

May 1, 2020

The Honorable Phyllis J. Hamilton
Chief District Judge Northern California
1301 Clay Street
Oakland CA 94612

RE: Twitter Inc. v. Voip-Pal inc. Order relating cases

Dear Judge Hamilton;

I must reiterate the sentiment of my letter dated January 3, 2020...

"The day a judge stops being impartial and starts to do things to please the home crowd, whatever your home crowd is, that's the day that judge should step down from office."

Attributed to Chief Justice William Rehnquist

I remember a day in the not too distant past, when I believed that if you do the right thing, are honest and play by the rules, only good will come your way. These are beliefs I passed along to my children.

Phrases like...possession is 9/10ths of the law; justice is blind; laws protect the innocent, rang true to me.

All the company I am invested in, Voip-Pal has done is the right thing. They developed new, innovative technology and spent millions of dollars doing it, then spent years and more money getting the patents.

The right to have, and protection for patents are in the Constitution, as is the 7th Amendment regarding right to a jury trial.

When it became obvious the companies that were infringing on Voip-Pal's patents would not relent, court became the only recourse, and based on my views at that time I had no fears.

The end of innocence is hard to face.

"There are two ways to aquire the niceties of life:

- 1) To produce them or***
- 2) To plunder them.***

When plunder becomes a way of life for a group of men living together in society, they create for themselves in the course of time, a legal system that authorizes it and a moral code that glorifies it." Paul Valery

It now appears that billion dollar companies, who are plundering and infringing have created that legal system and can now request a judge they know will be favorable to their position.

How is it Judge Koh is allowed to adjudicate another case involving Voip-Pal? And why does Voip-Pal have to **defend** themselves to her? Voip-Pal is the party with the legally granted patents. Voip-Pal is the party being infringed upon, yet they are forced to attempt to prove their patents deserve to exist to a judge that at the very least has proven herself not impartial when it comes to software patent cases. What about presumption of validity since these patents have been deemed valid by both the USPTO and the PTAB.

If you recall from my previous letter, there are quotes from Judge Koh...**"This is why I don't like patent cases."** and calling Voip-pal's growing suite of patents and continuations a **"cancer"**

How can one branch of the US Government, whose sole purpose is to review and grant patents be wrong? How can examiners at that office spend years checking for prior art and evaluating the inventiveness of a patent and be in error?

Yet judges, who by their own admission "don't like patent cases", and armed with Alice 101, can clear their docket and apparently help their **"home team"**, by claiming a patent to be **too abstract**.

All software is abstract! Every invention is abstract until brought to practical use and Voip-Pal did just that, brought their ideas to practical use before even applying for a patent.

But because Judge Koh does not like software patent cases Voip-Pal is not even allowed claim construction in her court.

How in the world can the shareholders of Voip-Pal have any confidence this case will be treated fairly?

This time I am clear why I am writing this letter...for the sake of justice and judicial impartiality, I am asking you remove or have Judge Koh recuse herself from any case or cases that involve Voip-Pal Inc..

Thank you for your attention.

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