties to this action.

AGIS objects to Defendant's definition of "Advanced Ground Information Systems, Inc.," "AGIS Inc.," and "AGIS FL" to the extent that those definitions include any persons or entities other than AGIS Inc. which are not parties to this action.

AGIS objects to Defendant's definition of "AGIS Holdings, Inc.," and "AGIS Holdings" to the extent that those definitions include any persons or entities other than AGIS Holdings, which are not parties to this action.

AGIS objects to Defendant's definition of "AGIS's Companies" to the extent that those definitions include any persons or entities other than AGIS Holdings, which are not parties to this action.

AGIS objects to the definition of "Document," to the extent it imposes a burden beyond the requirements of the Federal Rules of Civil Procedure, the E.D. Tex. Local Rules, and the orders of the Court.

AGIS objects to the definition of "Including," to the extent it imposes a burden beyond the requirements of the Federal Rules of Civil Procedure, the E.D. Tex. Local Rules, and the orders of the Court.

AGIS objects to the Definitions and Instructions to the extent that they call for the production of information protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privileges and immunities.

AGIS objects to the Requests for Admission to the extent that they seek admissions beyond the truth about fact, the application of law to facts, or opinions about either, as permitted by Fed. R. Civ. P. 36.

AGIS objects to the Requests for Admission to the extent that they call for a legal conclusion.

The Definitions, Instructions, and Requests for Admission are unreasonably cumulative and duplicative and seek the discovery of information that can be obtained from some other source that is more convenient, less burdensome, or less expensive; seek the discovery of information that Defendant has already obtained by discovery in this action; seek discovery that is not relevant to any party's claims or defenses; and seek discovery, the burden and expense of which is not proportional to the needs of this case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

**SPECIFIC OBJECTIONS AND RESPONSES TO DEFENDANT
HTC CORPORATION'S FIRST SET OF
REQUESTS FOR ADMISSION TO PLAINTIFF (NOS. 1-38)**

REQUEST FOR ADMISSION NO. 1

Admit that no representative from AGIS sent notice to HTC Corporation identifying any of the Patents-in-Suit prior to AGIS's filing of its complaint alleging patent infringement against HTC Corporation (filed on June 21, 2017).

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

AGIS objects to this Request on the grounds set forth in its General Objections above, and hereby incorporates these references as if fully set forth herein. Subject to the foregoing general and specific objections, AGIS responds as follows:

Admitted.

REQUEST FOR ADMISSION NO. 2

Admit that no representative from any of AGIS's companies sent notice to HTC Corporation identifying any of the Patents-in-Suit prior to AGIS's filing of its complaint alleging patent infringement against HTC Corporation (filed on June 21, 2017).

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

AGIS objects to this Request on the grounds set forth in its General Objections above, and hereby incorporates these references as if fully set forth herein. AGIS objects to this Request to the extent it seeks information regarding an entity other than AGIS Software Development LLC. Accordingly, due to the foregoing general and specific objections, AGIS cannot admit or deny this request.

REQUEST FOR ADMISSION NO. 3

Admit that no representative from any of AGIS's companies sent notice to HTC Corporation identifying any patent assigned to any of AGIS's Companies prior to AGIS's filing of its complaint alleging patent infringement against HTC Corporation (filed on June 21, 2017).

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

AGIS objects to this Request on the grounds set forth in its General Objections above, and hereby incorporates these references as if fully set forth herein. AGIS objects to this Request to the extent it seeks information regarding an entity other than AGIS Software Development LLC. Accordingly, due to the foregoing general and specific objections, AGIS cannot admit or deny this request.

REQUEST FOR ADMISSION NO. 4

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