

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

AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-cv-514-JRG
	§	(Lead Case)
Plaintiff,	§	
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
HTC CORPORATION, et al.	§	
	§	
Defendant.	§	

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AGIS SOFTWARE DEVELOPMENT, LLC	§	CASE NO. 2:17-CV-515-JRG
	§	(Member Case)
Plaintiff,	§	
	§	
v.	§	<b>JURY TRIAL DEMANDED</b>
	§	
LG ELECTRONICS INC.	§	
	§	
Defendant.	§	

**DECLARATION OF MICHAEL A. BERTA IN SUPPORT OF DEFENDANT LG ELECTRONICS INC.’S REPLY BRIEF FOR LG’S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT NO. 8,213,970**

I, Michael A. Berta, state and declare as follows:

1. I am a member of Arnold & Porter Kaye Scholer, LLP (“Arnold & Porter”), counsel of record for Defendant LG Electronics Inc. (“LG Korea”). I am a member of the Bar of the State of California and have been admitted to practice in the United States District Court for the Eastern District of Texas (“EDTX”). I provide this declaration in support of Defendant LG Korea’s Reply Brief to its Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 8,213,970. I have personal knowledge of the matters stated in this declaration and would testify competently and truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of Exhibit A for U.S. Patent No. 8,213,970 against LG Accused Products to Plaintiff's Disclosure of Asserted Claims and Infringement Contentions, served on LG Electronics Inc. on November 28, 2017.

3. Attached hereto as Exhibit 2 is a true and correct copy of Amended Exhibit A for U.S. Patent No. 8,213,970 against LG Accused Products to Plaintiff's Disclosure of Asserted Claims and Infringement Contentions, served on LG Electronics Inc. on December 19, 2018.

I declare under penalty of perjury that the foregoing is true and correct. Executed in San Francisco, California on February 27, 2019.

/s/ Michael A. Berta  
Michael A. Berta  
Attorney for Defendant LG Electronics Inc.