

**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
AND NO INDIRECT INFRINGEMENT OF U.S. PATENT NO. 8,213,970**

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 and No Indirect Infringement of U.S. Patent No. 8,213,970.
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 Exhibit A to AGIS’s Infringement Contentions Cover Pleading, dated December 19, 2018.
5. Attached hereto as Exhibit 3 is a true and correct copy of “Official Android Blog: Find your lost phone with Android Device Manager,” identified by Bates numbers HTC-AGIS-064016 to HTC-AGIS-065017.
6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the deposition transcript of Joseph McAlexander, taken on January 22, 2019.
7. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the Damages Expert Report of Alan Ratliff, dated December 14, 2018.
8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of the Expert Report of Joseph McAlexander Regarding Infringement, dated December 14, 2018.
9. Attached hereto as Exhibit 7 is a true and correct copy of the Declaration of Andrew Wolfe, dated January 24, 2019.

10. Attached hereto as Exhibit 8 is a true and correct copy of excerpts of Attachment A to 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 Yu-Ho Teng (Steven Teng), taken on October 5, 2018.

12. Attached hereto as Exhibit 10 is a true and correct copy of a document identified by Bates number HTC-AGIS-060252.

13. Attached hereto as Exhibit 11 is a true and correct copy of “Keeping you safe with Google Play Protect,” <https://www.blog.google/products/android/google-play-protect/>, as retrieved on January 18, 2019.

14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the deposition transcript (rough) of Alan Ratliff, taken on January 24, 2019.

15. Attached hereto as Exhibit 13 is a true and correct copy of excerpts from HTC Corp.’s Second Supplemental Responses and Objections to AGIS’s Interrogatories, dated September 28, 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