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12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14 * * *

15 VOIP-PAL.COM, INC, a Nevada corporation,
16
17 Plaintiff,
18
19 v.
20 APPLE, INC, a California corporation,
21
22 Defendants.

CASE NO.:

CHART 3

**ASSERTED CLAIMS AND
INFRINGEMENT CONDITIONS**

23 **CHART 3**


24 **CHART SUPPORTING ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS
25 CONCERNING U.S. PATENT NO. 8,542,815**

26 Apple Inc. (“Apple”) manufacturers devices related to and supports a calling platform
27 (“Apple Wi-Fi Calling”) that includes Apple desktop computers, laptops, tablets and mobile
28 devices, software applications running on such devices and servers operated by wireless carriers
that allows calls to be placed over Wi-Fi networks. Apple induces the infringement of certain
claims of U.S. Patent No. 8,542,815 (“the ’815 patent”) as illustrated in the chart below.

Apple Wi-Fi Calling allows an Apple device to initiate a call between a caller and a callee
using a carrier assisted voice over IP (“VoIP”) system and the callee may be a subscriber of the

1 carrier or a non-subscriber. A profile that includes calling attributes is used as part of the process
 2 that classifies a call.

3 This chart applies claims 1, 7, 27, 28, 34, 54, 72 – 74, 92, 93 and 111 of the ‘815 patent to
 4 Apple Wi-Fi Calling.

U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>1. [1p] A process for operating a call routing controller to facilitate communication between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated.</p> <p>Apple supports Wi-Fi Calling on desktop, tablet and mobile devices including iPhone and Apple Watch devices.</p> <p>Make a call with Wi-Fi Calling</p> <p>With Wi-Fi Calling, you can place a phone call in an area with little or no cellular coverage. Learn how to make a voice call using Wi-Fi Calling.</p>  <p>Apple Wi-Fi Calling is a carrier-assisted system that allows Mac desktop computers, iPads, iPhones and Apple Watches connected to a Wi-Fi network to place calls to other users.</p> <p>Apple Wi-Fi Calling operates in the United States in conjunction with AT&T, Sprint and T-Mobile (“carrier”) systems.</p>

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
	<p>Place a Wi-Fi call from another device (T-Mobile, Sprint, and AT&T)</p> <ul style="list-style-type: none"> • If you're in the United States and use T-Mobile, you can place a Wi-Fi call from your iPad or iPod touch with iOS 9 or later. • If you're in the United States and use Sprint, you can place a Wi-Fi call from your iPad or iPod touch with iOS 9.1 or later. • If you're in the United States and use AT&T, you can place a Wi-Fi call from your iPad or iPod touch with iOS 9.2. <p>You can also make Wi-Fi calls with Apple Watch with watchOS 2, or Mac with OS X El Capitan. When you place the call, your iPhone could be right next to you or far away—it could even be off.</p> <p>Apple Wi-Fi Calling uses a call routing controller that includes the Apple device and/or carrier operated equipment.</p> <p>Apple Wi-Fi Calling utilizes a plurality of nodes with which callers and callees are associated.</p>
[1a] in response to initiation of a call by a calling subscriber, receiving a caller identifier and a callee identifier;	<p>Apple Wi-Fi Calling receives a caller identifier and a callee identifier in response to initiation of a call by a calling subscriber.</p> <p>A call is initiated by the Apple device beginning with the establishment of communication between the device and a server operated by the carrier. The caller identifier includes a phone number associated with the caller. The callee identifier includes a phone number associated with the callee.</p>
[1b] locating a caller dialing profile comprising a username associated with the caller and a plurality of calling attributes associated with the caller;	<p>Apple Wi-Fi Calling locates a caller dialing profile comprising a username associated with the caller and a plurality of calling attributes associated with the caller.</p> <p>A caller dialing profile including calling attributes includes information used in the classification of a call, such as settings stored on the Apple device, information stored on the carrier servers, and/or information obtained regarding the connection of the caller device to the network.</p>

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
[1c] determining a match when at least one of said calling attributes matches at least a portion of said callee identifier;	<p>Apple Wi-Fi Calling determines a match when at least one of said calling attributes matches at least a portion of said callee identifier.</p> <p>Apple Wi-Fi Calling matches at least one of the calling attributes and at least a portion of the callee identifier in interpreting the callee identifier.</p>
[1d] classifying the call as a public network call when said match meets public network classification criteria and classifying the call as a private network call when said match meets private network classification criteria;	<p>Apple Wi-Fi Calling classifies the call as a public network call when the match meets public network classification criteria and classifying the call as a private network call when the match meets private network classification criteria.</p> <p>Apple Wi-Fi Calling allows calls to be made using the carrier's private network and over a public network such as the PSTN. Private network classification criteria represents routing calls over the carrier's private network. Public network classification criteria represents routing calls over a public network such as the PSTN. Calling attributes are used to establish a private and public network classification criteria.</p> <p>One example of calling attributes being used to establish private and public network classification criteria is the use of caller related information to interpret the callee identifier. The callee identifier may need to be interpreted according to the location from which the caller is registered and/or the location from which the caller is currently located, for example to handle international, national and local dialing patterns. Also, abbreviated dialing patterns such as 311, 511 and 811 are handled according to a local calling area. An "Emergency Address" is needed in the case of 911 calls that are handled using Apple Wi-Fi Calling.</p> <p><small>* When cellular service is available, your iPhone uses it for emergency calls. If you turned on Wi-Fi Calling service isn't available, emergency calls might use Wi-Fi calling. Emergency calls might send your device's information to help emergency workers find you, regardless of whether you turn on Location Services.</small></p>

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U.S. Patent No. 8,542,815

Claim	Accused Device/Instrumentality
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The Apple setup screen indicates that “For short code calls, the city will be sent for call routing purpose.”



[1e] when the call is classified as a private network call, 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;

Apple Wi-Fi Calling produces a private network routing message for receipt by a call controller that identifies an address, on the private network, associated with the callee, when the call is classified as a private network call.

The carrier operated controller routes the call using a routing message to its own subscriber over its private network.

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
<p>[1f] when the call is classified as a public network call, producing a public network routing message for receipt by the call controller, said public network routing message identifying a gateway to the public network.</p>	<p>Apple Wi-Fi Calling produces a public network routing message for receipt by the call controller that identifies a gateway to the public network, when the call is classified as a public network call.</p> <p>If a call is made over a public network, the carrier operated controller routes the call using a routing message to a gateway associated with a public network such as the PSTN.</p>
<p>7. The process of claim 1 further comprising formatting said callee identifier into a pre-defined digit format to produce a re-formatted callee identifier.</p>	<p>Apple Wi-Fi Calling formats said callee identifier into a pre-defined digit format to produce a re-formatted callee identifier.</p>
<p>27. [27p] A non-transitory computer readable medium encoded with codes for directing a processor to execute a method of operating a call routing controller to facilitate communication between callers</p>	<p>Apple Wi-Fi Calling includes a non-transitory computer readable medium encoded with codes for directing a processor to execute a method of operating a call routing controller to facilitate communication between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated.</p> <p>See claim element [1p].</p>

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
and callees in a system comprising a plurality of nodes with which callers and callees are associated, the method comprising:	
[27a] in response to initiation of a call by a calling subscriber, receiving a caller identifier and a callee identifier;	See claim element [1a].
[27b] locating a caller dialing profile comprising a username associated with the caller and a plurality of calling attributes associated with the caller;	See claim element [1b].
[27c] determining a match when at least one of said calling attributes matches at least a portion of said callee identifier;	See claim element [1c].
[27d] classifying the call as a public network call when said	See claim element [1d].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
match meets public network classification criteria and classifying the call as a private network call when said match meets private network classification criteria;	
[27e] when the call is classified as a private network call, 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 [1e].
[27f] when the call is classified as a public network call, producing a public network routing message for receipt by a call controller, said public network routing message identifying a	See claim element [1f].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
gateway to the public network.	
28. [28p] A call routing apparatus for facilitating communications between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated, the apparatus comprising:	<p>Apple Wi-Fi Calling includes a call routing apparatus for facilitating communications between callers and callees in a system comprising a plurality of nodes with which callers and callees are associated.</p> <p>See claim element [1p].</p>
[28a] receiving means for receiving a caller identifier and a callee identifier, in response to initiation of a call by a calling subscriber;	See claim element [1a].
[28b] means for locating a caller dialing profile comprising a username associated with the caller and a plurality of calling attributes associated with the caller;	See claim element [1b].
[28c] means for determining a match when at	See claim element [1c].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
least one of said calling attributes matches at least a portion of said callee identifier;	
[28d] means for classifying the call as a public network call when said match meets public network classification criteria;	See claim element [1d].
[28e] means for classifying the call as a private network call when said match meets private network classification criteria;	See claim element [1d].
[28f] means for producing a private network routing message for receipt by a call controller, when the call is classified as a private network call, said private network routing message identifying an address, on the private network, associated with the callee; and	See claim element [1e].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
<p>[28g] means for producing a public network routing message for receipt by a call controller, when the call is classified as a public network call, said public network routing message identifying a gateway to the public network.</p>	<p>See claim element [1f].</p>
<p>34. The apparatus of claim 28 further comprising formatting means for formatting said callee identifier into a pre-defined digit format to produce a re-formatted callee identifier.</p>	<p>See claim 7.</p>
<p>54. [54p] A process for operating a call routing controller to establish a call between a caller and a callee in a communication system, the process comprising:</p>	<p>Apple Wi-Fi Calling includes a call routing controller to establish a call between a caller and a callee in a communication system.</p> <p>See claim element [1p].</p>

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Claim	Accused Device/Instrumentality
[54a] in response to initiation of a call by a calling subscriber, locating a caller dialing profile comprising a plurality of calling attributes associated with the caller; and	See claim element [1b].
[54b] when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee match and when the match meets a private network classification criterion,	See claim elements [1c], [1d].
[54c] producing a private network routing message for receipt by a call controller, said private network routing message identifying an address, on a private network, the address being associated with the callee; and	See claim element [1e].
[54d] when at least one of said calling attributes	See claim elements [1c], [1d].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
and said at least said portion of said callee identifier associated with the callee match and when the match meets a public network classification criterion,	
[54e] producing a public network routing message for receipt by a call controller, said public network routing message identifying a gateway to a public network.	See claim element [1f].
72. The process of claim 54 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.	Apple Wi-Fi Calling causes 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.
73. A non-transitory computer readable medium encoded with	Apple Wi-Fi Calling includes a non-transitory computer readable medium encoded with codes for directing a processor to execute the method of claim 54. See claim elements [54p], [54a], [54b], [54c], [54d] and [54e].

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Claim	Accused Device/Instrumentality
codes for directing a processor to execute the method of claim 54.	
74. [74p] A call routing controller apparatus for establishing a call between a caller and a callee in a communication system, the apparatus comprising:	<p>Apple Wi-Fi Calling includes a call routing controller apparatus for establishing a call between a caller and a callee in a communication system.</p> <p>See claim element [1p].</p>
[74a] a processor operably configured to:	Apple Wi-Fi Calling includes of multiple machines with processors at multiple locations, including servers and gateways accessible over local and wide area networks.
[74b] access a database of caller dialing profiles wherein each dialing profile associates a plurality of calling attributes with a respective subscriber, to locate a dialing profile associated with the caller, in response to initiation of a call by a calling subscriber; and	<p>Apple Wi-Fi Calling includes a database of caller dialing profiles, each associating a plurality of calling attributes with a respective subscriber, to locate a dialing profile associated with the caller, in response to initiation of a call by a calling subscriber.</p> <p>See claim elements [1a], [1b].</p>
[74c] produce a	See claim element [1e].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
private network routing message for receipt by a call controller, said private network routing message identifying an address, on a private network, through which the call is to be routed,	
[74d] when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee match and when the match meets a private network classification criterion, the address being associated with the callee; and	See claim elements [1c], [1d].
[74e] produce a public network routing message for receipt by a call controller, said public network routing message identifying a gateway to a public network,	See claim element [1f].
[74f] when at	See claim elements [1c], [1d].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
least one of said calling attributes and said at least said portion of said callee identifier associated with the callee match and when the match meets a public network classification criterion.	
92. The apparatus of claim 74 wherein said processor is further operably configured to 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.	Apple Wi-Fi Calling causes the private network routing message or the public network routing message to be communicated to a call controller to effect routing of the call.
93. [93p] A call routing controller apparatus for establishing a call between a caller and a callee in a communication system, the apparatus comprising:	Apple Wi-Fi Calling establishes a call between a caller and a callee in a communication system. See claim clement [1p].

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Claim	Accused Device/Instrumentality
[93a] means for accessing a database of caller dialing profiles wherein each dialing profile associates a plurality of calling attributes with a respective subscriber, to locate a dialing profile associated with the caller, in response to initiation of a call by a calling subscriber; and	See claim element [74b].
[93b] means for producing a private network routing message for receipt by a call controller, said private network routing message identifying an address, on a private network, through which the call is to be routed,	See claim element [74c].
[93c] when at least one of said calling attributes and at least a portion of a callee identifier associated with the callee match	See claim element [74d].

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
and when the match meets a private network classification criterion, the address being associated with the callee; and	
[93d] means for producing a public network routing message for receipt by a call controller, said public network routing message identifying a gateway to a public network	See claim element [74e].
[93e] when at least one of said calling attributes and said at least said portion of said callee identifier associated with the callee match and when the match meets a public network classification criterion.	See claim element [74f]
111. The apparatus of claim 93 further comprising means for causing the private network	Apple Wi-Fi Calling comprises 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.

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U.S. Patent No. 8,542,815	
Claim	Accused Device/Instrumentality
routing message or the public network routing message to be communicated to a call controller to effect routing of the call.	