

# EXHIBIT E

## Exhibit C2 for U.S. 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 include Samsung Android-based devices comprising and/or running Find My Device applications and services.

The Accused Products include, but are not limited to, the following Samsung products: Galaxy S22+ Edition, Galaxy XCover FieldPro, Galaxy XCover Pro, GT-I7500 Galaxy, i5700 Galaxy Spica, 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 S Duos 3, Galaxy S5 Plus, Galaxy S6, Galaxy S6 Edge, Galaxy S5 Neo, Galaxy S6 Active, Galaxy S6 Edge+, Galaxy S6 Edge, Galaxy S7 Active, Galaxy S8, Galaxy S8+, Galaxy S8 Active, Galaxy S9, Galaxy S9+, Galaxy S10e, Galaxy S10 5G, Galaxy S21, Galaxy S20 FE, Galaxy Alpha, Galaxy A3, Galaxy A5, Galaxy A7, Galaxy A8, Galaxy A7, Galaxy A8, Galaxy A8+, Galaxy A6, Galaxy A6+, Galaxy A8 Star, Galaxy A7, Galaxy A9, Galaxy A30, Galaxy A50, Galaxy A10, Galaxy A20, Galaxy A40, Galaxy A70, Galaxy A20e, Galaxy A80, Galaxy A10s, Galaxy A20s, Galaxy A10e, Galaxy C5, Galaxy C7, Galaxy C9, Galaxy C9 Pro, Galaxy C7 Pro, Galaxy C8, Galaxy J, Galaxy J1, Galaxy J5, Galaxy J7, Galaxy J2, Galaxy J1 Ace, Galaxy J1 Nxt, Galaxy J1 Mini, Galaxy J3 Pro, Galaxy J7, Galaxy J Max, Galaxy J1 Ace Neo, Galaxy J1 (2016), Galaxy J5 Prime, Galaxy J7, Galaxy J2 Prime, Galaxy J3 Emerge, Galaxy J7 V, Galaxy J3 Prime, Galaxy J7 Pro, Galaxy J7 Max, Galaxy J7 Pro, Galaxy J7 Sky Pro, Galaxy J7+, Galaxy J2 Pro, Galaxy J7 Prime 2, Galaxy J7 Duo, Galaxy J4, Galaxy J6, Galaxy J7 (2018), Galaxy J2 Core, Galaxy J4+, Galaxy J6+, Galaxy J4 Core, Galaxy M, Galaxy M10, Galaxy M20, Galaxy E5, Galaxy E7, Galaxy Grand, Galaxy Core, Galaxy Core Plus, Galaxy Grand 2, Galaxy Grand Neo, Galaxy Grand Prime Plus, Galaxy Grand Prime Pro, Galaxy Mega 5.8, Galaxy Mega 6.3, Galaxy Mega 2, Galaxy Mini, Galaxy Trend, Galaxy Trend Lite, Galaxy Trend Plus, Galaxy Ace, Galaxy Ace Plus, Galaxy Ace 2, Galaxy Ace 3, Galaxy Ace 4, Galaxy On7, Galaxy On5, Galaxy On5 Pro, Galaxy On7 Pro, Galaxy On8, Galaxy On Nxt, Galaxy On Max, Galaxy On6, Galaxy On8 (2018), Galaxy R, Galaxy R Style, Galaxy Y, Galaxy Y Duos, Galaxy Young, Galaxy Pocket, Galaxy Pocket Plus, Galaxy Pocket Neo, Galaxy Pocket Duos, Galaxy Pocket 2, Galaxy U, Galaxy Neo Precedent, Galaxy Z, Galaxy Rush, Galaxy 5, Galaxy W, Galaxy Fit, Galaxy Gio, Galaxy Prevail, Galaxy Neo, Galaxy Reverb, Galaxy Stellar, Galaxy Appeal, Galaxy Express, Galaxy Express 2, Galaxy Fame, Galaxy Star Win Pro, Galaxy Star Pro, Galaxy Fame Lite, Galaxy Round, Galaxy Light, Galaxy V, Galaxy V Plus, Galaxy Folder, Galaxy Active Neo, Galaxy Folder 2, Galaxy Fold, Galaxy Note, Galaxy Note II, Galaxy Note 3, Galaxy Note Edge, Galaxy Note 5, Galaxy Note 7, Galaxy Note Fan Edition, Galaxy Note 8, Galaxy Note 9, Galaxy Note 10+ 5G, Galaxy Tab, Galaxy Tab 7.0, Galaxy Tab 10.1, Galaxy Tab 10.1N, Galaxy Tab 10.1v, Galaxy Tab 7.0 Plus, Galaxy Tab 7.7, Galaxy Tab 2 7.0, Galaxy Tab 2 10.1, Galaxy Tab 3 7.0, Galaxy Tab 3 Lite 7.0, Galaxy

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Galaxy Tab 3 10.1, Galaxy Tab 4 7.0, Galaxy Tab 4 8.0, Galaxy Tab 4 10.1, Galaxy Tab Pro 8.4, Galaxy Tab Pro 10.1, Galaxy Tab S 8.4, Galaxy Tab S 10.5, Galaxy Tab S2 8.0, Galaxy Tab S2 9.7, Galaxy Tab S3 9.7, Galaxy Tab S3 8, Galaxy Tab E 9.6, Galaxy Tab A 8.0, Galaxy Tab A 9.7, Galaxy Tab A 6.0, Galaxy Tab A 7.0, Galaxy Tab A 10.5, Galaxy Tab Pro S 12.0, Galaxy Book 10.6, Galaxy Book 12.0, Galaxy Tab Active, Galaxy Tab Active 2, Galaxy Note 8.0, Galaxy Note 10, Galaxy Note 10.1, Galaxy Note Pro 12.2, Galaxy Gear, Gear Sport, Gear S3 Frontier, Galaxy Watch Active, and Galaxy Watch Active 2.

The Accused Products comprise the following versions (and all intervening updates and sub-versions) of operating systems: Android 1.5 (Cupcake); Android 1.6 (Donut); Android 2.0 (Éclair); Android 2.2 (Froyo); Android 2.3 (Gingerbread); Android 3.0 (Honeycomb); Android 4.0 (Ice Cream Sandwich); Android 4.1 (Jelly Bean); Android 4.4 (KitKat); Android 5.0 (Lollipop); Android 6.0 (Marshmallow); Android 7.0 (Nougat); Android 8.0 (Oreo); Android 9 (Pie); Android 10; Android 11; Android 12L; Android 13; Android One; Android Go; and any variants thereof, imported with the aforementioned Samsung products after 2016.

Samsung directly infringes each of the Asserted Claims by providing, using, importing, testing, selling, or importing into the United States, and/or exporting from the United States the Accused Products in violation of 35 U.S.C. § 271(a).

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 downloadable User Manuals for the Accused Products to customers 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 addition, information and belief, Samsung directs customers to third-party sources to use the Accused Products in an infringing manner. In information and belief, Samsung knows that its actions will result in infringement of the Asserted Claims, or substantial likelihood 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 providing, importing, 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.

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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 with Android 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 by AGIS. Furthermore, AGIS reserves the right to supplement, correct, modify, and/or amend these contentions as the case progresses; in view of the Court's claim construction order(s); in view of any positions taken by Samsung including its positions on claim construction,<sup>1</sup> invalidity, and/or non-infringement; and in connection with the preparation and filing 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.

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<sup>1</sup> 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 constructions in view of this Court's claim construction order.

**Exhibit C2 – U.S. Patent No. 8,213,970 – Samsung Galaxy S22+**

Claim — 8,213,970	Exemplary Supporting Evidence Regarding Accused Products
<p>2[P]. A communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising: a predetermined network of participants, wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory;</p>	<p>Samsung infringes directly and indirectly, induces others to infringe, and/or contributes to the communication system for transmitting, receiving, confirming receipt, and responding to an electronic message comprising: a predetermined network of participants, wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory.</p> <p>The Accused Products meet the claim limitations by providing device-location tracking features described below. For example, the Accused Products meet the claim limitations by providing Find My Device and related services. The Find My Device application and services are provided on the Accused Products with built-in services accessible through Settings &gt; Google &gt; Security &gt; Find My Device. Samsung provides multiple Accused Devices which each include the Find My Device application (both as a native application and web application) and each which are compatible with Android requirements. Samsung provides a first sender device with Find My Device and a second recipient device with Find My Device. Samsung provides numerous sender and recipient devices such that a sender device with Find My Device can communicate with multiple other recipient devices via Find My Device. For example, a group of participants comprises multiple Samsung devices associated via Find My Device and/or other relationships. For example, the network of participants comprises the Find My Device network associated with a Google account and relationships.</p> <p>Each Accused Samsung device has a processor capable of executing the Android operating system, memory, and RF receiver and transmitter modules, as show in the images taken from a “teardown” of an exemplary Samsung Galaxy S22+.</p>

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