


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
Plaintiff,	§	(LEAD CASE)
	§	
v.	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
HTC CORPORATION,	§	
	§	
Defendant.	§	

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LG ELECTRONICS INC.,	§	Case No. 2:17-CV-0515-JRG
	§	(CONSOLIDATED CASE)
Defendant.	§	
	§	<b><u>JURY TRIAL DEMANDED</u></b>

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF  
PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC'S  
RESPONSE IN OPPOSITION TO LG ELECTRONICS INC.'S  
SEALED MOTION FOR SUMMARY JUDGMENT  
OF NON-INFRINGEMENT (DKT. 119)**

I, Vincent J. Rubino, III, hereby declare as follows:

1. I am a member of Brown Rudnick LLP, lead counsel of record for Plaintiff AGIS Software Development LLC ("AGIS"). I am admitted to practice before this Court. I submit this declaration in support of AGIS Software Development LLC's Response in Opposition to LG Electronics Inc.'s Sealed Motion for Summary Judgment of Non-Infringement (Dkt. 119). I am familiar with the facts set forth herein.

2. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.

3. Attached hereto as Exhibit 1 is a true and correct copy of Attachment D to the Expert Report of Joseph McAlexander, dated December 14, 2018.

4. Attached hereto as Exhibit 2 is a true and correct copy of [REDACTED]  
[REDACTED]

5. Attached hereto as Exhibit 3 is a true and correct copy of [REDACTED]  
[REDACTED]

6. Attached hereto as Exhibit 4 is a true and correct copy of a [REDACTED]  
[REDACTED]

7. Attached hereto as Exhibit 5 is a true and correct copy of [REDACTED]  
[REDACTED]

8. Attached hereto as Exhibit 6 is a true and correct copy of [REDACTED]  
[REDACTED]

9. Attached hereto as Exhibit 7 is a true and correct copy of document bearing Bates numbers LGE\_00091286.

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

11. Attached hereto as Exhibit 9 is a true and correct copy of [REDACTED]  
[REDACTED]

12. Attached hereto as Exhibit 10 is a true and correct copy of [REDACTED]  
[REDACTED]

13. Attached hereto as Exhibit 11 is a true and correct copy of a screenshot of the Over-The-Air Software Update page of the LG Website at <https://www.lg.com/us/support/product-help/CT10000027-1412198655480-software-versionupdate>, captured on February 19, 2019.

14. Attached hereto as Exhibit 12 is a true and correct copy of [REDACTED]  
[REDACTED]

15. Attached hereto as Exhibit 13 is a true and correct copy of Plaintiff's First Set of Interrogatories to LG Electronics, Inc. (Nos. 1-10), dated January 8, 2018.

16. Attached hereto as Exhibit 14 is a true and correct copy of an email from Amy M. Park to Justin J. Chie, James S. Blackburn, Bonnie Phan, Nicholas Lee, Michael A. Berta and mark@themannfirm.com dated November 27, 2018.

17. Attached hereto as Exhibit 15 is a true and correct copy of a letter from Alessandra C. Messing to James S. Blackburn dated May 9, 2018.

18. Attached hereto as Exhibit 16 is a true and correct copy of [REDACTED]  
[REDACTED]

19. Attached hereto as Exhibit 17 is a true and correct copy of the document bearing bates number LGE\_00287599.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on February 19, 2019.

/s/ Vincent J. Rubino, III

Vincent J. Rubino, III