

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

HMD GLOBAL, HMD GLOBAL OY, HMD  
AMERICA, INC.

Defendants.

Case No. 2:22-cv-00443-JRG

**JOINT NOTICE REGARDING ITC DETERMINATION**

Pursuant to the Court's Order Granting Defendants' Unopposed Motion to Stay Pending ITC Determination (Dkt. No. 12), Defendants HMD Global Oy, HMD America, Inc., and HMD Global<sup>1</sup> (hereinafter, "HMD") and Plaintiff AGIS Software Development LLC ("AGIS") respectfully submit this joint notice regarding the termination of AGIS's ITC investigation against HMD.

On June 15, 2023, AGIS withdrew its complaint and moved to terminate its ITC investigation against HMD 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

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<sup>1</sup> Counsel are unaware of any corporate entity named "HMD Global" apart from "HMD Global Oy," which is separately named as a defendant to this action, but move on behalf of all named defendants in an abundance of caution.

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.

HMD appears specially to file this joint notice because AGIS has not yet served process on HMD.

HMD'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 HMD's rights to seek appropriate relief, including dismissal of the Complaint or venue transfer. HMD expressly reserves all objections, defenses, and rights in response to AGIS's Complaint.

Date: October 12, 2023

Respectfully submitted,

/s/ Vincent J. Rubino, III

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/s/ Matthew J. Moffa

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***ATTORNEYS FOR PLAINTIFF  
AGIS SOFTWARE  
DEVELOPMENT LLC***

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 12, 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 12, 2023

/s/ Matthew J. Moffa