UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

VOIP-PAL.COM, INC.,
Patent Owner

Patent No. 10,880,721

PETITIONER'S NOTICE REGARDING MULTIPLE PETITIONS

TABLE OF CONTENTS

I. INTRODUCTION 1

II. RANKING 1

III. DIFFERENCES BETWEEN THE PETITIONS AND WHY THEY SHOULD BOTH BE INSTITUTED 2

IV. CONCLUSION 2

I. INTRODUCTION

Petitioner is filing two petitions challenging different claims of U.S. Patent No. 10,880,721 ("the '721 patent"), seeking to join the two petitions filed by Meta Platforms, Inc. ("Meta") in IPR2022-01234 and IPR2022-01235. "To aid the Board in determining" why "more than one petition is necessary," Petitioner provides the below information. *See* PTAB Consolidated Trial Practice Guide ("TPG") (November 2019) at 59-60.

II. RANKING

Petitioner requests that the Board consider the petitions in the following order, although, for the reasons explained below, the Board's analysis would not be complete without considering both petitions:

Rank	Petition	Challenged Claims	Primary References
A	Seeking joinder to IPR2022-01235	51-52, 57, 60, 63, 65, 67, 73, 77, 103-104, 108-110, 124, 130, 133, and 138-139	Buckley (EX1005) Bates (EX1009) Ejzak (EX1007)
B	Seeking joinder to IPR2022-01234	1, 2, 6, 9, 14-16, 20, 25, 34, 38-39, 43, 45-46, 49-50, 135-136, and 140	Buckley (EX1005) Bates (EX1009) Ejzak (EX1007)

III. DIFFERENCES BETWEEN THE PETITIONS AND WHY THEY SHOULD BOTH BE INSTITUTED

The two petitions challenge 39 claims, 29 of which have been asserted by Patent Owner against Petitioner in the parallel District Court litigation, *VoIP-Pal.com, Inc. v. Google LLC*, Case No. 3:22-cv-03199 (N.D. Cal.). The two petitions are substantively identical to the two petitions filed by Meta, and the Board has already determined that both of those petitions justified institution. As Meta explained when filing its petitions, the numerous claims asserted by Patent Owner made it practically infeasible to substantively analyze all of them in a single petition. And all that 35 U.S.C. § 315(c) permits is "join[der] [to an] already-instituted proceeding as a party," without "bring[ing] into the proceeding new grounds that were not already instituted." *Network-1 Techs., Inc. v. Hewlett-Packard Co.*, 981 F.3d 1015, 1027 (Fed. Cir. 2020). In other words, Google was only permitted to join the Meta IPR proceedings as they were prepared by Meta and instituted by the Board.

IV. CONCLUSION

For the reasons given above, the Board should institute both petitions.

Respectfully submitted,

Dated: February 28, 2023

By:/Naveen Modi/
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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2023, I caused a true and correct copy of the foregoing Petitioner's Notice Regarding Multiple Petitions to be served via express mail on the Patent Owner at the following correspondence address of record as listed on Patent Center:

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A courtesy copy was also sent via electronic mail to the Patent Owner's litigation counsel at the following addresses:

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