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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

VOIP-PAL.COM, INC., a Nevada corporation, Plaintiff, v. VERIZON WIRELESS SERVICES, LLC, a Delaware limited liability corporation; VERIZON COMMUNICATIONS, INC., a Delaware corporation; AT&T, INC., a Delaware corporation; AT&T CORP., a Delaware corporation; and DOES I through X, inclusive, Defendants.	CASE NO.: **CHART 5 TO EXHIBIT F** **ASSERTED CLAIMS AND INFRINGEMENT CONDITIONS AS AGAINST THE AT&T ENTITIES**

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CHART 5 TO EXHIBIT F

CHART SUPPORTING ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS CONCERNING U.S. PATENT NO. 9,179,005

AT&T, Inc. and AT&T Corp. (collectively, "AT&T") support and operate a messaging platform (the "AT&T Messaging System") that includes desktop computers, laptops, tablets and mobile devices, software applications running on such devices and servers operated by AT&T. The AT&T Messaging System allows smartphone and desktop users to send messages including text,

images, video and audio to others. AT&T practices certain claims of U.S. Patent 9,179,005 ("the '005 Patent") as illustrated in the chart below.

The AT&T Messaging System allows devices to initiate a communication between a caller, or a first participant, and a callee, or a second participant, which may be an AT&T subscriber or a non-subscriber. A profile that includes attributes is used as part of the process that classifies a call.

This chart applies claims 1, 24 – 26, 49, 50, 73 – 77, 79, 83, 84, 88, 89, 92, 94 – 96, 98 and 99 of the '005 Patent to the AT&T Messaging System.

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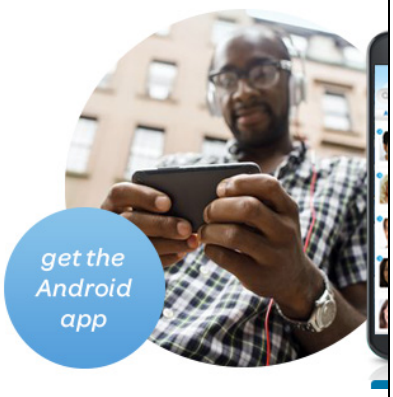
Claim	**Accused Device/Instrumentality**
1. [1p] A process for producing a routing message for routing communications between a caller and a callee in a communication system, the process comprising:	The AT&T Messaging System produce a routing message for routing communications between a caller and a callee in a communication system. AT&T offers messaging services through its AT&T Messages application, which is available for Android smartphone platforms. AT&T MESSAGES APP Extras for Android™ users Get even more from AT&T Messages with the free* **AT&T Messages App** for Android smartphones and tablets. The AT&T Messages app on your Android smartphone takes your messaging to the next level: • View all your text and picture messages – plus calls and voicemail messages – in a single inbox. • See all messages, calls, and voicemails grouped into threads by person. • Send and receive group messages. • Messages are backed up in the AT&T cloud. • If you get a new smartphone that supports AT&T Messages or AT&T Messages Backup & Sync, your stored messages can be downloaded from the cloud. The AT&T Messages app on your Android tablet provides an improved messaging experience that's optimized for a larger touchscreen. * Standard data charges apply to app usage. Requires Android 2.3.3 or higher. Google play  AT&T Messages allows smartphones to send messages including text, audio, video and images to other smartphone users, including both AT&T subscribers and to non-subscribers.
[1a] using a caller identifier associated with the caller to	The AT&T Messaging System uses a caller identifier associated with the caller to locate a caller dialing profile comprising a plurality of calling attributes associated with the caller.

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locate a caller dialing profile comprising a plurality of calling attributes associated with the caller;	In the AT&T Messaging System the caller identifier includes a phone number associated with the caller. A message is initiated by the Messages application. A caller dialing profile including calling attributes includes information used in the classification of a call, such as settings stored on the caller device, information stored on the AT&T servers, and/or information obtained regarding the connection of the caller device to the network.
[1b] when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee meet private network classification criteria,	The AT&T Messaging System determines if at least one of the calling attributes and at least a portion of a callee identifier associated with the callee meet private network classification criteria. The callee identifier includes a phone number associated with the callee. The AT&T Messaging System allows messages to be sent over AT&T's private network and over non-AT&T networks. Private network classification criteria represents routing the message using AT&T's private network. Calling attributes are used to establish a private network classification criteria. An example of calling attributes being used to establish private network classification criteria is the use of caller information to interpret the callee identifier. For example, if the callee identifier is an international phone number with international dialing digits (IDD) or national dialing digits (NDD) prepended, information associated with the registered location of the caller and/or the physical location of the caller is used to determine how to reformat the callee identifier before it can be determined if the callee is an AT&T subscriber. Another example of calling attributes being used to establish private network classification criteria is the use of caller account status information. If the account of the caller is active and not configured to block communication with the callee, and the callee is an AT&T subscriber, then the message can be sent using AT&T's private network. Another example of calling attributes being used to establish private network classification criteria is the use of caller credit information. In cases where a communication involves a purchase the caller account needs to be consulted to validate the customer credit, to determine if a purchase limit has been reached, and/or to determine if purchases have been blocked altogether.
[1c] producing a private network routing message	The AT&T Messaging System produces a private network routing message for receipt by a call controller which identifies an address on the private network associated with the callee.

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for receipt by a call controller, said private network routing message identifying an address, on the private network, associated with the callee; and	In the case that the message is to be delivered over AT&T's private network a routing message is prepared for receipt by a call controller operated by AT&T.
[1d] when at least one of said calling attributes and at least a portion of said callee identifier meet a public network classification criterion,	The AT&T Messaging System determines if at least one of the calling attributes and at least a portion of the callee identifier meet public network classification criteria. The AT&T Messaging System allows messages to be sent over AT&T's private network and over non-AT&T networks. Public network classification criteria represents routing the message using non-AT&T networks. Calling attributes are used to establish a public network classification criteria. An example of calling attributes being used to establish public network classification criteria is the use of caller information to interpret the callee identifier. For example, if the callee identifier is an international phone number with international dialing digits (IDD) or national dialing digits (NDD) prepended, information associated with the registered location of the caller and/or the physical location of the caller is used to determine how to reformat the callee identifier before it can be determined if the callee is an AT&T subscriber. Another example of calling attributes being used to establish public network classification criteria is the use of caller account status information. If the account of the caller is active and not configured to block communication with the callee, and the callee is not an AT&T subscriber, then the message must be sent using non-AT&T networks. Another example of calling attributes being used to establish private network classification criteria is the use of caller credit information. In cases where a communication involves a purchase the caller account needs to be consulted to validate the customer credit, to determine if a purchase limit has been reached, and/or to determine if purchases have been blocked altogether.
[1e] producing a	The AT&T Messaging System produces a public network routing message

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public network routing message for receipt by the call controller, said public network routing message identifying a gateway to the public network.	for receipt by a call controller which identifies a gateway to the public network. If a message is sent using non-AT&T networks, the device running the Messages application and/or an AT&T server identifies a gateway to a non-AT&T network.
24. The process of claim 1, further comprising causing the private network routing message or the public network routing message to be communicated to a call controller to effect routing of the call.	The AT&T Messaging System cause the private network routing message or the public network routing message to be communicated to a call controller to effect routing of the call. The AT&T Messaging System uses a call routing controller apparatus that includes the device running the Messages application and/or remote AT&T servers.
25. A non-transitory computer readable medium encoded with codes for directing a processor to execute the method of claim 1.	The AT&T Messaging System include a non-transitory computer readable medium encoded with codes for directing a processor to execute the method of claim 1. The AT&T Messaging System uses processors with instructions in the device running the Messages application and/or the remote AT&T servers. See claim elements [1p], [1a], [1b], [1c], [1d] and [1e].
26. [26p] A call routing controller apparatus for producing a routing message	The AT&T Messaging System include a call routing controller apparatus for producing a routing message for routing communications between a caller and a callee in a communication system. The AT&T Messaging System uses a call routing controller apparatus that includes the device running the Messages application and/or remote AT&T

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for routing communications between a caller and a callee in a communication system, the apparatus comprising:	servers. See claim element [1p].
[26a] at least one processor operably configured to:	The AT&T Messaging System include at least one processor. The AT&T Messaging System uses processors with instructions in the device running the Messages application and/or the remote AT&T servers.
[26b] use a caller identifier associated with the caller to locate a caller dialing profile comprising a plurality of calling attributes associated with the caller;	See claim element [1a].
[26c] when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee meet private network classification criteria,	See claim element [1b].
[26d] produce a private network routing message for receipt by a call controller,	See claim element [1c].

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said private network routing message identifying an address, on the private network, associated with the callee; and	
[26e] when at least one of said calling attributes and at least a portion of said callee identifier meet a public network classification criterion,	See claim element [1d].
[26f] produce a public network routing message for receipt by the call controller, said public network routing message identifying a gateway to the public network.	See claim element [1e].
49. The apparatus of claim 26, wherein said at least one processor is further operably configured to cause the private network routing message or the public network	The AT&T Messaging System cause the private network routing message or the public network routing message to be communicated to a call controller to effect routing of the call. The AT&T Messaging System uses a call controller that includes the device running the Messages application and/or remote AT&T servers.

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routing message to be communicated to a call controller to effect routing of the call.	
50. [50p] A call routing controller apparatus for producing a routing message for routing communications between a caller and a callee in a communication system, the apparatus comprising:	The AT&T Messaging System include a call routing controller apparatus for producing a routing message for routing communications between a caller and a callee in a communication system. The AT&T Messaging System uses a call routing controller apparatus that includes the device running the Messages application and/or remote AT&T servers. See claim element [1p].
[50a] means for using a caller identifier associated with the caller to locate a caller dialing profile comprising a plurality of calling attributes associated with the caller; and	See claim element [1a].
[50b] means for, when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee meet private network	See claim element [1b].

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classification criteria,	
[50c] producing a private network routing message for receipt by a call controller, said private network routing message identifying an address, on the private network, associated with the callee; and	See claim element [1c].
[50d] means for, when at least one of said calling attributes and at least a portion of said callee identifier meet a public network classification criterion,	See claim element [1d].
[50e] producing a public network routing message for receipt by the call controller, said public network routing message identifying a gateway to the public network.	See claim element [1e].
73. The apparatus of claim 50, further comprising	See claim element [49].

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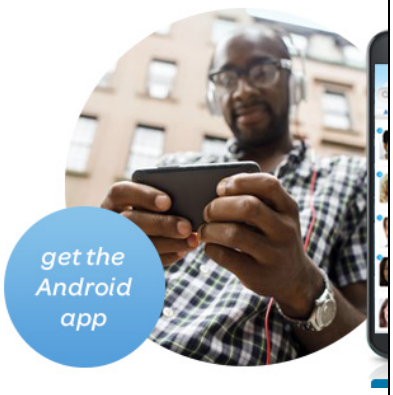
means for causing the private network routing message or the public network routing message to be communicated to a call controller to effect routing of the call.	
74. [74p] A method of routing communications in a packet switched network in which a first participant identifier is associated with a first participant and a second participant identifier is associated with a second participant in a communication, the method comprising:	The AT&T Messaging System routes communications in a packet switched network in which a first participant identifier is associated with a first participant and a second participant identifier is associated with a second participant in a communication. AT&T offers messaging services through its AT&T Messages application, which is available for Android smartphone platforms. AT&T MESSAGES APP Extras for Android™ users Get even more from AT&T Messages with the free* **AT&T Messages App** for Android smartphones and tablets. The AT&T Messages app on your Android smartphone takes your messaging to the next level: • View all your text and picture messages – plus calls and voicemail messages – in a single inbox. • See all messages, calls, and voicemails grouped into threads by person. • Send and receive group messages. • Messages are backed up in the AT&T cloud. • If you get a new smartphone that supports AT&T Messages or AT&T Messages Backup & Sync, your stored messages can be downloaded from the cloud. The AT&T Messages app on your Android tablet provides an improved messaging experience that's optimized for a larger touchscreen. * Standard data charges apply to app usage. Requires Android 2.3.3 or higher. Google play  AT&T Messages allows smartphones to send messages including text, audio, video and images to other smartphone users, including both AT&T subscribers and to non-subscribers. The AT&T Messaging System communicates over a packet switched network. In the AT&T Messaging System the first participant identifier includes a

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	phone number associated with the first participant. The second participant identifier includes a phone number associated with the second participant.
[74a] after the first participant has accessed the packet switched network to initiate the communication, using the first participant identifier to locate a first participant profile comprising a plurality of attributes associated with the first participant;	The AT&T Messaging System, after the first participant has accessed the packet switched network to initiate the communication, uses the first participant identifier to locate a first participant profile comprising a plurality of attributes associated with the first participant. In the AT&T Messaging System a message is initiated by the Messages application. A first participant profile including calling attributes includes information used in the classification of a call, such as settings stored on the first participant device, information stored on the AT&T servers, and/or information obtained regarding the connection of the first participant device to the network.
[74b] when at least one of the first participant attributes and at least a portion of the second participant identifier meet a first network classification criterion,	The AT&T Messaging System determines if at least one of the first participant attributes and at least a portion of the second participant identifier meet a first network classification criterion. The AT&T Messaging System allows messages to be sent over AT&T's private network and over non-AT&T networks. Private network classification criteria represents routing the message using AT&T's private network. First participant attributes are used to establish a private network classification criteria. An example of first participant attributes being used to establish first network classification criteria is the use of first participant information to interpret the second participant identifier. For example, if the second participant identifier is an international phone number with international dialing digits (IDD) or national dialing digits (NDD) prepended, information associated with the registered location of the first participant and/or the physical location of the first participant is used to determine how to reformat the second participant identifier before it can be determined if the second participant is an AT&T subscriber. Another example of first participant attributes being used to establish first

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	network classification criteria is the use of first participant account status information. If the account of the first participant is active and not configured to block communication with the second participant, and the second participant is an AT&T subscriber, then the message can be sent using AT&T's private network. Another example of first participant attributes being used to establish first network classification criteria is the use of first participant credit information. In cases where a communication involves a purchase, the first participant account needs to be consulted to validate the customer credit, to determine if a purchase limit has been reached, and/or to determine if purchases have been blocked altogether.
[74c] producing a first network routing message for receipt by a controller, the first network routing message identifying an address in a first portion of the packet switched network, the address being associated with the second participant, the first portion being controlled by an entity; and	The AT&T Messaging System produces a first network routing message for receipt by a controller which identifies an address, associated with the second participant, in a first portion of the packet switched network, which is controlled by an entity. In the case that the message is to be delivered over AT&T's private network a routing message is prepared for receipt by a call controller operated by AT&T.
[74d] when at least one of the first participant attributes and at least a portion of the second participant identifier meet a second network classification criterion,	The AT&T Messaging System determines if at least one of the first participant attributes and at least a portion of the second participant identifier meet a second network classification criterion. The AT&T Messaging System allows messages to be sent over AT&T's private network and over non-AT&T networks. Second network classification criteria represents routing the message using non-AT&T networks. First participant attributes are used to establish a second network classification criteria. An example of first participant attributes being used to establish second

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	network classification criteria is the use of first participant information to interpret the second participant identifier. For example, if the second participant identifier is an international phone number with international dialing digits (IDD) or national dialing digits (NDD) prepended, information associated with the registered location of the first participant and/or the physical location of the first participant is used to determine how to reformat the second participant identifier before it can be determined if the second participant is an AT&T subscriber. Another example of first participant attributes being used to establish second network classification criteria is the use of first participant account status information. If the account of the first participant is active and not configured to block communication with the second participant, and the second participant is not an AT&T subscriber, then the message must be sent using non-AT&T networks. Another example of first participant attributes being used to establish second network classification criteria is the use of first participant credit information. In cases where a communication involves a purchase, the first participant account needs to be consulted to validate the customer credit, to determine if a purchase limit has been reached, and/or to determine if purchases have been blocked altogether.
[74e] producing a second network routing message for receipt by the controller, the second network routing message identifying an address in a second portion of the packet switched network, the second portion not controlled by the entity.	The AT&T Messaging System produce a second network routing message for receipt by the controller which identifies an address in a second portion of the packet switched network, which is not controlled by the entity. If a message is sent using non-AT&T networks, the device running the Messages application and/or an AT&T server identifies a gateway to a non-AT&T network.
75. The method of claim 74, wherein the packet switched	In the AT&T Messaging System the packet switched network includes the Internet.

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network comprises the Internet.	
76. The method of claim 74, wherein the first participant identifier comprises a first participant telephone number or username.	In the AT&T Messaging System the first participant identifier comprises a first participant telephone number or username.
77. The method of claim 74, wherein the second participant identifier comprises a second participant telephone number or username.	In the AT&T Messaging System the second participant identifier comprises a second participant telephone number or username.
79. The method of claim 74, wherein the packet switched network is accessed via an Internet service provider.	In the AT&T Messaging System the packet switched network is accessed via an Internet service provider.
83. The method of claim 74, wherein the first network classification criterion is satisfied when an	In the AT&T Messaging System the first network classification criterion is satisfied when an address associated with the first participant and the address associated with the second participant are both in the first portion of the packet switched network.

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address associated with the first participant and the address associated with the second participant are both in the first portion of the packet switched network.	
84. The method of claim 74, wherein the address in the first portion is accessible through the first participant's Internet service provider.	In the AT&T Messaging System the address in the first portion is accessible through the first participant's Internet service provider.
88. The method of claim 74, wherein the entity is an entity supplying communication services for the first portion.	In the AT&T Messaging System the entity is an entity supplying communication services for the first portion.
89. The method of claim 74, wherein the second network classification criterion is satisfied when access to the second participant requires routing	In the AT&T Messaging System the second network classification criterion is satisfied when access to the second participant requires routing through a portion of the packet switched network operated by a communication service supplier.

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through a portion of the packet switched network operated by a communication service supplier.	
92. The method of claim 74, wherein the address in the second portion of the packet switched network comprises an address accessed by a communication service supplier.	In the AT&T Messaging System the address in the second portion of the packet switched network comprises an address accessed by a communication service supplier.
94. [94p] A system for routing communications in a packet switched network in which a first participant in a communication has an associated first participant identifier and a second participant in the communication has an associated second participant identifier, the system comprising:	The AT&T Messaging System routes communications in a packet switched network in which a first participant in a communication has an associated first participant identifier and a second participant in the communication has an associated second participant identifier. See claim element [74p].

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[94a] a controller comprising: a processor operably configured to access a memory, wherein the processor is configured to:	The AT&T Messaging System include a controller comprising a processor operably configured to access a memory. The AT&T Messaging System uses a controller with processors, memory and instructions that includes the device running the Messages application and/or remote AT&T servers.
[94b] after the first participant has accessed the packet switched network to initiate the communication, locate a first participant profile in the memory using the first participant identifier, the first participant profile comprising a plurality of attributes associated with the first participant;	See claim element [74a].
[94c] produce a first network routing message when at least one of the first participant attributes and at least a portion of the second	See claim element [74b].

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participant identifier meet a first network classification criterion,	
[94d] the first network routing message identifying an address in a first portion of the packet switched network, the address being associated with the second participant, the first portion being controlled by an entity; and	See claim element [74c].
[94e] produce a second network routing message when at least one of the first participant attributes and at least a portion of the second participant identifier meet a second network classification criterion,	See claim element [74d].
[94f] the second network routing message identifying an address in a second portion of the packet	See claim element [74e].

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switched network, the second portion not controlled by the entity.	
95. The system of claim 94, wherein the communication comprises a voice-over-IP communication.	See claim 78.
96. The system of claim 94, wherein the packet switched network is accessed via an Internet service provider.	See claim 79.
98. The system of claim 94, wherein the second network classification criterion is satisfied when access to the second participant requires routing through a portion of the packet switched network operated by a communication service supplier.	See claim 89.
99. [99p] A non-transitory	The AT&T Messaging System include a non-transitory computer readable medium comprising instructions that when executed cause a processor to

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computer readable medium comprising instructions that when executed cause a processor to perform a method of routing communications in a packet switched network in which a first participant identifier is associated with a first participant and a second participant identifier is associated with a second participant in a communication, the method comprising:	perform a method of routing communications in a packet switched network in which a first participant identifier is associated with a first participant and a second participant identifier is associated with a second participant in a communication The AT&T Messaging System uses processors with instructions in the device running the Messages application and/or the remote AT&T servers. See claim element [74p].
[99a] after the first participant has accessed the packet switched network to initiate the communication, using the first participant identifier to locate a first participant profile comprising a plurality of attributes associated with	See claim element [74a].

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the first participant;	
[99b] when at least one of the first participant attributes and at least a portion of the second participant identifier meet a first network classification criterion,	See claim element [74b].
[99c] producing a first network routing message for receipt by a controller, the first network routing message identifying an address in a first portion of the packet switched network, the address being associated with the second participant, the first portion being controlled by an entity; and	See claim element [74c].
[99d] when at least one of the first participant attributes and at least a portion of the second participant identifier meet a second network	See claim element [74d].

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Claim	**Accused Device/Instrumentality**
classification criterion,	
[99e] producing a second network routing message for receipt by the controller, the second network routing message identifying an address in a second portion of the packet switched network, the second portion not controlled by the entity.	See claim element [74e].

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