

**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.	§	

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF  
PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S RESPONSE  
IN OPPOSITION TO DEFENDANTS T-MOBILE USA, INC. AND  
T-MOBILE US, INC.'S MOTION TO DISMISS (DKT. 46)**

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 U.S. Patent No. 7,031,728, entitled "Cellular Phone/PDA Communication System," issued April 18, 2006.
5. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No. 7,630,724, entitled "Method of Providing a Cellular Phone/PDA Communication System," issued on December 8, 2009.

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

Executed on June 8, 2021 in Marshall, Texas.

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