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,	§ (<i>EErib</i> eri <i>BE</i>)
*	§ JURY TRIAL DEMANDED
V.	§
T-MOBILE USA, INC. and T-MOBILE US, INC.,	\$ \$ \$
Defendants.	\$ 8
AGIS SOFTWARE DEVELOPMENT LLC,	§ Case No. 2:21-cv-00026-JRG § (MEMBER CASE)
Plaintiff,	§ (<u>22.2.</u> 2.0.1.2.2.)
,	§ JURY TRIAL DEMANDED
V.	§
UBER TECHNOLOGIES, INC., d/b/a UBER,	§ § §
Defendant.	§ §

DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S SUR-REPLY IN FURTHER 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.



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

4. Attached hereto as Exhibit F is a true and correct copy of an excerpt of Docket Numbers 175-1 and 175-2, Defendants' Claim Construction Arguments Slides, filed October 21, 2021.

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

Executed on January 20, 2022 in Short Hills, New Jersey.

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

