

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
WACO DIVISION

VOIP-PAL.COM, INC.,

Plaintiff,

v.

AMAZON.COM, INC.;
AMAZON.COM SERVICES LLC; and
AMAZON WEB SERVICES, INC.,

Defendants.

CIVIL ACTION NO. 6:20-CV-272-ADA

**PLAINTIFF VOIP-PAL.COM, INC.'S FIRST SET OF INTERROGATORIES TO
DEFENDANTS AMAZON.COM, INC., AMAZON.COM SERVICES LLC, AND
AMAZON WEB SERVICES, INC. (NOS. 1-12)**

In accordance with the provisions of Rule 33 of the Federal Rules of Civil Procedure, Plaintiff VoIP-Pal.com, Inc. (“VoIP-Pal”) requests that Defendants Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (collectively “Defendants” or “Amazon”), through their counsel, respond separately and fully in writing under oath to the following Interrogatories by the time periods prescribed by the Federal Rules of Civil Procedure. All objections and response shall be served to VoIP-Pal at the offices of its attorneys at the addresses listed below. These Interrogatories are deemed to be continuing up to and including the time of trial.

INSTRUCTIONS AND DEFINITIONS

1. These Interrogatories seek relevant information to the full extent provided by the Federal Rules of Civil Procedure and shall be interpreted as inclusive rather than exclusive. They are of a continuing nature and, to the extent required by applicable statutes and regulations, Amazon

is required to make a supplemental response should it obtain additional or different information, documents, and/or things covered by any of these Interrogatories.

2. The term “Amazon,” “You,” “Your,” or “Defendants” shall refer to (i) Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. and (ii) any of Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc.’s agents, employees, and attorneys, or any other person or entity acting in concert, directly or indirectly, with any of (i).
3. The term “VoIP-Pal” shall refer to Plaintiff VoIP-Pal.com, Inc.
4. The term “Accused Products” shall mean the Accused Products or Accused Instrumentalities identified in VoIP-Pal’s Infringement Contentions.
5. The term “Accused Uses” shall mean the performance of any step of any claim of the patent-in-suit that are process or method claims by Amazon or by any person or entity using the Accused Products anywhere in the world, whether alone or in conjunction with Amazon or any third party, regardless of whether the performance of all of the steps in a claim of the patent-in-suit constitutes infringement of the claimed process or method in Amazon’s opinion.
6. The term “the ’606 patent” refers to U.S. Patent No. 10,218,606.
7. The term “patent-in-suit” refers to the ’606 patent or patents and patent applications related to the ’606 patent.
8. The term “Asserted Claim” means any claim of the patent-in-suit VoIP-Pal asserts in this action.
9. The term “Accused Uses” shall mean the performance of any step of any claim of the Patents-in-suit that are process or method claims by Amazon or by any person or entity using the Accused Products anywhere in the world, whether alone or in conjunction with Amazon or any third party, regardless of whether the performance of all of the steps in a claim of the

Patents-in-suit constitutes infringement of the claimed process or method in Amazon's opinion.

10. The term "Documents" is defined as synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a), and is used in its broadest sense and should be understood to include any written, printed, typed, and visually, aurally, or electronically reproduced material of any kind, whether or not privileged, including but not limited to: "Electronically Stored Information" or "ESI" (as defined below in these Definitions), computer files, source code, computer input and output, computer memory devices, backup media, and databases; files and file folders; books and their contents, whether printed or recorded or reproduced by hand or any other mechanical process, or written or reproduced by hand or any other mechanical process; and all other tangible manifestations of communications whether or not claimed to be privileged, confidential, or personal; namely, communications, including intra-company communications, correspondence, telegrams, memoranda, printed publications, summaries or records of telephone conversations, summaries or records of personal conversations; text messages, diaries; forecasts; statistical statements; patents, laboratory and engineering reports and notebooks, changes, plans, specifications, technical papers, data sheets, drawings, sketches, schematics, graphs, flow charts, samples, prototypes and tangible things, evaluation boards, developers guidelines; photographs, audio tapes, sound reproductions, motion pictures, films, and videotapes; minutes or records of meetings, including directors' meetings, minutes or records of conferences; expressions of statements or policy; lists of persons attending meetings or conferences; reports and/or summaries of interviews or investigations; opinions or reports of consultants' patent appraisals; opinions of counsel; agreements; records, reports or summaries of negotiations; brochures, calendars, pamphlets, advertisements, circulars, trade letters, packing

materials and notices, press releases; litigation files and databases; and any drafts or revisions of any Document and any notes or comments appearing on any Document, whether preliminary or marginal. A comment or notation appearing on any Document, and not a part of the original Document, is considered a separate Document within the meaning of the term. A draft or non-identical copy is a separate Document within the meaning of the term.

11. The term “Electronically Stored Information”, (“ESI”) means information created, manipulated, communicated, stored, and best utilized in digital form, requiring the use of computer hardware and software and includes, but is not limited to all data recorded or stored on main frame computers, network file systems, servers, workstations, computer databases, personal computers, laptop computers, zip drives, thumb drives, memory sticks, external drives, removable drives, diskettes, CDs, DVDs, smart phones, personal digital assistants, digital photographs, videotapes, audio tapes and similar media. This includes, by way of example, but not limited to computer-aided design files, CAD, CAM, and other similar drawings, digital photographs, electronic mail (email) (and attachments thereto), Amazondata, object code, presentations, software, source code, spreadsheets, voice mail, word processor files, text messages and other electronically stored compilations. All non-identical versions and drafts are to be produced as separate items.

12. The term “Thing” has the meaning prescribed in Rule 34, of the Federal Rules of Civil Procedure and/or includes every kind of physical specimen or tangible item or object, other than a Document, in the possession, custody, or control of Amazon.

13. As used herein, the singular shall include the plural and vice versa, except where the context does not permit. The terms “and” and “or” shall be both conjunctive and disjunctive as to bring within the scope of a request all information that might otherwise be construed to be outside

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.