

FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER

**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

FILED UNDER SEAL

**DECLARATION OF MIGUEL BOMBACH
IN SUPPORT OF HTC CORPORATION'S RESPONSES IN OPPOSITION TO
PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC'S MOTIONS *IN LIMINE***

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I, Miguel Bombach, 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 Opposition to AGIS Software Development LLC’s Motions in Limine.

3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the Damages Expert Report of Alan Ratliff, dated December 14, 2018.

4. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the Expert Report of Dr. Andrew Wolfe, dated January 11, 2019.

5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the deposition transcript of Malcolm Beyer, taken on October 23, 2018.

6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the Rebuttal Expert Report of Joseph C. McAlexander III Regarding Validity of U.S. Patent Numbers: 8,213,970; 9,408,055; 9,445,251; and 9,467,838, dated January 11, 2019.

7. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the Amendment and Response to Non-Final Office Action under 37 C.F.R. §1.111, dated October 30, 2015 for the application of U.S. Pat. No. 9,408,055.

8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of the Amendment Filed with Request for Continued Examination (RCE) for the application of U.S. Pat. No. 9,408,055, dated February 26, 2016

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9. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of the Amendment and Response to Non-Final Office Action, dated May 31, 2016 for the application of U.S. Pat. No. 9,408,055.
10. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiff AGIS Software Development LLC's Proposed Witness List for the *AGIS Software Development LLC* trial.
11. Attached hereto as Exhibit 9 is a true and correct copy of *Advanced Ground Information Systems, Inc. v. Life360, Inc.* Case No. 9:14-cv-80651, Dkt. No. 181 at p. 3, Dkt. No. 181 [Day 1 Trial Transcript]],
12. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from the Expert Report of Scott Andrews Regarding Invalidity of U.S. Patent Nos. 8,213,970, 9,408,055, 9,445,251, and 9,467,838.
13. Attached hereto as Exhibit 11 is a true and correct copy of a letter from Thomas R. Makin, counsel for Advanced Ground Information Systems, Inc., to Google Inc., dated March 26, 2014.
14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the deposition transcript of Christopher Russell Rice, dated October 9, 2018.
15. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the deposition transcript of Dr. Neil G. Siegel, taken in the *AGIS Software Development LLC v. Apple, Inc.* matter (Case No. 2:17-cv-516-JRG), dated November 14, 2018.
16. Attached hereto as Exhibit 14 is a true and correct copy of Defendants' Notice of Third Party Subpoena to Neil Siegel, dated November 12, 2018.

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17. Attached hereto as Exhibit 15 is a true and correct copy of excerpts of the deposition transcript of Dr. Neil G. Siegel, taken in the *AGIS Software Development LLC v. HTC Corporation* matter (Case No. 2:17-cv-514-JRG), dated November 14, 2018.

18. Attached hereto as Exhibit 16 is a true and correct copy of excerpts of Defendants HTC Corporation's Invalidation Contentions Pursuant to Local Patent Rules ("P.R.") 3-3 and 3-4, dated March 15, 2018.

19. Attached hereto as Exhibit 17 is a true and correct copy of excerpts of the Rebuttal Expert Report Regarding Damages of W. Christopher Bakewell, dated January 11, 2019.

20. Attached hereto as Exhibit 18 is a true and correct copy of excerpts of the deposition transcript of Alan Ratliff, dated January 24, 2019.

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

Executed this 19th day of February, 2019, in San Diego, California.

/s/ Miguel J. Bombach
Miguel J. Bombach