

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	
<i>Plaintiff,</i>	§	CIVIL ACTION NO. 2:17-CV-00514-JRG
	§	(LEAD CASE)
v.	§	CIVIL ACTION NO. 2:17-CV-00515-JRG
HTC CORPORATION,	§	(MEMBER CASE)
	§	
<i>Defendant.</i>	§	
	§	


CLAIM CONSTRUCTION ORDER

On June 21, 2017, Plaintiff Agis Software Development LLC (“Agis”) filed suit against Huawei Device USA, Inc., Huawei Device Co., Ltd., Huawei Device (Dongguan) Co., Ltd., Apple, Inc., HTC Corporation (“HTC”), and LG Electronics, Inc (“LG”). (Case Nos. 2:17-cv-513; 2:17-cv-514; 2:17-cv-515; 2:17-cv-516.) The Court consolidated each of these cases under lead case, *Agis Software Development LLC v. Huawei Device USA Inc., et al.*, No. 2:17-cv-513 (the “Huawei case”) (Case No. 2:17-cv-513 at Dkt. No. 32.) The parties fully briefed claim construction issues and a claim construction hearing was held on September 13, 2018. (*Id.* at Dkt. No. 199.) The Court entered a claim construction order in the Huawei case on October 10, 2018. (*Id.* at Dkt. No. 205.) After briefing was complete and before the claim construction hearing, the Court unconsolidated *Agis Software Development LLC v. LG Electronics, Inc.*, No. 2:17-cv-515 (the “LG case”) from the Huawei case and consolidated it under a new lead case, *Agis Software Development LLC v. HTC Corp.*, No. 2:17-cv-514 (the “HTC case”). (Case No. 2:17-cv-514 at Dkt. No. 57.)

The Court set a new hearing on December 17, 2018 for claim construction in the HTC case.

Plaintiff Agis and Defendants HTC and LG filed a Joint Statement of Stipulation Regarding Claim Construction on December 8, 2018. (Case No. 2:17-cv-514 at Dkt. No. 91.) The parties have agreed to forego a claim construction hearing and rest on their respective briefing as filed in the Huawei case, including Plaintiff's Opening Claim Construction Brief, Defendants' Responsive Claim Construction Brief, and Plaintiffs' Reply Claim Construction Brief. In light of this agreement, the Court hereby **ADOPTS** herein the claim construction order entered under Dkt. No. 205 in *Agis Software Development LLC v. Huawei Device USA Inc., et al.*, No. 2:17-cv-513 (being the prior case from which these cases were consolidated under) to the extent such claim construction order addresses claim terms emanating from the patents-in-suit in the above-captioned cases.

So ORDERED and SIGNED this 17th day of December, 2018.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE