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Plaintiff AGIS Software Development LLC (“AGIS” or “Plaintiff”), by and through its undersigned counsel, respectfully submits this Response in Opposition to Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.’s (collectively, “Defendants” or “Samsung”) Motion to Stay (Dkt. 40, the “Motion”). The Court should deny Samsung’s Motion for the reasons set forth below.

I. INTRODUCTION

The Court should deny Samsung’s Motion because the *AGIS-Samsung II* case involves different issues (including different accused functionalities, different accused products, and additional patents) than the issues presented in the *AGIS-Samsung I* and *AGIS ITC* litigations.¹ The instant *AGIS-Samsung II* case involves the Samsung Knox and Tactical applications and software, as well as non-Google situational awareness applications. *AGIS-Samsung II* does not involve any Google applications or Google software.

The *AGIS-Samsung I* and *AGIS ITC* litigations involve different issues because, unlike here, they concern Google applications. Samsung admitted so in its repeated attempts to transfer *AGIS-Samsung I* to NDCA. For example, in its motion to transfer, Samsung represented to this Court that the issues centered around “the Accused Google Applications” which included the Google Maps for Mobile and Google Find My Device applications. *See AGIS-Samsung I*, Dkt. 46 at 2 (E.D. Tex. Mar. 9, 2020). In its petition for a writ of mandamus to direct this Court to stay the *AGIS-Samsung I* case, Samsung represented to the Federal Circuit that “AGIS’s allegations of infringement against Samsung center around the same Accused Google Applications [Google

¹ Hereinafter, “*AGIS-Samsung I*” refers to *AGIS Software Dev. LLC v. Google LLC*, No. 2:19-cv-00361-JRG (E.D. Tex.), “*AGIS-Samsung II*” refers to *AGIS Software Dev. LLC v. Samsung Elecs. Co., Ltd.*, No. 2:22-cv-0263-JRG (E.D. Tex.), and “*AGIS ITC*” refers to *In re Certain Location-Sharing Systems, Related Software, Components Thereof, and Products Containing Same*, No. 337-TA-1347 (USITC).

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