

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	
Plaintiff,	§	Case No. 2:17-CV-00514
	§	
v.	§	
	§	JURY TRIAL DEMANDED
HTC CORPORATION,	§	
	§	
Defendant.	§	

**MOTION FOR ISSUANCE OF LETTERS ROGATORY FOR SERVICE OF PROCESS
ON DEFENDANT HTC CORPORATION**

Pursuant to Federal Rule of Civil Procedure 4(h)(2) and 4(f)(2)(B), AGIS Software Development LLC (“AGIS”) respectfully requests that this Court issue a Request for Judicial Assistance (“Letters Rogatory”) (attached as Exhibit A) addressed to the appropriate judicial authority in Taiwan, requesting that the Taiwanese authority assist in effecting service of process upon Defendant HTC Corporation (“HTC”). AGIS filed its Complaint (Dkt. 1), accompanied by Exhibits A–D (Dkt. 1-1 through 1-4), on June 21, 2017. This Court issued a Summons as to HTC on June 22, 2017 (Dkt. 4). Upon information and belief, HTC is a publicly-listed Taiwanese company with an address of 23 Xinghua Road, Taoyuan City, Taoyuan County, 330, Taiwan. Accordingly, AGIS respectfully requests that this Court issue Letters Rogatory seeking the assistance of the Taiwanese authority in effecting the service of the Summons, the Complaint and the Exhibits upon HTC.

After issuance, Plaintiff respectfully requests that the signed original Letters Rogatory and two certified copies be returned to the undersigned counsel. The United States Department

of State will oversee transmission of the Letter of Request to Taiwan through diplomatic channels as provided in 28 U.S. C. § 1781(a)(2). Semcon has retained the services of Process Service Network, located at 21218 Merridy Street, Chatsworth, CA 91311, to ensure the delivery of materials and fees in accordance with the U.S. and Taiwanese procedures.

Dated: August 17, 2017

BROWN RUDNICK LLP

/s/ Enrique W. Iturralde

Alfred R. Fabricant
NY Bar No. 2219392
Email: afabricant@brownrudnick.com
Peter Lambrianakos
NY Bar No. 2894392
Email: plambrianakos@brownrudnick.com
Vincent J. Rubino, III
NY Bar No. 4557435
Email: vrubino@brownrudnick.com
Alessandra C. Messing
NY Bar No. 5040019
Email: amessing@brownrudnick.com
John A. Rubino
NY Bar No. 5020797
Email: jrubino@brownrudnick.com
Enrique W. Iturralde
NY Bar No. 5526280
eiturralde@brownrudnick.com

BROWN RUDNICK LLP

7 Times Square
New York, NY 10036
Telephone: (212) 209-4800
Facsimile: (212) 209-4801

Samuel F. Baxter
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com

MCKOOL SMITH, P.C.

104 E. Houston Street, Suite 300

Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

**ATTORNEYS FOR PLAINTIFF,
AGIS SOFTWARE DEVELOPMENT
LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on August 17, 2017, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Enrique W. Iturralde

Enrique W. Iturralde