

INTER PARTES REVIEWS
U.S. PATENT NOS. 9,179,005 & 8,542,815
ORAL ARGUMENT, JULY 20, 2017

Apple Inc. v. Voip-Pal.com, Inc.
Case IPR2016-01198; U.S. Patent No. 9,179,005

INSTITUTED GROUNDS

- IPR2016-01198:
 - Claims 1, 24-26, 49, 50, 73-39, 83, 84, 88, 89, 92, 94-96, 98, and 99 (“’005 Claims”) over Chu ’684 and Chu ’366
 - ’005 Challenged Claims over Chu ’684 and Chen
- IPR2016-01201:
 - Claims 1, 7, 27, 28, 34, 54, 72-74, 92, 93, and 111 (“’815 Challenged Claims”) over Chu ’684 and Chu ’366
 - ’815 Challenged Claims over Chu ’684 and Chen
- PO’s Challenges in Response (Both Proceedings)
 - Challenged Claims are not obvious in view of either combination
 - Chu ’366 and Chen are not prior art because the claimed invention was reduced to practice on June 6, 2005

IPR2016-01198: Paper 6, Institution Decision at 31; Paper 17, Response at 4, 47, and 50.
IPR2016-01201: Paper 6, Institution Decision at 32; Paper 17, Response at 4, 38, and 40.

'005 & '815 PATENTS ("CHALLENGED PATENTS")

A process and apparatus to facilitate communication callers and callees in a system comprising a plurality with which callers and callees are associated is disclosed. In response to initiation of a call by a calling subscriber, a caller identifier and a callee identifier are received. Call classification criteria associated with the caller identifier are used to classify the call as a public network call or a private network call. A routing message identifying an address, on the public network, associated with the callee is produced when the call is classified as a private network call and a routing message identifying a gateway to the public network is produced when the call is classified as a public network call.

Ex. 1001 at Abstract

CHALLENGED PATENTS - MAIN CONC

- VoIP-based caller can place calls to destination either private network (IP-based callee) or public network (PSTN-based callee)
- Caller information (“caller attributes,” e.g., country code, area code, etc.) is used to reformat dialed number into E.164 compliant number
- Reformatted number is used to determine whether routing messages should be generated identifying network address on the private network or (2) a gateway to the public network

Ex. 1001 at Abstract, FIGS. 1 and 8B (both proceedings)

PATENT PROSECUTION FOCUSED ON S REFERENCE THAT LACKED REFORMA

- '005 Prosecution
 - “Alexander is completely silent as to performing any function to the caller or caller dialing profile and only locates a callee telephone number.”
 - IPR2016-01198, **Ex. 1002**, *Office Action Response dated May 15, 2015*, 792-93 (emphasis in original).
 - Examiner agreed that “Alexander fails to teach claimed limitation of determining (sic) if a calling attribute meets (matches) a callee's identifier, and producing a routing message according to the identifier.”
 - *Id.*, *Interview Summary dated June 2, 2015* at 768
- '815 Prosecution
 - Alexander “simply looks up the callee number [and] fails to suggest any criteria that are used in conjunction with the callee number involving calling attributes . . . to classify a call.”
 - IPR2016-01201, **Ex. 1002**, *Office Action Response dated April 29, 2015*, 96-129

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