

EXHIBIT 1

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

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00072-JRG-RSP
T-MOBILE USA, INC., AND T-MOBILE § (Lead Case)
US, INC. §

AGIS SOFTWARE DEVELOPMENT LLC, §
v. § CASE NO. 2:21-cv-00026-JRG-RSP
UBER TECHNOLOGIES, INC., § (Member Case)
d/b/a UBER, §

**DEFENDANT UBER TECHNOLOGIES, INC.’S
FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Uber Technologies, Inc. (“Uber”) hereby serve its First Set of Interrogatories upon Plaintiff AGIS Software Development LLC (“Plaintiff” or “AGIS”) to be answered fully, in writing, and under oath within thirty (30) days of service hereof. These Interrogatories are continuing in nature and require supplemental responses. The following Definitions and Instructions apply.

DEFINITIONS

1. “You,” “Your,” “Plaintiffs,” and/or “AGIS” shall refer to the responding Plaintiff AGIS Software Development LLC, and any and all of its then-current or prior subsidiaries, parents, affiliates, divisions, successors, predecessors, agents, employees, representatives, directors, officers, trustees, and attorneys, or any other person or entity acting in whole or in part in concert with any of the foregoing, directly or indirectly.
2. “Employee” shall refer to any officer, director, partner, employee, representative, or agent.

3. “Person” shall refer to any natural person, firm, association, partnership, government agency, corporation, proprietorship, or other entity and its officers, directors, partners, employee, representatives, and agents.
4. “Action(s)” shall refer to the above-captioned proceeding in the United States District Court for the Eastern District of Texas, with case numbers 2:21-cv-00072-JRG-RSP (Lead Case), 2:21-cv-00026-JRG-RSP (Member Case).
5. “Asserted Patents” shall refer to U.S. Patent Nos. 7,031,728; 7,630,724; 8,213,970; 10,299,100; and 10,34,838.
6. “Asserted Claim” shall refer to each claim of the Asserted Patents that You assert in this Action.
7. “Complaint” shall refer to the Complaint (including exhibits) Plaintiff filed on January 29, 2021.
8. “Counterpart” shall refer to any and all patents in any country based upon any applications related in any fashion to the Asserted Patents (or to the corresponding application on which it was granted), including any counterparts and any patents that may have been opposed, re-examined, re-issued, or subjected to any validity or nullity proceeding.
9. “Named Inventor” shall refer to any individual who is listed as an inventor on the Asserted Patents or any Counterpart thereof.
10. “Prior Art” encompasses, without limitation, the subject matter described in each and every subdivision of 35 U.S.C. §§ 102 and 103, and includes, but is not limited to, memoranda, notes, manuals, interviews, testing data, disclosures, prototypes, correspondence, drawings, papers, articles, patents, printed publications, public uses, demonstrations, offers for sale or license, and sales.

11. “Communication” shall mean, without limitation, any written, oral, or other transmission of information.
12. “Document” shall include, without limitation, all documents, electronically stored information, and tangible things within the scope of the Federal Rules of Civil Procedure, including Rule 34.
13. “Concerning,” “refer to,” “reflecting,” and “relating to” shall mean relating to, referring to, mentioning, reflecting, pertaining to, evidencing, involving, describing, discussing, commenting on, embodying, responding to, supporting, contradicting, or constituting (in whole or in part), as the context makes appropriate.
14. “Thing” refers to and includes any tangible object other than a document, and includes objects of every kind and nature including, but not limited to, prototypes, models, and specimens.
15. The words “and” and “or” shall be construed conjunctively or disjunctively, whichever makes the request more inclusive.
16. Any pronouns shall be construed to refer to the masculine, feminine, or neutral gender, in singular or plural, as in each case is most appropriate.
17. The word “each” shall be construed to mean “each and every.”
18. The words “any” and “all” shall be construed to mean “any and all.”
19. The singular form of any word shall be construed to also include the plural, and vice-versa.
20. “Identify” (or “Identification”) in relation to a natural person shall refer to: (a) the person’s full name and any nicknames; (b) present or last known contact information (including address, telephone number, and email address); (c) if You are unaware of the person’s present whereabouts, all information known to You that reasonably may be helpful in

locating said person; and (d) whether the person ever has been employed by You—and if so, his or her current employment position and relevant dates of employment.

21. “Identify” (or “Identification”) when used with respect to a communication shall refer to the names of the parties to the communication, the date or approximate date of the communication, and the substance of the communication, and to list all documents containing or relating to the communication.
22. “Identify” (or “Identification”) in relation to a Document shall refer to: (a) the date the Document was created; (b) the author(s) of the Document; (c) the recipient(s) of the Document; (d) any person or entity receiving a copy of the Document by “cc,” “bcc,” or otherwise; (e) a basic description of the nature of the Document, including, if applicable; (f) the title of the Document; and (g) whether the Document has been or is being produced in this litigation, the Bates or identifier number affixed to the Document. Documents to be “identified” include Documents in Plaintiffs’ possession, custody, or control, Documents known by Plaintiff to have existed but no longer exist, and other Documents of which Plaintiff has knowledge or information.

INSTRUCTIONS

The following instructions shall apply to each of the interrogatories herein.

1. You are required to answer the following interrogatories separately and fully in writing and under oath, within thirty (30) days from the date of service. When answering the interrogatories, you are required to furnish such information as is available to you, including, but not limited to, information known to your officers, employees, agents, or anyone acting for or on your behalf.

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