

EXHIBIT 2

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

CIVIL ACTION NO. 2:22-cv-263-JRG-RSP

**NON-PARTY GOOGLE LLC'S OBJECTIONS AND RESPONSES TO
THIRD-PARTY DEPOSITION SUBPOENA**

Pursuant to Rule 45 of the Federal Rules of Civil Procedure and the applicable Local Civil Rules of the United States District Court for the Eastern District of Texas, non-party Google LLC (“Google”) hereby objects as follows to the deposition subpoena dated July 7, 2023 issued by Plaintiff AGIS Software Development LLC (“AGIS”).

Google’s responses and objections do not constitute an admission that any questions posed at deposition pursuant to AGIS’s subpoena, or the answers thereto, are relevant or admissible as evidence in any hearing, trial, or other proceeding. Google specifically reserves the right to object on any grounds to the questions posed at the deposition and to the admission of any question, any response, or document produced at any hearing, trial, or other proceeding.

Google’s agreement to designate one or more witnesses to testify in response to a specific Topic is not a representation that information responsive to that Topic exists or is known or reasonably available to Google, that such Topic is relevant to any issue in the case, or that Google has in its possession, custody, or control information responsive to that deposition Topic. Google also does not waive any objection, nor any claim of privilege, by agreeing to designate one or more witnesses in response to any deposition Topic.

GENERAL OBJECTIONS AND OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

The following General Objections form a part of, and are hereby incorporated into, the response to each and every Topic set forth below. Nothing in the Specific Objections should be construed as a waiver of any of these General Objections.

1. Google objects to each Topic because Google’s Find My Device (“FMD”) is not currently at issue in this case or part of AGIS’s current infringement contentions and thus any discovery on FMD is not relevant to the claims and defenses in this action and not proportional to

the needs of the case.¹

2. Google objects to the noticed deposition date of August 4, 2023, which fails to allow Google a reasonable time to comply. Google is willing to meet and confer with AGIS to discuss a reasonable date and time for any deposition.

3. Google objects to the noticed place of deposition at Regus – Downtown, 800 W El Camino Real #180, Mountain View, CA 94040. Google is willing to meet and confer with AGIS to discuss a reasonable location for any deposition.

4. Google objects to each definition and Topic to the extent that it seeks testimony regarding information protected by the attorney-client privilege, the common interest privilege, work product doctrine, or any other privilege, immunity, or protection from discovery afforded by law. Google claims such privileges and protections to the extent implicated by each Topic and will exclude privileged and protected information from its responses to the Topics. Any inadvertent disclosure of privileged information or work product shall not constitute a waiver of any privilege or protection.

5. Google objects to each definition and Topic to the extent that it calls for testimony regarding private, confidential, secret, trade secret, proprietary, and/or sensitive business information of Google, its employees and/or third parties (hereinafter referred to as “Confidential Information”). Such information is not relevant to any claim or defense in this action, and Google’s interest in maintaining its confidentiality outweighs any relevancy. The Confidential Information as to which Google will not provide testimony, unless noted otherwise below, includes, but is not limited to, Google’s source code; confidential patent applications; the

¹ Google understands that AGIS has filed a Motion for Leave to Amend Its Disclosure Of Asserted Claims and Infringement Contentions (Dkt. 72, hereinafter “Motion for Leave”) to add allegations against FMD, and that the motion is opposed by Samsung and currently pending.

configuration of Google's information technology systems; personal information about Google's employees; sales and budget forecasts; and trade secret information. Insofar as AGIS is entitled to testimony regarding Confidential Information, Google will only provide such testimony pursuant to the Local Rules of the United States District Court for the Eastern District of Texas, the Protective Order governing this action, and any further protections that Google may seek given that it is a third party to this action.

6. Google objects to each definition and Topic to the extent that they seek information which Google is required by law or contract to maintain in confidence, including but not limited to information subject to non-disclosure agreements between Google and one or more third parties.

7. Google objects to each definition and Topic to the extent that it seeks testimony regarding information that is already in the possession, custody, or control of AGIS; that is in the public domain and are of no greater burden for AGIS to obtain than Google; or that is otherwise obtainable from another source, including a party to this lawsuit, that is more convenient, less burdensome, or less expensive.

8. Google objects to each definition and Topic to the extent that it seeks testimony regarding information that is not within Google's possession, custody or control. Google will use reasonable diligence to provide testimony regarding information within its possession, custody, or control, based on a reasonable investigation.

9. Google objects to each definition and Topic to the extent that they are vague, ambiguous, overly broad, unduly burdensome, oppressive, or harassing.

10. Google objects to each definition and Topic to the extent that they invade any right to privacy under any applicable state or federal law, or constitutional provision.

11. Google objects to each definition and Topic to the extent that they seek testimony

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.