# EXHIBIT D

# EXHIBIT 11

(Corrected)

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

AGIS SOFTWARE DEVELOPMENT LLC,  Plaintiff,  v.  HTC CORPORATION.,  Defendant.	\$ \$ \$ \$ \$ Civil Action No. 2:17-CV-514-JRG \$ \$ (Lead Case) \$ \$ JURY TRIAL DEMANDED \$ \$ \$
AGIS SOFTWARE DEVELOPMENT LLC,  Plaintiff,  v.	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
ZTE CORPORATION ET AL.,  Defendants.	\$ \$ \$ \$

## PLAINTIFF'S DISCLOSURE OF ASSERTED CLAIMS <u>AND INFRINGEMENT CONTENTIONS</u>

Plaintiff AGIS Software Development LLC ("AGIS") hereby makes the following infringement disclosures under the Patent Local Rules with respect to United States Patent Nos. 9,467,838 (the "838 Patent"), 9,445,251 (the "251 Patent"), 9,408,055 (the "055 Patent"), and 8,213,970 (the "970 Patent") (collectively, "patents-in-suit"). AGIS's investigation is ongoing and discovery has not yet commenced. Accordingly, these disclosures are based on information available to AGIS at this time. AGIS reserves the right to supplement this disclosure after further



discovery from the defendants and non-parties, particularly documents and other discovery regarding the ZTE Accused Products set forth below. AGIS also reserves the right to assert additional claims of the patents-in-suit, accuse different products, or find alternative literal and/or equivalent infringing elements in the ZTE Accused Products.



## I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS PURSUANT TO PATENT LOCAL RULE 3-1

#### A. ASSERTED CLAIMS

Defendants ZTE (TX) Inc., ZTE (USA) Inc., and ZTE Corporation ("Defendants" or "ZTE") have infringed and continues to infringe at least the following claims of the patents-in-suit in connection with the ZTE Accused Products set forth below:

- Claims 1–54 of the '838 Patent;
- Claims 1–35 of the '251 Patent;
- Claims 1–54 of the '055 Patent; and
- Claims 1 and 3–9 of the '970 Patent<sup>1</sup>.

AGIS reserves the right to seek leave of court to add, delete, substitute, or otherwise amend this list of asserted claims should further discovery, the Court's claim construction, or other circumstances so merit.

#### B. ACCUSED INSTRUMENTALITIES

AGIS is currently aware that the following ZTE Accused Products infringe each of the patents-in-suit either alone or in concert with one or more other ZTE Accused Products:

- Adamant
- Agent
- Anthem 4G
- Aspect

PLAINTIFF'S DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS



3

<sup>&</sup>lt;sup>1</sup> AGIS is no longer pursuing the previously-asserted claims of U.S. Patent Number 9,749,829.

## DOCKET

## Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

