

EXHIBIT 19

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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 \* \* \*

11 VOIP-PAL.COM, INC., a Nevada corporation,  
 12  
 13 Plaintiff,  
 14 v.  
 15 TWITTER, INC., a California corporation,  
 16  
 17 Defendant.

CASE NO.: 2:16-cv-2338

18 **COMPLAINT FOR PATENT**  
19 **INFRINGEMENT**

20 **[JURY DEMAND]**

21 Plaintiff, Voip-Pal.com, Inc.’s (“VPLM”) Complaint against Defendant Twitter, Inc.,  
 22 (“Twitter”), alleges infringement of U.S. Patent No. 8,542,815 (the “815 patent”), and its  
 23 continuation patent, U.S. Patent No. 9,179,005 (the “005 patent”). VPLM further complains and  
 24 alleges as follows:

25 **THE NATURE OF THE ACTION**

- 26 1. VPLM is a leader in Voice-over-Internet Protocol (“VoIP”) technology and owns a  
 27 portfolio of VoIP-related patents and patent applications.  
 28 2. On September 24, 2013, the ‘815 patent entitled “Producing Routing Messages for  
 Voice Over IP Communications” was duly and legally issued with Clay Perreault, Steve Nicholson,  
 Rod Thomson, Johan Emil Viktor Bjorsell, and Faud Arafa as the named inventors after full and fair

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1 examination. VPLM is the owner of all rights, title, and interest in and to the '815 patent and  
 2 possesses all rights of recovery under the '815 patent. A copy of the '815 patent is attached as

3 **Exhibit A.**

4 3. On November 3, 2015, the '005 patent entitled "Producing Routing Messages for  
 5 Voice Over IP Communications" was duly and legally issued with Clay Perreault, Steve Nicholson,  
 6 Rod Thomson, Johan Emil Viktor Bjorsell, and Faud Arafa as the named inventors after full and fair  
 7 examination. VPLM is the owner of all rights, title, and interest in and to the '005 patent and  
 8 possesses all rights of recovery under the '005 patent. A copy of the '005 patent is attached as

9 **Exhibit B.**

10 4. VPLM's patents represent fundamental advancements to Internet Protocol ("IP")  
 11 based communication, including improved functioning, call classification, call routing and reliability  
 12 for VoIP, messaging, and IP-based transmission of video, photographs and mixed media  
 13 communications.

14 5. Twitter employs VPLM's innovative technology and products, features, and designs,  
 15 and has widely distributed infringing products and/or services that have undermined VPLM's  
 16 marketing and monetization efforts. Instead of incorporating non-infringing technology into its  
 17 products and services, Twitter has employed and has incorporated VPLM's patented communication  
 18 classification and routing technology, in violation of VPLM's valuable intellectual property rights.

19 **PARTIES**

20 6. Plaintiff, VoIP-Pal.com, Inc. ("VPLM") is a Nevada corporation with its principal  
 21 place of business located at 10900 NE 4th Street, Suite 2300, Bellevue, Washington 98004.

22 7. Defendant, Twitter Inc. ("Twitter") is a California corporation with its principal place  
 23 of business at 1355 Market Street, Suite 900, San Francisco, California 94103. On information and  
 24 belief, Twitter regularly conducts and transacts business in the District of Nevada and throughout the  
 25 United States, and, as set forth below, has committed and continues to commit, tortious acts of patent  
 26 infringement within the District of Nevada.

27 8. As a result of Twitter's infringement as alleged herein, on December 18, 2015, VPLM  
 28 provided notice to Twitter that it may be in violation of VPLM's patent rights, including VPLM's

1 rights under the '815 patent and the '005 patent. See **Exhibit C**, Correspondence to Twitter. Despite  
 2 the notice, Twitter has infringed and continues to infringe VPLM's patents.

### 3 JURISDICTION AND VENUE

4 9. This action arises under the patent laws of the United States, i.e., 35 U.S.C. § 1 *et seq.*  
 5 This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

6 10. This Court has personal jurisdiction over Twitter because it has committed and  
 7 continues to commit acts of infringement in violation of 35 U.S.C. § 271 by placing infringing  
 8 services into the stream of commerce, either directly or through subsidiaries and/or intermediaries,  
 9 with the knowledge or understanding that such products are used and/or sold in the District of  
 10 Nevada. The acts by Twitter cause injury to VPLM within this District. Upon information and  
 11 belief, Plaintiff alleges that Twitter derives substantial revenue from the sale of infringing services  
 12 within this District, has expanded its market share through its use of infringing services within this  
 13 District, has engaged in this infringement with the expectation that its actions will have  
 14 consequences within this District, and derives substantial revenue from interstate and international  
 15 commerce through its infringing actions.

16 11. Venue is proper within this District under 28 U.S.C. § 1391(b), (c), and § 1400(b)  
 17 because Twitter regularly transacts business within this District and offers services for sale in this  
 18 District that infringe VPLM's patents. Furthermore, venue is proper in that Twitter has and  
 19 continues to infringe VPLM's patents causing harm to VPLM in Nevada. Also, VPLM is  
 20 incorporated in Nevada.

### 21 FACTUAL ALLEGATIONS

#### 22 **A. Twitter's Infringement of VPLM'S Patents**

23 12. VPLM has protected its innovative designs and technologies through a broad range  
 24 of intellectual property rights. Among the patents that VPLM has been awarded are the '815 patent  
 25 and '005 patent to which VPLM owns all rights, title, and interest.

26 13. As detailed in the attached **Exhibit D** (Asserted Claims and Infringement Contentions  
 27 Concerning the '815 Patent and the '005 Patent), VPLM is informed and believes, and on that basis  
 28

1 “Mentions” and “Re-Tweets” that utilize caller/initiator and callee/recipient call classification criteria  
 2 that is used on a collection of servers and gateways and/or through software or firmware applications  
 3 that run on computing devices such as smartphones, tablet computers, desktop computers and  
 4 portable computers. Twitter practices directly and indirectly certain claims of the ‘815 and the ‘005  
 5 Patents by utilizing a caller dialing profile comprising a plurality of calling attributes to establish  
 6 private network classification criteria and public network classification criteria for routing  
 7 communications such as calls/messages between a caller/initiator and a callee/recipient.

8 14. VPLM is informed and believes, and on that basis alleges that Twitter engages in the  
 9 following specific infringing practices:

10 **B. Asserted Claim No. 1 regarding Twitter’s System (the ‘815 patent)**

11 15. Twitter practices directly and indirectly certain claims of the ‘815 patent, as  
 12 illustrated in **Chart 1 of Exhibit D**, by utilizing a caller dialing profile comprising a plurality of  
 13 calling attributes to establish network classification criteria for routing messages between callers and  
 14 callees, including operations that occur on its equipment, servers and/or gateways, and/or the  
 15 equipment, servers and/or gateways of subsidiaries and/or intermediaries. Twitter communications  
 16 between a caller and a callee include “Direct Messages” (in which one or more Twitter users are  
 17 identified as the recipient(s) of the message), and “Mentions” (in which one or more Twitter users is  
 18 identified by username in a message, which could be a “Re-Tweet” or a “Reply Tweet,” for  
 19 example). Calling attributes includes information associated with the caller, such as settings stored  
 20 on a mobile device and information stored on Twitter equipment (e.g., the list of users that are  
 21 currently following the caller, the list of users that are blocked by the caller, and the security and  
 22 privacy settings for the caller including whether tweets are public or protected). Network  
 23 classification criteria affect how messages are delivered to recipients, which can be over the public  
 24 SMS network and over a private network to a Twitter application running on a computing device  
 25 such as a smartphone.

26 **C. Asserted Claim No. 2 regarding Twitter’s System (the ‘005 patent)**

27 16. Twitter practices directly and indirectly certain claims of the ‘005 patent, as  
 28 illustrated in **Chart 2 of Exhibit D**, by utilizing a caller dialing profile (or first participant profile)

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