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

AGIS SOFTWARE DEVELOPMENT LLC,	<pre> § Case No. 2:21-cv-00072-JRG § (LEAD CASE)</pre>
Plaintiff, v.	§ S  § S
T-MOBILE USA, INC. and T-MOBILE US, INC.,	\$ \$ \$ \$
LYFT, INC.,	<ul> <li>§ Case No. 2:21-cv-00024-JRG</li> <li>§ (MEMBER CASE)</li> <li>§</li> </ul>
	§ <u>JURY TRIAL DEMANDED</u> §
UBER TECHNOLOGIES, INC., d/b/a UBER,	§ Case No. 2:21-cv-00026-JRG § (MEMBER CASE)
Defendants.	§ <u>JURY TRIAL DEMANDED</u> §

## ORDER GRANTING PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S MOTION FOR RECONSIDERATION OF THE CLAIM CONSTRUCTION MEMORANDUM AND ORDER (DKT. 213)

Before the Court is Plaintiff AGIS Software Development LLC's ("Plaintiff" or "AGIS") Motion for Reconsideration of the Claim Construction Memorandum and Order (Dkt. 213).

The Court, having considered the Objections to the Claim Construction Memorandum and Order (Dkt. 213), and having considered all briefs, exhibits, and evidence related thereto, hereby construes the five objected-to terms as follows:

(1) "using the IP address previously" is definite; alternatively, "among each of the network participant users" should be construed as "among one or more network participants" and "using the IP address previously" should be construed as "using the respective IP address previously transmitted to the server;"



- (2) "required response list" shall be construed to have its plain and ordinary meaning;
- (3) "consisting of: a position of the participant symbol, positions of the one or more vehicle symbols, and a portion of the map displayed on the display of the mobile device" is not a Markush group and shall be construed to have its plain and ordinary meaning;
- (4) "based on at least one criterion selected from the group consisting of: (1) passage of time, and (2) movement of the first vehicle" is not a Markush group and shall be construed to have its plain and ordinary meaning;
- (5) "based on the participant selection data, performing one or more acts selected from the group consisting of: sending updated vehicle data to the first mobile device corresponding to the vehicle, sending updated participant data to the second mobile device corresponding to the participant, and sending a message to the first mobile device corresponding to the vehicle" is not a Markush group and shall be construed to have its plain and ordinary meaning.