# EXHIBIT 1

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

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| AGIS SOFTWARE DEVELOPMENT LLC, | § § § | Case No. 2:22-cv-00263-JRG-RSP |
| Plaintiff, | § § | **<u>JURY TRIAL DEMANDED</u>** |
| v. | § § § |  |
| SAMSUNG ELECTRONICS CO., LTD. and SAMSUNG ELECTRONICS AMERICA, INC., | § § § § | |
| Defendants. | § § | |

**REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
(LETTER OF REQUEST) BY THE UNITED STATES DISTRICT COURT
<u>FOR THE EASTERN DISTRICT OF TEXAS</u>**

**TO THE NATIONAL COURT ADMINISTRATION:**

The United States District Court for the Eastern District of Texas presents its compliments to the National Court Administration and requests international judicial assistance for the production of documents and source code from Samsung SDS Co., Ltd. as set forth in **Schedule A** attached.

This request is made pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters, as adopted and implemented at 28 U.S.C. § 1781 and the Evidence (Proceeding in Other Jurisdictions) Act 1975 c. 34. This Court, the United States District Court for the Eastern District of Texas, Marshall Division, is a competent court of law and equity which properly has jurisdiction over this proceeding and has the power to compel the attendance of witnesses and production of documents both within and outside its jurisdiction. The documents and information requested in Schedule A exist and Samsung SDS Co., Ltd. has or will likely have them in its possession, custody, or control.

The documents requested from Samsung SDS Co., Ltd. are intended for use at trial and will be highly relevant to numerous claims and defenses in the case. Specifically, the documents sought herein will be relevant to Plaintiff AGIS Software Development LLC's ("AGIS" or "Plaintiff") claims of patent infringement (including its alleged damages) against Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung" or "Defendants"). This Court understands that the approach of the Korean courts may be more restrictive than that of this Court regarding requests for evidence from a third party, and on this basis is of the view that the information sought in this Letter of Request goes to the heart of significant issues of fact and law that will influence the final determination (at trial and/or by

motion) of the existence, non-existence, and/or extent of any liability under Title 35 of the United States Code ("U.S. Patent Laws"), and other laws.

This request is made with the understanding that it will in no way require any person to commit any offense, or to undergo a broader form of inquiry that he or she would if the litigation were conducted in Korea. In the proper exercise of its authority, this Court has determined that the documents described in Schedule A cannot be secured except by the intervention of the National Court Administration.

## Letter of Request

The following Letter of Request follows the model form presented by the Model Request

for International Judicial Assistance pursuant to the Hague Convention of 18 March 1970 on the

Taking of Evidence Abroad in Civil or Commercial Matters.

1.      **Sender**

The Honorable J. Rodney Gilstrap
United States District Judge
United States District Court for the Eastern District of Texas, Marshall Division
Sam B. Hall, Jr. Federal Building and United States Courthouse
100 East Houston Street
Marshall, Texas 75670
USA

2.      **Central Authority of the Request State**

National Court Administration
Attn.: Director of International Affairs
Seocho-daero 219
Seocho-gu
Seoul 06590
REPUBLIC OF KOREA

3.      **Person to Whom the Executed Request is to be Returned**

Enrique W. Iturralde
Fabricant LLP
411 Theodore Fremd Avenue, Suite 206 South
Rye, New York 10580
Telephone: +1 (212) 257-5797
Fax: +1 (212) 257-5796

4.      **Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request**

As soon as reasonably practicable consistent with the National Court Administration's calendar.

5.      **In Conformity with Article 3 of the Convention, the Undersigned Applicant has the Honor to Submit the Following Request:**

        a.      **Requesting judicial authority (Article 3, a)**

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