

Exhibit 12

Twitter, Inc. v. VoIP-Pal.com, Inc.; Apple Inc. v. VoIP-Pal.com, Inc.; AT&T Corp. et al. v. VoIP-Pal.com
 United States District Court for the Northern District of California (Case Nos. 5:20-cv-02397-LHK, -02460-LHK)

| U.S. Patent No. 10,218,606 (the “’606 patent”); and U.S. Patent No. 9,935,872 (the “’872 patent”) | | | | |
|--|--|---|---|--|
| <i>Claim Element</i> | <i>Plaintiffs’ Proposed Construction</i> | <i>Plaintiffs’ Evidence</i> | <i>VoIP-Pal’s Proposed Construction</i> | <i>VoIP-Pal’s Proposed Construction</i> |
| | | depending on whether or not the formatted callee identifier has a DID bank table record and this depends on how the call classification criteria are met and block 402 directs the processor 202 of FIG. 7 to classify the call as a private network call when the callee identifier complies with a pre-defined format, i.e. is a valid user name and identifies a subscriber to the private network, after the callee identifier has been subjected to the classification criteria of blocks 257, 380, 390 and 396.”); ’606 Patent, claim 8. | | |
| “communication system node” (’606 patent claims 10; ’872 patent claims 10, 17, 21, 22, 24, 26, | Plain and ordinary meaning | Case No. 5:18-cv-06217-LHK, ECF No. 96; id., ECF No. 106; Case No. 5:18-cv-06216-LHK, ECF No. 114; id., ECF No. 121; Abstract (“A process and apparatus to facilitate communication between callers and callees in a system | At least one network element that is part of a communication system and provides communication services | Plain claim language Abstract (“A process and apparatus to facilitate communication between callers and callees in a plurality of network systems. The system is disclosed. I |

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| 27) | | <p>comprising a plurality of nodes 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 private 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.”);</p> <p>Figs. 1, 8A-D, 13-18, 32;</p> <p>1:63-2:11 (“In accordance with one aspect of the invention, there is provided a process for operating a call routing controller</p> | | <p>initiation of a call by a 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 private 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.”);</p> <p>FIG. 1; FIG. 8A-D; FIG. 13; FIG. 16; FIG. 18; FIG. 32;</p> <p>1:15-16 (U.S. Patent No. 9,935,872, Application No. 2007/012,345, incorporated by reference);</p> <p>1:42-52 (“The process typically includes a call routing controller network node</p> |

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| | | <p>to facilitate communication between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated. The process involves, in response to initiation of a call by a calling subscriber, receiving a caller identifier and a callee identifier. The process also involves using call classification criteria associated with the caller identifier to classify the call as a public network call or a private network call. The process further involves producing a routing message identifying an address, on the private network, associated with the callee when the call is classified as a private network call. The process also involves producing a routing message identifying a gateway to the public network when the call is classified as a public network call.”);</p> <p>3:5-29 (“Producing the routing</p> | | <p>information about the caller’s service area in order to perform authentication. The PSTN network aggregates all traffic into a single node, processes the traffic, and passes it on to other nodes, as necessary, while maintaining routing information at each node. PSTN networks are, by design and operation, a reliable service that should fail due to human or other natural causes only if not completely destroyed. Failures can occur, without the network being able to recover.</p> <p>1:61-67 (“SUMMARY OF THE INVENTION”) In accordance with the invention, the process for operating the routing control system and callees in</p> |

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