IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

VOIP-PAL.COM, INC. Plaintiff, v. GOOGLE LLC, Defendant.	CIVIL ACTION NO. 6:21-cv-667-ADA JURY TRIAL DEMANDED

PLAINTIFF'S PRELIMINARY INFRINGEMENT CONTENTIONS

Plaintiff VoIP-Pal.com Inc. ("Plaintiff") provides the following Preliminary Infringement Contentions to Defendant Google, LLC ("Defendant"). This disclosure is based on the information available to Plaintiff as of the date of this disclosure, and Plaintiff reserves the right to amend this disclosure to the full extent consistent with the Court's Rules and Orders.

I. INFRINGEMENT

Plaintiff asserts that Defendant infringes one or more of the following claims (collectively, "Asserted Claims") of the following patents (collectively, "Asserted Patents"):

U.S. Patent No. 8,630,234 ("the '234 patent"), claims 1, 10, 11, 19, 20-22, 24-25, 28, 30-33, 35, 37-40, 43, 45-48, 51, 53, 54, 61, 62, 64, 65, 70, 72, 75.

U.S. Patent No. 10,880,721 ("the '721 patent"), claims 1, 6, 15, 16, 20, 25, 34, 38, 39, 43, 45, 46, 49, 50, 51, 63, 77, 103, 104, 109, 110, 124, 130, 133, 135, 136, 138, 139, 140.

Plaintiff asserts that the Asserted Claims are infringed by the various methods and apparatuses used, made, sold, offered for sale, or imported into the U.S. by Defendant, as identified in the claim charts attached hereto as Exhibits 1-2 (the "Accused Products").

GOOGLE EXHIBIT 1031

Exhibits 1-2, which Plaintiff incorporates by reference, identify each element of the Asserted Claims of the Asserted Patents found in the exemplary Accused Product. Plaintiff's analysis is based on certain limited information that is publicly available and Plaintiff's own investigation before any discovery in this action. Plaintiff reserves the right to amend or supplement these disclosures to the full extent consistent with the Court's Rules and Orders.

Plaintiff in no way intends that the Accused Products are limited to the methods and apparatuses that are identified in the Exhibits, but instead contends that the Accused Products are meant to refer to all methods and apparatuses that involve all similar products that practice at least one of the Asserted Claims. Unless otherwise stated, Plaintiff's assertions of infringement apply to all models, variations, versions, and applications of each of the Accused Products since issuance of the Asserted Patents, and, on information and belief, that different models, variations, versions, and applications of each of the Accused Products all operate in the substantially the same manner for purposes of infringement of the Asserted Claims.

With respect to the Asserted Patents, each element of each Asserted Claim is considered to be literally present. Plaintiff also contends that each Asserted Claim is infringed or has been infringed under the Doctrine of Equivalents in Defendant's Accused Products. Plaintiff also contends that Defendant directly and indirectly infringes the Asserted Claims. For example, the Accused Products are provided by the Defendant to others (including distributors, dealers, and customers), who are actively encouraged and instructed (for example, through online instructions on their website, user manuals, and information and instructions supporting sales and services by others) by the Defendant to use the Accused Products in ways that directly infringe at least one claims of each of the Asserted Patents. Defendant therefore specifically intends for and induce their customers to practice at least one claim of each of the Asserted Patents through the others'

normal and customary use of the Accused Products. Other theories of infringement are set forth in Exhibits A-B.

II. PRIORITY DATES

The Asserted Claims of the '234 patent are entitled to a priority date at least as early as July 28, 2008. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the '234 patent is February 4, 2008. The Asserted Claims of the '721 patent are entitled to a priority date at least as early as July 28, 2008. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the '721 patent is February 4, 2008.

III. DOCUMENT PRODUCTION

VoIP-Pal will produce copies of the file histories for the Asserted Patents. Documents relating to the priority of the Asserted Patents are available for production pending the entry of Protective Order and Discovery Order to be negotiated by the parties.

Dated: October 19, 2021

By: /s/Lewis E. Hudnell, III
Lewis E. Hudnell, III
lewis@hudnellaw.com
Nicolas S. Gikkas
nick@hudnelllaw.com
Hudnell Law Group P.C.
800 W. El Camino Real Suite 180
Mountain View, California 94040
T: 650.564.3698
F: 347.772.3034

ATTORNEYS FOR PLAINTIFF VOIP-PAL.COM, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the PLAINTIFF'S PRELIMINARY INFRINGEMENT CONTENTIONS via electronic mail this 19th day of October, 2021.

By: */s/Lewis E. Hudnell, III*
Lewis E. Hudnell, III
lewis@hudnelllaw.com
Hudnell Law Group P.C.
800 W. El Camino Real Suite 180
Mountain View, California 94040
T: 650.564.3698
F: 347.772.3034