

EXHIBIT B

**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
	§	(Lead Case)
T-MOBILE USA, INC. AND T-MOBILE	§	
US, INC.,	§	

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

**DEFENDANT UBER TECHNOLOGIES, INC.’S SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO INTERROGATORY NOS. 3 & 8
OF PLAINTIFF’S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 26 and 33 of the Federal Rules of Civil Procedure and the Local Rules of the U.S. District Court for the Eastern District of Texas, Defendant Uber Technologies, Inc. (“Uber” or “Defendant”) provides these supplemental objections and responses to Interrogatory Nos. 3 and 8 of Plaintiff AGIS Software Development LLC’s (“AGIS” or “Plaintiff”) First Set of Interrogatories (Nos. 1–9) (hereinafter, the “Interrogatories”) as follows.

These responses reflect Uber’s current knowledge, understanding, and belief respecting the matters about which inquiry has been made. Discovery in this action is continuing, and consequently Uber may not yet have identified all information responsive to the Interrogatories. As discovery in this action proceeds, Uber may discover additional or different information or documents, and may accordingly amend, modify, supplement, clarify, or further explain these responses and objections. Further responsive information or documents may be provided in the course of expert discovery, as well as in connection with new information learned during fact

The Vehicle Solutions group develops the Uber Fleet app. Tarun Phaugat and Xin Wang are part of the Vehicle Solutions group, which is based out of Uber's San Francisco headquarters.

Uber's investigation is ongoing, and Uber reserves the right to supplement this response if any new or additional information is identified at a later time and to make any additional objections that may become apparent.

INTERROGATORY NO. 3

For each Uber Accused Product, Identify, on a monthly basis from January 2015 to present: the gross revenue, net profits, profit margins, fixed and variable costs, average cost per unit (i.e., application, service, and server) and transfer pricing, and set forth all bases for your response.

RESPONSE TO INTERROGATORY NO. 3

In addition to Uber's General Objections, Uber objects to this Interrogatory as vague and ambiguous, in particular with respect to the phrases "profit margins," "fixed and variable costs," and "average cost per unit (i.e., application, service, and server)." Uber objects to this Interrogatory as requesting information in a manner not kept in Uber's ordinary course of business, including to the extent it seeks "average cost per unit (i.e., application, service, and server) and transfer pricing." Uber objects to this Interrogatory as vague and ambiguous to the extent it relies on AGIS's infringement contentions, which do not sufficiently identify and describe the functionality of the accused products and/or services that allegedly infringe the Asserted Patents. Uber objects to this Interrogatory as improperly compound by seeking a separate identification of "gross revenue, net profits, profit margins, fixed and variable costs, average cost per unit (i.e., application, service, and server) and transfer pricing." Uber objects to this Interrogatory as overboard, unduly burdensome, and not proportional to the needs of the case to the extent it seeks financial information on a monthly basis from January 2015 to present, as well as to the extent it seeks financial data that is not relevant and not reasonably likely to lead to the discovery of relevant information. Uber further objects to this Interrogatory to the extent it seeks information not in

Uber's possession, custody, or control, and to the extent it seeks information that is publicly available or is equally available to AGIS.

Subject to and without waiver of the foregoing general and specific objections, Uber responds as follows:

Pursuant to Fed. R. Civ. P. 33(d), Uber will produce records from which the answer to this Interrogatory can be derived, to the extent that such information is in Uber's possession, custody, or control.

Uber's investigation is ongoing, and Uber reserves the right to supplement this response if any new or additional information is identified at a later time and to make any additional objections that may become apparent.

FIRST SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3

Uber further responds as follows:

Uber references the following record pursuant to Fed. R. Civ. P. 33(d) from which the answer to this Interrogatory can be derived: UBER_AGIS-00007803.

Uber's investigation is ongoing, and Uber reserves the right to supplement this response if any new or additional information is identified at a later time and to make any additional objections that may become apparent.

INTERROGATORY NO. 4

Identify: (i) any agreements, licenses, or contracts, including attachments or exhibits to those documents, relating to any Uber Accused Product, including but not limited to, intellectual property license agreements, settlement agreements, and technology agreements; (ii) which of these agreements you contend are comparable to an agreement resulting from a hypothetical negotiation between You and AGIS, and (iii) the Person(s) most knowledgeable concerning any such agreements, licenses, or contracts, and attachments or exhibits to those documents.

As to Objections:

Dated: August 20, 2021

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