

EXHIBIT D

Exhibit C1 for US Patent No. 8,213,970 Against Samsung Accused Products

Based on information presently available, AGIS Software Development LLC (“AGIS”) contends that Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Defendants” or “Samsung”) infringe the “Asserted Claims”) of U.S. Patent No. 8,213,970 (the “’970 Patent”) through the Accused Products which are offered for sale, used, imported into the United States, and/or exported from the United States by Samsung.

The Accused Products comprise all versions of Samsung Tactical, TAK, ATAK, CivTAK, and Knox applications and solutions, including all related servers and services. The Accused Products comprise the following devices: Galaxy S, Galaxy S Advance, Galaxy S III, Galaxy S Duos, Galaxy S III Mini, Galaxy S II Plus, Galaxy S4, Galaxy S4 Active, Galaxy S4 Zoom, Galaxy S Duos 2, Galaxy S III Slim, Galaxy S5, Galaxy S III Neo, Galaxy S5 Active, Galaxy S5 Mini, Galaxy S5 Plus, Galaxy S6, Galaxy S6 Edge, Galaxy S5 Neo, Galaxy S6 Active, Galaxy S6 Edge+, Galaxy S7, Galaxy S7 Active, Galaxy S8, Galaxy S8+, Galaxy S8 Active, Galaxy S8 Lite, Galaxy S9, Galaxy S9+, Galaxy S10e, Galaxy S10 5G, Galaxy S20 5G, Galaxy S20 FE, Galaxy S20 FE 5G, Galaxy S20 Ultra, Galaxy S20+, Galaxy S21 5G, Galaxy S21 FE 5G, Galaxy S21 Ultra, Galaxy S21 Ultra 5G, Galaxy S21+, Galaxy S21+ 5G, Galaxy A3, Galaxy A5, Galaxy A7, Galaxy A8, Galaxy A3, Galaxy A5, Galaxy A8, Galaxy A8+, Galaxy A6, Galaxy A6+, Galaxy A9, Galaxy A6s, Galaxy A8s, Galaxy A30, Galaxy A50, Galaxy A10, Galaxy A20, Galaxy A40, Galaxy A80, Galaxy A40s, Galaxy A60, Galaxy A10s, Galaxy A20s, Galaxy A10e, Galaxy C5, Galaxy C7, Galaxy C7 Pro, Galaxy C5, Pro, Galaxy C8, Galaxy J, Galaxy J1, Galaxy J5, Galaxy J7, Galaxy J2, Galaxy J3, Galaxy J1 Mini, Galaxy J5 (2016), Galaxy J3 Pro, Galaxy J7, Galaxy J Max, Galaxy J1 Ace Neo, Galaxy J1 (2016), Galaxy J7, Prime, Galaxy J1 Mini Prime, Galaxy J2 Prime, Galaxy J3 Emerge, Galaxy J7 V, Galaxy J3 Prime, Galaxy J7 Max, Galaxy J7 Nxt, Galaxy J3 Luna Pro, Galaxy J7 Sky Pro, Galaxy J7+, Galaxy J2 Pro, Galaxy J7 Prime 2, Galaxy J4, Galaxy J6, Galaxy J3 (2018), Galaxy J7 (2018), Galaxy J2 Core, Galaxy J4+, Galaxy J6+, Galaxy J4 Core, Galaxy M20, Galaxy M30, Galaxy M40, Galaxy E5, Galaxy E7, Galaxy Grand, Galaxy Core, Galaxy Core Prime, Galaxy Grand Neo, Galaxy Core Prime, Galaxy Grand Prime Plus, Galaxy Grand Prime Pro, Galaxy Mega 5.8, Galaxy Mega 2, Galaxy Mini, Galaxy Mini 2, Galaxy Trend, Galaxy Trend Lite, Galaxy Trend Plus, Galaxy Ace, Galaxy Ace 2, Galaxy Ace 3, Galaxy Ace Style, Galaxy Ace 4, Galaxy On7, Galaxy On5, Galaxy On5 Pro, Galaxy On8, Galaxy On Nxt, Galaxy On Max, Galaxy On7 Prime, Galaxy On6, Galaxy On8 (2018), Galaxy R, Galaxy Y Duos, Galaxy Young, Galaxy Young 2, Galaxy Pocket, Galaxy Pocket Plus, Galaxy Pocket Neo, Galaxy Pocket 2, Galaxy U, Galaxy Neo, Galaxy Pro, Galaxy Precedent, Galaxy Z, Galaxy Rush, Galaxy 5, Galaxy W, Galaxy Prevail, Galaxy Nexus, Galaxy Discover, Galaxy Reverb, Galaxy Stellar, Galaxy Appeal, Galaxy Express, Galaxy Fame, Galaxy Star, Galaxy Win, Galaxy Win Pro, Galaxy Star Pro, Galaxy Fame Lite, Galaxy Round, Galaxy V Plus, Galaxy V2, Galaxy K Zoom, Galaxy Folder, Galaxy Active Neo, Galaxy Folder 2, Galaxy Fold Note II, Galaxy Note 3, Galaxy Note 4, Galaxy Note Edge, Galaxy Note 5, Galaxy Note 7, Galaxy Note Fan Edition, Galaxy Note 9, Galaxy Note 10, Galaxy Note 10+, Galaxy Note 10+ 5G, Galaxy Tab, Galaxy Tab 7.0, Galaxy

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Samsung indirectly infringes the Asserted Claims in violation of 35 U.S.C. § 271(b) by inducing third parties and/or customers, to directly infringe through its operation and use of the Accused Products. Samsung has knowingly induced this direct infringement by, *inter alia*, (i) selling, offering to sell, importing, exporting, or otherwise providing the Accused Products to third parties with the intent that the Accused Products will be operated and used in a manner that infringes the Asserted Claims; and (ii) marketing and advertising the Accused Products. Samsung's marketing and promotional materials for the Accused Products are found, for example, on Samsung's website, and in App stores of operating systems for which the Accused Products are made available. For example, Samsung's website offers customers downloadable User Manuals for the Accused Products to, among other things, use the accused services in the Accused Products. Samsung's website also offers instructions, including instruction to, among other things, use the Accused Products to share location information with third parties. In light of this information and belief, Samsung knows that its actions will result in infringement of the Asserted Claims, or substantially certainly that there is a high probability that its actions will result in infringement of the Asserted Claims but has taken deliberate steps to avoid learning these facts.

Samsung also contributorily infringes each of the Asserted Claims in violation of 35 U.S.C. § 271(c) by offering for sale, and otherwise providing the Accused Products which, when used, directly infringe the Asserted Claims. The Accused Products constitute a material part of the Asserted Claims.

On information and belief, the charted versions of the Accused Products are representative of all versions of the Accused Products, including but not limited to all variants of the Accused Products made, sold, offered for sale, or used on Android, iOS, Symbian, Blackberry, and Windows Mobile operating systems.

AGIS does not concede that any claims of the '970 Patent that are not listed below are not infringed by the Accused Products. Moreover, the citations to certain documents and other information below are intended to be exemplary and not to foreclose AGIS from citing or relying on additional documents, information, source code, and/or testimony. AGIS's contentions are preliminary in nature, and an analysis of Samsung's products, internal documentation, source code, and testimony from relevant witnesses may more fully and accurately describe the infringing features of its Accused Products. AGIS reserves the right to supplement, correct, modify, and/or amend these contentions once such additional information is received. AGIS. Furthermore, AGIS reserves the right to supplement, correct, modify, and/or amend these contentions as more information progresses; in view of the Court's claim construction order(s); in view of any positions taken by Samsung including

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positions on claim construction,¹ invalidity, and/or non-infringement; and in connection with the preparation of reports.

The contents of every below claim cell on which another claim cell depends are expressly incorporated into the dependent cell, as if set forth in their entirety therein.

¹ The construction of claim terms herein is consistent with the constructions in *AGIS Software Dev. LLC v. Huawei*, No. 2:17-cv-00513-JRG, Dkt. No. 205 (Lead Case) (E.D. Tex. Oct. 10, 2018) and *AGIS Software Dev. LLC v. Google*, No. 2:17-cv-00361-JRG, Dkt. No. 147 (Lead Case) (E.D. Tex. Dec. 20, 2020). AGIS reserves the right to update its construction in view of this Court's claim construction order.

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