

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

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

**DEFENDANT UBER TECHNOLOGIES, INC.’S NOTICE OF NON-OPPOSITION  
TO MOTION TO DISMISS U.S. PATENT NO. 8,213,970 (DKT. NO. 248)**

Defendant Uber Technologies, Inc. (“Uber”) filed a motion to dismiss the ’970 Patent (Dkt. No. 248) for lack of subject matter jurisdiction on December 13, 2021. The deadline for Plaintiff AGIS Software Development LLC (“AGIS”) to file an opposition was yesterday, December 28, 2021. Under L.R. CV-7(d), if a party does not timely file a response, the motion is presumed to be unopposed. Because AGIS has failed to timely respond to Uber’s motion, Uber respectfully requests that the Court enter its proposed order (Dkt. No. 248-12).

Dated: December 29, 2021

By /s/ Mark N. Reiter

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d/b/a Uber*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 29, 2021, the foregoing was electronically filed in compliance with Local Rule CV-5(a) and served via the Court's electronic filing system on all counsel who have consented to electronic service.

*/s/ Mark N. Reiter* \_\_\_\_\_

Mark N. Reiter