

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

vs.

HTC CORPORATION,

Defendant.

CIVIL ACTION NO. 2:17-cv-514-JRG

JURY TRIAL DEMANDED

**DECLARATION OF MIGUEL J. BOMBACH IN SUPPORT OF DEFENDANT
HTC CORPORATION'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P.
12(B)(2) OR, IN THE ALTERNATIVE, TRANSFER VENUE TRANSFER VENUE
PURSUANT TO 28 U.S.C. § 1404(A) TO THE NORTHERN DISTRICT OF
CALIFORNIA**

I, Miguel J. Bombach, hereby declare as follows:

1. I am an attorney at the law firm of Perkins Coie LLP and counsel of record for 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's Motion to Dismiss or, in the Alternative, Transfer Venue to the Northern District of California.

3. Attached hereto as Exhibit 1 is a true and correct copy of *Advanced Ground Info. Sys. v. Life360, Inc.*, No. 9:14-cv-80651, D.I. 200 (S.D. Fla. 2015), an order which granted attorney's fees to Life360.

4. Attached hereto as Exhibit 2 is a true and correct copy of *Advanced Ground Info. Sys. v. Life360, Inc.*, No. 9:14-cv-80651, D.I. 210 (S.D. Fla. 2017), a Rule 36 affirmance of the Southern District of Florida's order.

5. Attached hereto as Exhibit 3 is a true and correct copy of *Advanced Ground Info. Sys. v. Life360, Inc.*, No. 9:14-cv-80651, D.I. 167 (S.D. Fla. 2015), the verdict form showing non-infringement of the '728 patent.

6. Attached hereto as Exhibit 4 is a true and correct copy of *Advanced Ground Info. Sys. v. Life360, Inc.*, No. 9:14-cv-80651, D.I. 1 (S.D. Fla. 2015), complaint showing that U.S. Pat. No. 7,031,728 was asserted.

7. Attached hereto as Exhibit 5 is a true and correct copy of *Advanced Ground Info. Sys. v. Life360, Inc.*, No. 9:14-cv-80651, D.I. 32-1 (S.D. Fla. 2014), declaration of Malcolm Beyer .

8. Attached hereto as Exhibit 6 is a true and correct copy of a website printout from <https://www.agisinc.com/about/patents/>.

9. Attached hereto as Exhibit 7 is a true and correct copy of a website printout from <https://oedci.uspto.gov/OEDCI/practitionerDetails?regisNum=50222> showing Mr. Burns' current business address in Santa Clara, CA.

10. Attached hereto as Exhibit 8 is a true and correct copy of *Uniloc USA, Inc. et al v. Apple Inc.*, No. 2:17-cv-00258-JRG, D.I. 104 (E.D. Tex. 2017).

11. Attached hereto as Exhibit 9 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from New Taipei City, Taiwan to Marshall, Texas.

12. Attached hereto as Exhibit 10 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from New Taipei City, Taiwan to San Francisco, California.

13. Attached hereto as Exhibit 11 is a true and correct copy of a print-out of a search for flights to San Francisco from Taiwan on expedia.com.

14. Attached hereto as Exhibit 12 is a true and correct copy of a print-out of a search for flights to Dallas from Taiwan on expedia.com.

15. Attached hereto as Exhibit 13 is a true and correct copy of a print-out from Google Maps showing driving time from DFW International Airport to Marshall, Texas.

16. Attached hereto as Exhibit 14 is a true and correct copy of a print-out of a search for flights to Shreveport from Taiwan on expedia.com.

17. Attached hereto as Exhibit 15 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from San Francisco, California to Marshall, Texas.

18. Attached hereto as Exhibit 16 is a true and correct copy of a print-out of a search for flights to Shreveport from San Francisco on expedia.com.

19. Attached hereto as Exhibit 17 is a true and correct copy of a print-out of a search for flights to Dallas from San Francisco on expedia.com.

20. Attached hereto as Exhibit 18 is a true and correct copy of a print-out of a search for flights to San Francisco from Miami on expedia.com.

21. Attached hereto as Exhibit 19 is a true and correct copy of a print-out of a search for flights to Shreveport from Miami on expedia.com.

22. Attached hereto as Exhibit 20 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from Lenexa, Kansas to Marshall, Texas.

23. Attached hereto as Exhibit 21 is a true and correct copy of a print-out of a search for flights to San Francisco from Kansas City on expedia.com.

24. Attached hereto as Exhibit 22 is a true and correct copy of a print-out of a search for flights to Shreveport from Kansas City on expedia.com.

25. Attached hereto as Exhibit 23 is a true and correct copy of a print-out of a search for flights to Shreveport from Austin on expedia.com.

26. Attached hereto as Exhibit 24 is a true and correct copy of a print-out of a search for flights to San Francisco from Austin on expedia.com.

27. Attached hereto as Exhibit 25 is a true and correct copy of *3G Licensing, SA, et al. v. HTC Corp. et al*, No. 17-83-LPS-CJB, D.I. 73 (D. Del. 2017).

28. Attached hereto as Exhibit 26 is a true and correct copy of a print-out of a search for flights to San Francisco from Seattle on expedia.com.

29. Attached hereto as Exhibit 27 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from Seattle to San Francisco.

30. Attached hereto as Exhibit 28 is a true and correct copy of a print-out of a search for flights to Shreveport from Seattle.

31. Attached hereto as Exhibit 29 is a true and correct copy of a website screen capture from Google Maps showing the approximate distance from Seattle to Marshall.

32. Attached hereto as Exhibit 30 is a true and correct copy of AGIS's infringement contentions against HTC Corp.

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

Executed this 22nd day of January, 2018, in San Diego, California.

/s/ Miguel Bombach
Miguel Bombach