

# EXHIBIT L

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7 **GOOGLE LLC**

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

11 GOOGLE LLC,  
12  
13 Plaintiff,  
14  
15 v.  
16 AGIS HOLDINGS, INC., ADVANCED  
GROUND INFORMATION SYSTEMS,  
INC., AND AGIS SOFTWARE  
DEVELOPMENT LLC,  
17  
18 Defendants.

Case No.  
**COMPLAINT FOR DECLARATORY  
JUDGMENT**  
**DEMAND FOR JURY TRIAL**

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1 Plaintiff Google LLC (“Google”) brings this action for declaratory judgment against  
2 Defendants AGIS Holdings, Inc. (“AGIS Holdings”), Advanced Ground Information Systems,  
3 Inc. (“AGIS, Inc.”), and AGIS Software Development LLC (“AGIS Software”) (collectively  
4 “AGIS” or “AGIS Entities”) and alleges:

5 **NATURE OF THE ACTION**

6 1. This is an action for declaratory judgment of non-infringement, invalidity, and  
7 unenforceability of U.S. Patent No. 8,213,970 (“’970 Patent”) against AGIS pursuant to the  
8 Declaratory Judgment Act, 28 U.S.C. §§ 2201-02, and the patent laws of the United States, 35  
9 U.S.C. § 100 et seq., and for other relief the Court deems just and proper.

10 2. Google requests this relief because AGIS has asserted in multiple cases that  
11 Google and others infringe the ’970 Patent based on Google’s Find My Device (“FMD”)  
12 application.

13 3. In 2017, AGIS asserted infringement of the ’970 Patent based on FMD in cases  
14 filed in the Eastern District of Texas (“EDTX”), against Huawei, LG, ZTE, and HTC. *See AGIS*  
15 *Software Development LLC v. ZTE Corp.*, 2:17-cv-00517 (E.D. Tex.); *AGIS Software*  
16 *Development LLC v. LG Elecs. Inc.*, 2:17-cv-00515 (E.D. Tex.); *AGIS Software Development*  
17 *LLC v. HTC Corp.*, 2:17-cv-00514 (E.D. Tex.); *AGIS Software Development LLC v. Huawei*  
18 *Device USA Inc.*, 2:17-cv-00513 (E.D. Tex.). As part of those actions, AGIS served a subpoena  
19 to Google seeking discovery relating to FMD.

20 4. In 2019, AGIS filed a complaint against Google in the Eastern District of Texas  
21 (“EDTX”) asserting, among other claims, the ’970 Patent against FMD. *AGIS Software*  
22 *Development LLC v. Google LLC*, EDTX, No. 2:19-CV-00361-JRG (“AGIS I”). While AGIS I  
23 was pending, AGIS amended the claims of the ’970 Patent to overcome prior art asserted during  
24 an *ex parte* reexamination (“EPR”) of the patent. After the EPR proceedings concluded, Google  
25 filed a Rule 12(b)(1) motion to dismiss AGIS’s claims regarding the ’970 Patent for lack of  
26 subject matter jurisdiction because AGIS had substantively amended the patent’s asserted claims  
27 to avoid prior art. Before the EDTX court resolved that motion, the Federal Circuit ordered the  
28 case transferred to the Northern District of California (“NDCA”). *In re Google LLC*, No. 2022-

1 140-42, 2022 WL 1613192, at \*1 (Fed. Cir. May 23, 2022).

2 5. The case was assigned to Judge Beth Labson Freeman in this District. *AGIS*  
3 *Software Development LLC v. Google LLC*, NDCA, No. 5:22-CV-04826-BLF (“the NDCA  
4 Case”). Google then refiled in this District its motion to dismiss the ’970 Patent for lack of  
5 subject matter jurisdiction. In response, AGIS dismissed the ’970 Patent with prejudice. *See*  
6 NDCA Case, Dkts. 437, 438. The remainder of the NDCA Case remains pending before Judge  
7 Freeman.

8 6. Before AGIS agreed to dismiss the ’970 Patent with prejudice from the NDCA  
9 case, it filed a duplicative action against Google in the Western District of Texas, asserting the  
10 amended claims of the ’970 Patent against the same Google FMD application. *AGIS Software*  
11 *Development LLC v. Google LLC*, No. 6:23-CV-00160-DC-DTG (“the WDTX Case”).

12 7. On April 4, 2023, the WDTX granted Google’s unopposed motion to stay the  
13 WDTX Case. *See* WDTX Case, Dkt. 11. As stated in the unopposed motion to stay, AGIS  
14 agreed to transfer the WDTX Case to this District following the stay: “[t]he parties have agreed  
15 that if and after the requested stay has been lifted, AGIS will not oppose a motion by Google to  
16 transfer this case to the Northern District of California following the stay.” *See* WDTX Case,  
17 Dkt. 10 at 3 n.1.

18 8. On July 20, 2023, while the case was still stayed, AGIS voluntarily dismissed the  
19 WDTX Case without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). *See*  
20 WDTX Case, Dkt. 12.

21 9. Google denies that it has infringed or is infringing any claims of the ’970 Patent,  
22 denies that any claim of the ’970 Patent is valid or enforceable, and denies that AGIS can assert  
23 any claim of the ’970 Patent against Google.

24 10. An actual and justiciable controversy therefore exists under 28 U.S.C. §§ 2201-  
25 2202 between Google and AGIS regarding the ’970 Patent.

#### 26 THE PARTIES

27 11. Plaintiff Google LLC is a subsidiary of Alphabet Inc. with its principal place of  
28 business located at 1600 Amphitheatre Parkway, Mountain View, California 94043.

1           12.   According to Florida public records, Defendant AGIS Holdings, Inc. is organized  
2 and existing under the laws of the State of Florida, and maintains its principal place of business at  
3 92 Lighthouse Drive, Jupiter, FL 33469.

4           13.   According to Florida public records, Defendant AGIS, Inc. is organized and  
5 existing under the laws of the State of Florida, and maintains its principal place of business at 92  
6 Lighthouse Drive, Jupiter, FL 33469.

7           14.   On information and belief, Defendant AGIS Software is an agent and alter ego of  
8 AGIS, Inc. According to AGIS Software’s allegations in another litigation between the parties,  
9 AGIS software is a Texas limited liability company, having its principal place of business at 100  
10 W. Houston Street, Marshall, Texas 75670. Exhibit K ¶ 1.

### 11   **JURISDICTION AND VENUE**

12           15.   This is a declaratory judgment action for patent non-infringement, invalidity, and  
13 unenforceability arising under the patent laws of the United States, Title 35, United States Code,  
14 Section 100 *et seq.* This Court has subject matter jurisdiction over this controversy pursuant to 28  
15 U.S.C. §§ 1331, 1338(a), 2201 and 2202.

#### 16           **I.           AGIS Accused Google of Infringing the ’970 Patent Based on FMD**

17           16.   AGIS asserted the ’970 Patent against FMD and Google in AGIS I, which was  
18 transferred to the NDCA and became the NDCA Case, in International Trade Commission  
19 (“ITC”) Investigation No. 337-TA-1347 (“ITC Action”), and in the WDTX Case. AGIS  
20 dismissed its ’970 Claims from the NDCA case and voluntarily dismissed the WDTX case.

#### 21           **II.          Google Seeks Declaratory Judgments That It Does Not Infringe The ’970 Patent** 22   **and That The ’970 Patent Is Invalid and Unenforceable**

23           17.   Google denies that it infringes or has infringed the ’970 Patent through the  
24 making, using, distributing, sale, offering for sale, exportation, or importation of FMD or any  
25 related services for FMD or through the making, using, distributing, sale, offering for sale,  
26 exportation, or importation of devices that a may be configured to run FMD.

27           18.   AGIS’s infringement allegations, asserted in related actions, threaten actual and  
28 imminent injury to Google that can be redressed by judicial relief and warrants the issue of a

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