

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Michael J. Rojas
U.S. Patent No.: 8,199,747 Attorney Docket No.: 19473-0373IP1
Issue Date: June 12, 2012
Appl. Serial No.: 12/398,076
Filing Date: March 4, 2009
Title: SYSTEM AND METHOD FOR INSTANT VOIP
MESSAGING

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**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 8,199,747 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

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EXHIBITS

- GOOGLE1001 U.S. Patent No. 8,199,747 to Rojas (“the ’747 patent”)
- GOOGLE1002 Prosecution History of the ‘747 Patent (“the Prosecution History”)
- GOOGLE1003 Declaration of Dr. Paul S. Min, Ph.D. with CV attached
- GOOGLE1004 International Publication No. WO2001/011824 (“Zydney”)
- GOOGLE1005 Gralla, HOW THE INTERNET WORKS (6th Ed. 2002)
- GOOGLE1006 U.S. Patent No. 6,031,915 (“Okano”)
- GOOGLE1007 International Publication No. WO01/65786 (“Erekson”)
- GOOGLE1008 Library of Congress Online Catalog Record re HOW THE INTERNET WORKS (Gralla)
- GOOGLE1009 Public Copyright Catalog Record re HOW THE INTERNET WORKS (Gralla)
- GOOGLE1010 International Standard Book Number Listing re HOW THE INTERNET WORKS (Gralla)
- GOOGLE1011 Que Corporation, Product Record re HOW THE INTERNET WORKS (Gralla), <http://www.quepublishing.com/store/how-the-internet-works-9780789725820>
- GOOGLE1012 Declaration of Michael Cohen re HOW THE INTERNET WORKS (Gralla)
- GOOGLE1013 Excerpts of Joint Claim Construction and Prehearing Statement filed on March 10, 2017 in Case No. 16-cv-00642 (E.D. Tex.), including Exhibit A.

- GOOGLE1014 THE NETWORK ENCYCLOPEDIA,
<http://www.thenetworkencyclopedia.com/entry/packet-switching/>
- GOOGLE1015 N. Borenstein et al., REQUEST FOR COMMENTS (RFC) 1521:
MIME (MULTIPURPOSE INTERNET MAIL EXTENSIONS) PART
ONE: MECHANISMS FOR SPECIFYING AND DESCRIBING THE
FORMAT OF INTERNET MESSAGE BODIES (1993)
- GOOGLE1016 Oxford (Online) Dictionaries, Definition of “Default” (cached
2000), <https://en.oxforddictionaries.com/definition/default>
- GOOGLE1017 BUFFERING IN VOIP (2000),
<http://www.comtest.com/tutorials/VoIP.html>

Google Inc. (“Petitioner”) petitions for *Inter Partes* Review (“IPR”) of claims 1-15 of U.S. Patent No. 8,199,747 (“the ’747 patent”).

I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Google Inc. is the Petitioner. Google is a real party-in-interest in this proceeding, along with Motorola Mobility LLC, Huawei Device Co., Ltd., Huawei Device USA, Inc., Huawei Investment & Holding Co., Ltd., Huawei Technologies Co., Ltd., and Huawei Device (Dongguan) Co., Ltd.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

Patent Owner filed a complaint on September 6, 2016 in the U.S. District Court for the Eastern District of Texas (Case No. 2:16-cv-992) alleging that Motorola Mobility LLC infringed the ’747 patent. The complaint was served on September 13, 2016. Patent Owner also filed a complaint on September 6, 2016 (Case No. 2:16-cv-994) alleging that Huawei Device USA, Inc. and Huawei Technologies USA, Inc. infringed the ’747 patent (the complaint was also served on September 13, 2016). On October 6, 2016, Patent Owner filed an amended complaint, which eliminated Huawei Technologies USA, Inc. as a defendant and added Huawei Device Co., LTD., as a defendant.

Patent Owner filed subsequent complaints in the Eastern District of Texas (Case Nos. 2:17-cv-231 and 2:17-cv-214) alleging that Google infringed the ’747 patent.

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