

# Exhibit 2

**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
	§	(LEAD CASE)
Plaintiff,	§	
	§	<b><u>JURY TRIAL DEMANDED</u></b>
v.	§	
	§	
T-MOBILE USA, INC. and T-MOBILE US,	§	
INC.,	§	
	§	
Defendants.	§	
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AGIS SOFTWARE DEVELOPMENT LLC,	§	Case No. 2:21-cv-00024-JRG
	§	(MEMBER CASE)
Plaintiff,	§	
	§	<b><u>JURY TRIAL DEMANDED</u></b>
v.	§	
	§	
LYFT, INC.,	§	
	§	
Defendant.	§	
	§	

**PLAINTIFF’S INITIAL DISCLOSURES  
TO DEFENDANT LYFT, INC.**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and the Agreed Discovery Order filed by the parties in this matter, Plaintiff AGIS Software Development LLC (“AGIS” or “Plaintiff”), hereby makes the following initial disclosures to Defendant Lyft, Inc. (“Lyft” or “Defendant”). AGIS makes these initial disclosures based on information obtained to date and available to AGIS and without the full benefit of any discovery or disclosures from Defendant or any potentially relevant third party. Moreover, AGIS has not had the opportunity to fully investigate all possible claims as discovery for AGIS has only just begun, and therefore, AGIS reserves the right to amend and/or supplement these disclosures, pursuant to Rule 26(e) of

the Federal Rules of Civil Procedure, as additional information becomes available during the course of this lawsuit.

AGIS's initial disclosures are made without, in any way, waiving (i) the right to object to any discovery requests or to the admissibility of any evidence on the grounds of privilege, work product immunity, relevance, competency, materiality, hearsay, or any other proper ground in this action or in any other action; (ii) the right to object to the use of any such information, for any purpose, in whole or in part, in any proceeding in this action or in any other action; or (iii) the right to object to any and all grounds to any other discovery request or proceeding involving or relating to the subject matter of these disclosures in any proceeding in this action or in any other action.

AGIS submits, based on information reasonably available to it at this time, and subject to the limitations set forth above, the following initial disclosures:

**(a) The Correct Name of the Parties to the Lawsuit**

AGIS believes that the correct entities have been named as the Plaintiff and as the Defendant in this lawsuit.

**(b) The Names, Address, and Telephone Number of Any Potential Parties**

AGIS is continuing its investigation into this issue and reserves the right to supplement this response and identify additional parties to the lawsuit. AGIS is not presently aware of any potential parties.

**(c) Legal Theories and, in General, the Factual Bases of AGIS's Claims or Defenses**

AGIS has identified its current legal theories in its Complaint (Dkt. 1) and Plaintiff's Disclosure of Asserted Claims and Infringement Contentions ("PICS") served in accordance

with P.R. 3-1, accompanied by claim charts, which AGIS hereby incorporates by reference.

AGIS reserves the right to raise additional claims as discovery progresses and as the law in this area is developed further during the pendency of this litigation.

Plaintiff's PICS identify that the Lyft Accused Products, as defined therein, infringe at least each of claims 2 and 10-13 of U.S. Patent No. 8,213,970 (the "'970 Patent"); claims 9, 12-16 of U.S. Patent No. 7,630,724 (the "'724 Patent"); claim 7 of U.S. Patent No. 7,031,728 (the "'728 Patent"); claims 1-31 of U.S. Patent No. 10,299,100 (the "'100 Patent"); and claims 1-26 of U.S. Patent No. 10,341,838 (the "'838 Patent"). Plaintiff's PICS also identify the Lyft Accused Products including, but not limited to, the Lyft and Lyft Driver applications and the related services and/or servers for the applications.

The claim charts annexed to Plaintiff's PICS show where each element of the asserted claims is present in the Lyft Accused Products. AGIS believes that the Lyft Accused Products cited in the claim charts are representative of the Lyft Accused Products (*i.e.*, the above-identified applications). To the extent Lyft alleges that any limitations are not met literally, the Lyft Accused Products infringe the Asserted Patents under the doctrine of equivalents because the differences between the claimed inventions and the Lyft Accused Products, if any, are insubstantial, and directly infringe the Asserted Patents because they make, use, offer for sale, sell, and import into the United States the Lyft Accused Products, as well as indirectly infringe by contributing to and/or inducing others (*e.g.*, Lyft's drivers, Lyft's customers or their customers' customers) to directly infringe those claims by making, using, offering for sale, or selling the Lyft Accused Products.

In general, the Lyft Accused Products infringe the '970 Patent because they include, among other things, at least the features implemented in the Lyft applications that among other

applications and/or features relevant to the claims of the Asserted Patents in accordance with Lyft's instructions and thereby directly infringe at least one claim of the '970 Patent. The Lyft Accused Products are programmed to facilitate the communication of location information. The Lyft Accused Products include software, including but not limited to the above-listed applications and/or features, in the Lyft Accused Products, which contain code for providing device-location tracking features. For example, the Lyft Accused Products run and comprise applications and/or software that run and include components to provide device-location tracking features and are further programmed to permit users to specify additional locations and to communicate those user-specified locations to other users via symbols on an interactive display.

In general, the Lyft Accused Products infringe the '724 Patent because they include, among other things, at least the features implemented in the Lyft Accused Products relevant to the claims of the '724 Patent in accordance with Lyft's instructions and thereby directly infringe at least one claim of the '724 Patent. Additionally, the Lyft Accused Products allow users to share their location and view other users' locations on a map and to communicate with those users via the app. The Lyft Accused Products are further programmed to generate symbols representative of one or more users, including drivers and riders. The Lyft Accused Products are further programmed, to facilitate the communication of location information. This location information is presented on interactive displays on the Lyft Accused Products which include interactive maps and a plurality of user-selectable symbols corresponding to other devices. These symbols are positioned on the map at positions corresponding to the locations of the other devices. The Lyft Accused Products are further programmed to permit interaction with the display where a user may select one or more symbols and where the Lyft Accused Products further permit data to be sent to other devices based on that interaction. The Lyft Accused

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