

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:21-cv-00072-JRG
Plaintiff,	§	(LEAD CASE)
	§	
v.	§	<u>JURY TRIAL DEMANDED</u>
	§	
T-MOBILE USA, INC. and T-MOBILE US,	§	
INC.,	§	
	§	
Defendants.	§	

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	Case No. 2:21-cv-00026-JRG
Plaintiff,	§	(MEMBER CASE)
	§	
v.	§	<u>JURY TRIAL DEMANDED</u>
	§	
UBER TECHNOLOGIES, INC., d/b/a	§	
UBER,	§	
	§	
Defendant.	§	

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF
PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC’S RESPONSE
IN OPPOSITION TO DEFENDANT UBER TECHNOLOGIES, INC., D/B/A UBER’S
MOTION TO DISMISS U.S. PATENT NO. 8,213,970 (DKT. 248)**

I, Vincent J. Rubino, III , hereby declare as follows:

1. I have personal knowledge of the facts set forth in this declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.

2. I am a Partner at the law firm of Fabricant LLP and counsel of record for Plaintiff AGIS Software Development LLC, in this matter.

3. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.

4. Attached hereto as Exhibit A is a true and correct copy of an *Ex Parte* Reexamination Certificate for U. S. Patent No. 8,213,970.

5. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's Disclosure of Asserted Claims and Infringement Contentions, served May 19, 2021.

6. Attached hereto as Exhibit C is a true and correct copy of U.S. Patent No. 10,299,100.

7. Attached hereto as Exhibit D is a true and correct copy of U.S. Patent No. 7,031,728.

8. Attached hereto as Exhibit E is a true and correct copy of U.S. Patent No. 7,630,724.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 7, 2022 in Livingston, New Jersey.

/s/ Vincent J. Rubino, III
Vincent J. Rubino, III