

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

ASUSTEK COMPUTER INC., and ASUS
COMPUTER INTERNATIONAL,

Defendants.

Case No. 2:22-cv-00440-JRG

JOINT NOTICE REGARDING ITC DETERMINATION

Pursuant to the Court’s Order Granting Defendants’ Unopposed Motion to Stay Pending ITC Determination (Dkt. No. 13), Plaintiff AGIS Software Development LLC (“AGIS”) and Defendants ASUSTeK Computer Inc. and ASUS Computer International (collectively, “ASUS”) respectfully submit this joint notice regarding the termination of AGIS’ ITC investigation against ASUS.

On June 15, 2023, AGIS withdrew its complaint and moved to terminate its ITC investigation against ASUS and other respondents. On June 20, 2023, Administrative Law Judge (“ALJ”) Moore issued an Initial Determination that AGIS’s motion to terminate be granted. On July 10, 2023, the ITC decided not to review ALJ Moore’s Initial Determination and terminated AGIS’s ITC investigation in its entirety. On July 13, 2023, a notice of the ITC’s decision was published in the Federal Register. Certain Location-Sharing Systems, 88 Fed. Reg. 44,840 (July 13, 2023). A copy of the notice is attached hereto as Appendix A.

ASUS appears specially to file this notice because AGIS has not yet served process on

ASUS. ASUS's special appearance does not waive any of its objections and defenses to AGIS's Complaint, including, but not limited to, any defenses based on lack of jurisdiction, improper venue, inconvenient venue, insufficiency of process, and insufficiency of service of process and does not waive ASUS's rights to seek appropriate relief, including dismissal of the Complaint or venue transfer. ASUS expressly reserves all objections, defenses, and rights in response to AGIS's Complaint.

Dated: October 13, 2023

Respectfully submitted,

By: /s/ Alfred R. Fabricant

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 13, 2023, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

Dated: October 13, 2023

/s/ Eric A. Buresh
Eric A. Buresh