

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

**FLYPSI, INC. (D/B/A FLYP),**

**Plaintiff,**

**vs.**

**GOOGLE LLC,**

**Defendant.**

**Civil Action No. 6:22-cv-31-ADA**

**JURY TRIAL DEMANDED**

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Flypsi, Inc. files this First Amended Complaint for Patent Infringement against Google, LLC and alleges as follows:

**THE PARTIES**

1. Plaintiff Flypsi, Inc. (“Flyp”) is a Delaware corporation with its principal place of business at 2040 Bedford Road, Suite 100, Bedford, Texas 76021.

2. Defendant Google, LLC (“Google”) is a Delaware limited liability company that maintains an established places of business at 100 Congress Ave., 901 E. Fifth St. and 500 W. Second St., Austin, Texas 78701, among other locations. Google may be served with process through its registered agent, the Corporation Service Company dba CSC – Lawyers Incorporating Service Company at 211 East 7th Street, Suite 620, Austin, Texas 78701. Google is registered to do business in the State of Texas and has been since at least November 17, 2006.

### **JURISDICTION AND VENUE**

3. This is an action arising under the patent laws of the United States, 35 U.S.C. § 271. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this judicial district under 28 U.S.C. § 1400(b) because Defendant has committed acts of infringement and has a regular and established place of business in this District as set forth below.

5. Google maintains an office in Austin, Texas, and touts that it has “proudly called Texas home for more than a decade with offices in Austin and Dallas, and a data center in Midlothian—a \$600M investment.” (*See* <https://economicimpact.google.com/state/tx/>). Google employs over 1,700 Texans full-time (the majority in Austin), has connected with 1.43 million Texas businesses, and touts \$26.45 billion in economic activity within Texas. (*Id.*)

6. Google’s Austin office opened in 2007 and now has more than 1,500 employees in Central Texas, including 800 engineering employees based in Austin and the broader Austin area. (*See* <https://www.statesman.com/story/business/2021/08/13/austin-google-exec-companys-future-really-bright-in-city-tx/5488231001/>). Google is excited to see the company’s Austin operations grow into one of Google’s largest hubs, as it will shortly occupy all of a new 35-story tower being built at 601 W. Second St. in Austin. (*Id.*) The 750,000 square feet of office space at 601 W. Second St. will expand on the 550,000 square feet already owned by Google in Downtown Austin at its three locations: 100 Congress Ave., 901 E. Fifth St. and 500 W. Second St. (*See* <https://www.kvue.com/article/money/economy/boomtown-2040/google-austin-texas-real-estate-report/269-2ce6e60e-e8c3-46f5-aca6-864175e67950>).

7. In addition to its Downtown Austin office space, Google operates a Google Fiber Space at 701 S. Lamar Blvd in Austin. Via its website and this Google Fiber Space, Google markets and sells Google Fiber throughout the Austin area (*See* <https://fiber.google.com/cities/austin/>). In addition to Internet service, Google Fiber includes Google Fiber Phone, which is powered by the accused Google Voice. (*See* <https://fiber.google.com/phone/> (“Google Fiber Phone is just like a typical home phone, except your phone service is delivered over the Internet, and it’s powered by Google Voice. Use your current home phone number, choose a new one, or use your existing Google Voice number.”)) Google’s established places of business in this District are thus marketing, selling, and deriving revenue directly from the functionality accused of infringement in this case.

8. In addition to the approximately 1,500 employees, including 800 engineers, employed in Austin, Google’s Careers website currently lists 442 jobs available in the Austin area related to both Google and Google Fiber (*See* <https://careers.google.com/jobs/results/?company=Google&company=Google%20Fiber&distance=50&hl=en&location=Austin,%20TX,%20USA&q=>). Upon information and belief, Google’s in-house legal department also has substantial presence in Austin, Texas. Google’s Careers website includes a job posting for “Litigation Counsel, Patent Litigation” with the option to work in Austin. (*See id.*)

9. In addition to its Austin presence, Google also maintains a \$600 million data center in Midlothian, Texas. (<https://www.google.com/about/datacenters/locations/midlothian/>). According to Google, its data centers “are really the engine of the internet” and that data “in Texas or the surrounding areas” will be processed through the Midlothian data center. (<https://www.dallasnews.com/business/real-estate/2019/06/14/google-s-massive-600m-data->

center-takes-shape-in-ellis-county-as-tech-giant-ups-texas-presence/). Google's 375-acre data center in Midlothian is approximately 70 miles from the Waco courthouse.

10. This Court has personal jurisdiction over Google. Google has continuous and systematic business contacts with the State of Texas (as set forth in ¶¶ 5-9 above, which are incorporated herein). In addition, Google conducts its business extensively throughout Texas and derives substantial revenue in Texas, by shipping, distributing, offering for sale, selling, and advertising (including the provision of an interactive web page) its products and/or services in the State of Texas and the Western District of Texas. Google has purposefully and voluntarily placed in the stream of commerce one or more products and/or services that practice the Asserted Patents (as set forth in ¶¶ 24-28 below) with the intention and expectation that they will be purchased and used by consumers in the Western District of Texas.

## **BACKGROUND**

### **The Flyp Inventions**

11. Long before the COVID-19 pandemic, the explosion of Internet-connected mobile devices changed the way many, even most, in the United States communicate with their family, friends, and work colleagues. Throughout the 2010s and continuing into the 2020s, personal and professional communications coalesced around the smartphone. While some chose to segregate their personal and professional communications with multiple devices, that solution was both financially and physically cumbersome. Rather, a technological need arose to segregate such communications within a single device and to manage multiple numbers in a clean, centralized environment. And within this field, there was a particular need for a device that would maintain caller identification ("caller ID") and properly identify a call as originating from the secondary

phone number of the caller with multiple numbers, rather than a conference line number or a randomly generated number.

12. Flyp invented a technological solution that fulfills this technological need in a particular, inventive way. Flyp owns a patent portfolio directed to innovations that claims a particular way of setting up and connecting telephone calls, and delivering information related to such telephone calls using an Internet Protocol (IP) or other data channel, while delivering the voice portion of the call in accordance with telecom voice channel delivery standards. As opposed to the standard mobile phone that is connected to a single phone number, Flyp's patented systems and methods enable a particular way for mobile-phone users to create and own multiple phone numbers on a single mobile device while maintaining the integrity of caller-identification functions. Thus, from a single mobile phone utilizing Flyp's app (and patented methods), users can add new phone numbers and control various streams of outbound and inbound calls to those numbers. Users can select the area code of their choice for local calling in the United States and create alternative and dedicated numbers for business, social activities, shopping, dating, and any other aspect of life.

13. This invention is unlike and constituted a technological advance over other methods for using alternative phone numbers. Many of those methods utilized call forwarding or call conferencing solutions—rather than connecting the call at the switch. In these solutions, caller ID was not maintained, and the recipient caller ID would appear to the one receiving the call as a conference line number or randomly generated number—rather than properly identifying the call as originating from the secondary phone number of the caller with multiple numbers. The need for alternative numbers that identified calls as originating from the secondary phone number was

a long-felt need and unique technological problem that the invention provides a particular way of solving, thereby improving the functionality of the phones beyond the mere advantages of implementing phone technology using computers. This is also a feature that cannot be implemented manually.

14. This need to segregate communications within a single device and to manage multiple numbers in a centralized environment was reinforced during the sudden and rapid shift to a “work from anywhere” ethos brought on by the COVID-19 pandemic. The pandemic reinforced the essential role that the Internet and our Internet-connected mobile devices occupy in day-to-day work and life. That is particularly true regarding cloud-based telephone service. Indeed, amid the COVID-19 crisis, the global market for cloud telephony service, estimated at \$13.5 billion in the year 2020, is projected to reach a revised size of \$40 billion by 2027, growing at a compound annual growth rate of 16.8% over the period 2020-2027. (See “\$13.5 Billion Worldwide Cloud Telephony Service Industry to 2027 - Impact of COVID-19 on the Market,” Research & Markets, <https://www.globenewswire.com/en/news-release/2020/10/14/2108292/28124/en/13-5-Billion-Worldwide-Cloud-Telephony-Service-Industry-to-2027-Impact-of-COVID-19-on-the-Market.html>).

15. But for rampant infringement of its patented technology, Flyp would be well-positioned to play a role in this growing market. Simply put, Flyp has developed a unique and inventive technology that enables a particular way for a user to gain access to an additional, alternative phone number on his or her mobile devices—as opposed to the single carrier-assigned number on a mobile device. Second numbers, or even third, fourth, or fifth numbers, allow users to manage different work streams on a single device in a manner that was not well-understood,

conventional, or routine within the prior art, as evidenced by the limited number of references originally cited during examination of the Asserted Patents by the United States Patent and Trademark Office.

### **Google Voice**

16. In addition to its more well-known web-searching and hosting services, Google operates Google Voice. Google Voice is an application published by Google for iOS and Android that allows a user to add a second phone number to his or her smartphone.

17. Although Google Voice was launched in 2009, it was revamped significantly in 2017 (after the priority date of the Asserted Patents).

18. At the time of its 2009 launch, Google Voice was described by the industry as a call forwarding solution—“Google Voice is an internet-based service that gives your contacts one voice number and forwards it to multiple phones.” (See <https://www.lifewire.com/what-is-google-voice-1616888>). This use of call-forwarding did not maintain the integrity of caller ID for outbound calls using Google Voice—as Google stated at the time, “[w]hen you call someone, a US phone number might appear that’s not your number. The person you call still gets a phone call from your Google Voice number.” (See <https://support.google.com/voice/answer/3379129?co=GENIE.Platform%3DAndroid&hl=en>). In addition, inbound calls using Google Voice did not display any indication of what number was receiving the call. (See Google Voice - Taking calls, March 11, 2009, available at <https://www.youtube.com/watch?v=vDo6hkgoYXo>).

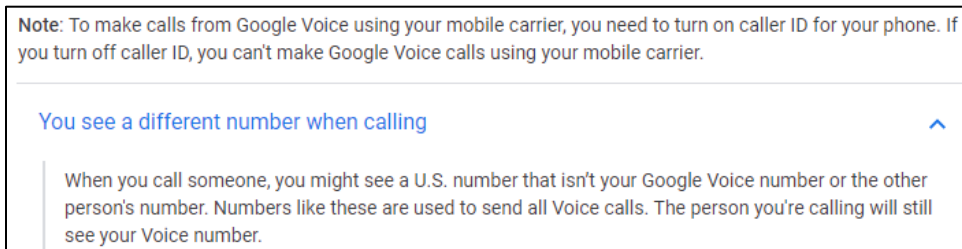
19. From 2012 until early 2017, Google made no major revisions to Google Voice. Instead, according to industry observers, Google let Google Voice languish in disrepair for five years. (See <https://gizmodo.com/five-years-later-google-finally-remembers-google-voice->

1791532022 (“Unfortunately, over the years, Google let the nifty little voice service fall into relative disrepair—until today, that is. For the first time in five—yes, five—years, Google Voice is getting a major UI update.”)

20. In the interim, Mr. Rich Miner, general partner at GV (formerly Google Ventures) requested and scheduled a meeting with Flyp’s founder and named-inventor, Peter Rinfret. At that time, Google Ventures was a subsidiary of defendant Google. The meeting requested by Google Ventures occurred on November 12, 2015, during which Mr. Miner and Mr. Rinfret discussed Flyp’s technology, business, and patent filings. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later on November 16, 2015, which included a summary of Flyp’s technology and disclosed that Flyp had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp’s patent filings following that meeting.

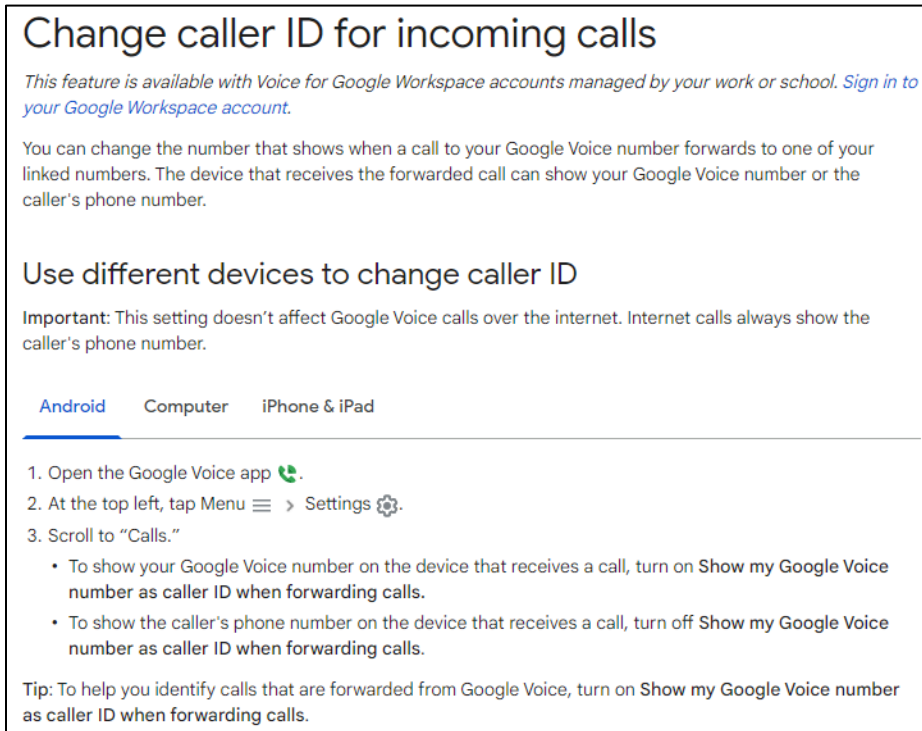
21. A little more than one year later, in January 2017, Google updated Google Voice. In addition to user-interface improvement, the revised Google Voice employed new call mechanisms that infringe Flyp’s Asserted Patents.

22. Google’s new outbound calling mechanism maintains the integrity of caller ID for outbound calls. As Google now represents, “[t]he person you’re calling will still see your Voice number.”





23. Google’s new inbound calling mechanism allows the user to either see the inbound number being called or the identification of the caller. As Google now represents, the receiving device “can show your Google Voice number or the caller’s phone number.”



### **THE ASSERTED PATENTS**

24. U.S. Patent No. 9,667,770, entitled “Telephone Network System and Method,” (the “’770 Patent”) was duly and legally issued to inventors Ivan Zhidov, Peter Rinfret, and Sunir Kochhar on May 30, 2017. Flyp owns by assignment the entire right, title, and interest in the ’770 Patent and is entitled to sue for past and future infringement.

25. U.S. Patent No. 10,051,105, entitled “Telephone Network System and Method,” (the “’105 Patent”) was duly and legally issued to inventors Ivan Zhidov, Peter Rinfret, and Sunir

Kochhar on August 14, 2018. Flyp owns by assignment the entire right, title, and interest in the '105 Patent and is entitled to sue for past and future infringement.

26. U.S. Patent No. 10,334,094, entitled "Telephone Network System and Method," (the "'094 Patent") was duly and legally issued to inventors Ivan Zhidov, Peter Rinfret, and Sunir Kochhar on June 25, 2019. Flyp owns by assignment the entire right, title, and interest in the '094 Patent and is entitled to sue for past and future infringement.

27. U.S. Patent No. 11,012,554, entitled "Telephone Network System and Metho[d]," (the "'554 Patent") was duly and legally issued to inventors Ivan Zhidov, Peter Rinfret, and Sunir Kochhar on May 18, 2021. Flyp owns by assignment the entire right, title, and interest in the '554 Patent and is entitled to sue for past and future infringement.

28. U.S. Patent No. 11,218,585, entitled "Telephone Network System and Method," (the "'585 Patent") was duly and legally issued to inventors Ivan Zhidov, Peter Rinfret, and Sunir Kochhar on January 4, 2022. Flyp owns by assignment the entire right, title, and interest in the '585 Patent and is entitled to sue for past and future infringement.

**Count I: Claim for Patent Infringement of the '770 Patent**

29. Flyp repeats and realleges the allegations in paragraphs 1-28 as if fully set forth herein.

30. Google has infringed the '770 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '770 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice. In addition, since at least the filing of Flyp's Original Complaint in this action, Google has

contributed to the infringement of and/or induced infringement of the '770 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '770 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice.

31. Google Voice infringes at least claims 1-6 of the '770 Patent. Google makes, uses, sells, offers for sale, imports, exports, supplies, or distributes Google Voice within the United States and thus directly infringes the '770 Patent.

32. Upon information and belief, Google indirectly infringes the '770 Patent by (1) inducing infringement by others, such as resellers, partners, and end-user customers in this District and throughout the United States with knowledge or willful blindness that the induced acts would constitute infringement, and (2) contributing to infringement by others, such as resellers, partners, and end-user customers. Upon information and belief, direct infringement is (1) the result of activities performed by resellers, partners, and end-user customers of Google Voice, who perform each step of the claimed invention as directed by Google, or (2) the result of activities performed by resellers, partners, and end-user customers of Google Voice—including placing outbound calls and receiving inbound calls—in a normal and customary way that infringes the '770 Patent, that has no substantial non-infringing uses, that is known by Google, and that constitutes a material part of the invention of the '770 Patent.

33. On information and belief, Google had knowledge of Flyp and its patent applications at least as early as November 12, 2015. On that date, Rich Miner, general partner at GV (formerly Google Ventures) and co-founder of Android, met with Flyp to discuss Flyp's

technology, business, and patent filings on November 12, 2015. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later on November 16, 2015, which included a summary of Flyp's technology and disclosed that Flyp had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp's patent filings following that meeting. At the very least, Google received actual notice of the '770 Patent at least as early as the filing of the Original Complaint in this action.

34. By engaging in the conduct described herein, Google has injured Flyp and is thus liable for infringement of the '770 Patent, pursuant to 35 U.S.C. § 271. Google has committed these acts of infringement without license or authorization.

35. As a result of Google's infringement of the '770 Patent, Flyp has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Google's past infringement, together with interests and costs. In addition, Google's infringement is causing irreparable harm and monetary damage to Flyp and will continue to do so unless and until Google is enjoined by the Court.

36. Since at least the filing of the Original Complaint in this action, Google's infringement of the '770 Patent has been and continues to be deliberate and willful, and, therefore, this is an exceptional case warranting an award of enhanced damages for up to three times the actual damages awarded and attorney's fees to Flyp pursuant to 35 U.S.C. §§ 284-285.

37. Google Voice provides a method of providing telephone service comprising: associating a secondary telephone number with a primary telephone number in at least one


computer memory device, the primary telephone number being assigned to a handset, including as demonstrated in the exemplary text below:

## A smarter phone number

A Voice number works on smartphones and the web so you can place and receive calls from anywhere

Google Voice gives you a phone number for calling, text messaging, and voicemail. It works on smartphones and computers, and syncs across your devices so you can use the app in the office, at home, or on the go.



### Sign up for Voice and get your number

1. On your computer, go to [voice.google.com](https://voice.google.com) .
2. Sign in to your Google Account.
3. After reviewing the Terms of Service and Privacy Policy, tap **Continue**.
4. Search by city or area code for a number. Voice doesn't offer 1-800 numbers.
  - If there aren't any numbers available in the area you want, try somewhere nearby.
5. Next to the number you want, click **Select**. Follow the instructions.

After setting up Voice, you can link another phone number. Learn more about [setting up phones](#).

### Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

Google Cloud

Google has been in telephony for 12 years

**Billions**

**Calls via Google Cloud**  
100+ countries, 100+ carriers, 100+ peering points, 18B minutes/yr, 30B messages/yr.

**Millions**

**Already know and love Voice**  
Since 2009, millions of users have relied on Voice to keep in touch with friends, family, and colleagues.

Android | Google Ads | Google Voice | Gmail | Google Fi | Google Meet | Google My Business | Identity

behind the scenes voice is part of a much larger telephony platform that

2:09 / 14:05

#GoogleCloudNext  
Using Google Voice to manage business lines  
1,188 views • Nov 5, 2021

25 DISLIKE SHARE DOWNLOAD SAVE

Google Workspace 640K subscribers SUBSCRIBE

Google Cloud

Even more availability

Link your Voice number to multiple devices and other phone numbers so you're as connected as you want to be — wherever you go. Google Voice can make and receive calls over both VOIP and PSTN and easily allow you to switch to the most reliable connection.

when you add another linked phone number like that of your mobile device

3:15 / 14:05

#GoogleCloudNext  
Using Google Voice to manage business lines  
1,188 views • Nov 5, 2021

25 DISLIKE SHARE DOWNLOAD SAVE

Google Workspace 640K subscribers SUBSCRIBE

## Change caller ID for incoming calls

*This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)*




You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

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1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on **Show my Google Voice number as caller ID when forwarding calls.**
  - To show the caller's phone number on the device that receives a call, turn off **Show my Google Voice number as caller ID when forwarding calls.**



**Tip:** To help you identify calls that are forwarded from Google Voice, turn on **Show my Google Voice number as caller ID when forwarding calls.**

38. Google Voice provides a method of providing telephone service comprising: acquiring first digital information from the handset over at least one data channel, the first digital information indicating primary call processing rules for handling calls directed to the primary telephone number, and storing the primary call processing rules in the at least one computer memory device, and acquiring second digital information from the handset over the at least one data channel, the second digital information indicating secondary call processing rules for handling calls directed to the secondary telephone number, and storing the secondary call processing rules in the at least one computer memory device, including as demonstrated in the exemplary text below:

## Set up your phone to make & receive Google Voice calls

Your Google Voice number lets you make and receive calls at [voice.google.com](https://voice.google.com) or on the Google Voice app. You can also link phone numbers you want to forward calls to if you don't want to answer with Google Voice. When call forwarding is set up, calls to your Google Voice number will ring your linked phones.



## Add a number to place & receive calls & texts

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Tap **New linked number**.
5. Enter the phone number to link.
6. Google Voice sends you a verification code.
  - To verify a mobile number: Tap **Send code**. Google Voice sends the code in a text message.
  - To verify a landline number: Tap **Verify by phone** > **Call**. Google Voice calls the phone number and gives the code.
7. Enter the code > tap **Verify**.

### Tips:

- You can link up to 6 numbers. You can't link a number that's already linked to a Google Voice number.
- Calls to your Google Voice number also ring on your linked number.

## Change where you get calls

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Calls," tap **Incoming calls**.
4. Under "My devices," turn off any devices you don't want to get calls on.



## Change caller ID for incoming calls

*This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)*




You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

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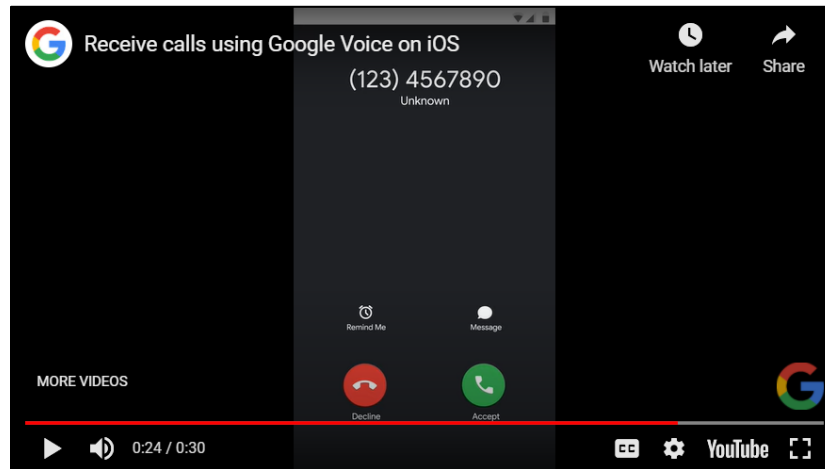
1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on Show my Google Voice number as caller ID when forwarding calls.
  - To show the caller's phone number on the device that receives a call, turn off Show my Google Voice number as caller ID when forwarding calls.

**Tip:** To help you identify calls that are forwarded from Google Voice, turn on Show my Google Voice number as caller ID when forwarding calls.

39. Google Voice provides a method of providing telephone service comprising: receiving an incoming call over at least one voice channel at a switch, the switch being associated with a bridge telephone number such that calls directed to the bridge telephone number are automatically routed to the switch, the incoming call being directed to a handset associated telephone number, the handset-associated telephone number being the primary telephone number or the secondary telephone number, including as demonstrated in the exemplary text above.

40. Google Voice provides a method of providing telephone service comprising: based on the primary call processing rules or the secondary call processing rules provides transmitting pre-call information to the handset over the at least one data channel the pre-call information including the bridge telephone number and the handset associated telephone number, such that the handset is capable of displaying the handset-associated telephone number to a user and, based on

user input, accepting the incoming call by connecting with the switch over the at least one voice channel using the bridge telephone number, including as demonstrated in the exemplary text above and below:



### Screen your Google Voice calls

When you get calls to your Google Voice number, you can screen your calls to hear the name of the caller before you answer the call. After hearing the caller's name, you have these choices:

- Press 1 to accept the call.
- Press 2 to send the call to your voicemail in Voice. You can listen to the caller leave their message and then hang up, or talk to the caller by pressing Star (\*).

### **Count II: Claim for Patent Infringement of the '105 Patent**

41. Flyp repeats and realleges the allegations in paragraphs 1-40 as if fully set forth herein.

42. Google has infringed the '105 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '105 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice. In addition, since at least the filing of Flyp's Original Complaint in this action, Google has

contributed to the infringement of and/or induced infringement of the '105 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '105 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice

43. Google Voice infringes at least claims 1-11 of the '105 Patent. Google makes, uses, sells, offers for sale, imports, exports, supplies, or distributes Google Voice within the United States and thus directly infringes the '105 Patent.

44. Upon information and belief, Google indirectly infringes the '105 Patent by (1) inducing infringement by others, such as resellers, partners, and end-user customers in this District and throughout the United States with knowledge or willful blindness that the induced acts would constitute infringement, and (2) contributing to infringement by others, such as resellers, partners, and end-user customers. Upon information and belief, direct infringement is (1) the result of activities performed by resellers, partners, and end-user customers of Google Voice, who perform each step of the claimed invention as directed by Google, or (2) the result of activities performed by resellers, partners, and end-user customers of Google Voice—including placing of outbound calls and the receiving of inbound calls—in a normal and customary way that infringes the '105 Patent, that has no substantial non-infringing uses, that is known by Google, and that constitutes a material part of the invention of the '105 Patent..

45. On information and belief, Google had knowledge of Flyp and its patent applications at least as early as November 12, 2015. On that date, Rich Miner, general partner at GV (formerly Google Ventures) and co-founder of Android, met with Flyp to discuss Flyp's

technology, business, and patent filings on November 12, 2015. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later on November 16, 2015, which included a summary of Flyp's technology and disclosed that Flyp had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp's patent filings following that meeting. At the very least, Google received actual notice of the '105 Patent at least as early as the filing of the Original Complaint in this action.

46. By engaging in the conduct described herein, Google has injured Flyp and is thus liable for infringement of the '105 Patent, pursuant to 35 U.S.C. § 271. Google has committed these acts of infringement without license or authorization.

47. As a result of Google's infringement of the '105 Patent, Flyp has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Google's past infringement, together with interests and costs. In addition, Google's infringement is causing irreparable harm and monetary damage to Flyp and will continue to do so unless and until Google is enjoined by the Court.

48. Since at least the filing of the Original Complaint in this action, Google's infringement of the '105 Patent has been and continues to be deliberate and willful, and, therefore, this is an exceptional case warranting an award of enhanced damages for up to three times the actual damages awarded and attorney's fees to Flyp pursuant to 35 U.S.C. §§ 284-285.

49. Google Voice provides a method of providing telephone service comprising: automatically storing electronic information that indicates an association of a secondary telephone


number and a primary telephone number with a telephone handset in a computer memory associated with a server, including as demonstrated in the exemplary text below:

## A smarter phone number

A Voice number works on smartphones and the web so you can place and receive calls from anywhere

Google Voice gives you a phone number for calling, text messaging, and voicemail. It works on smartphones and computers, and syncs across your devices so you can use the app in the office, at home, or on the go.



### Sign up for Voice and get your number

1. On your computer, go to [voice.google.com](https://voice.google.com) .
2. Sign in to your Google Account.
3. After reviewing the Terms of Service and Privacy Policy, tap **Continue**.
4. Search by city or area code for a number. Voice doesn't offer 1-800 numbers.
  - If there aren't any numbers available in the area you want, try somewhere nearby.
5. Next to the number you want, click **Select**. Follow the instructions.

After setting up Voice, you can link another phone number. Learn more about [setting up phones](#).

### Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

## Change caller ID for incoming calls




*This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)*

You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

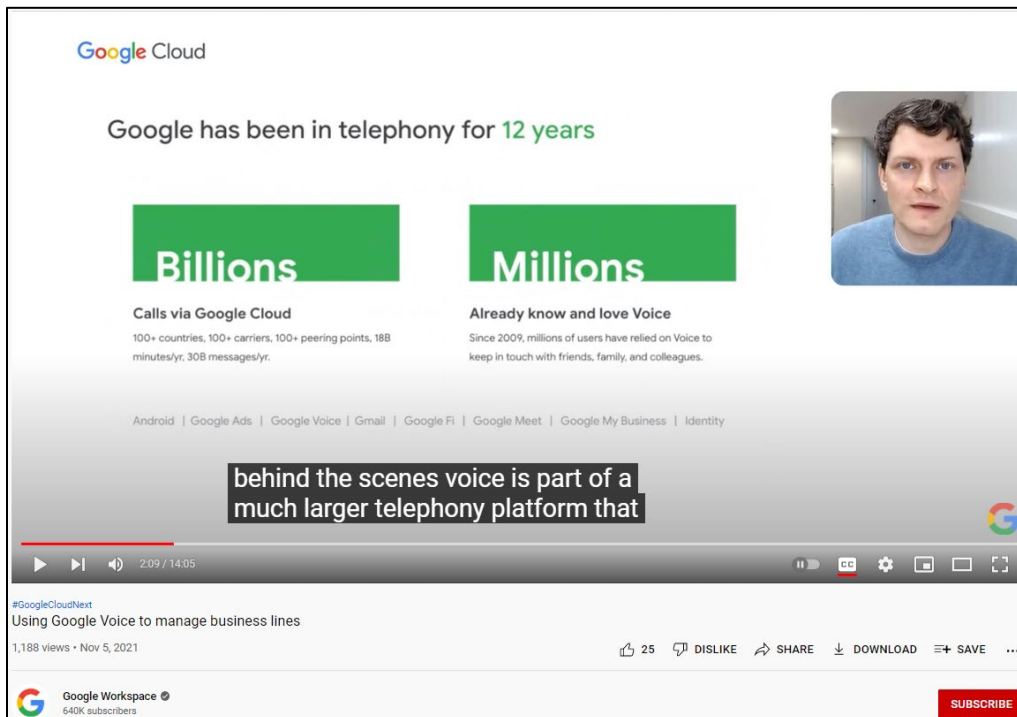
### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on **Show my Google Voice number as caller ID when forwarding calls**.
  - To show the caller's phone number on the device that receives a call, turn off **Show my Google Voice number as caller ID when forwarding calls**.

**Tip:** To help you identify calls that are forwarded from Google Voice, turn on **Show my Google Voice number as caller ID when forwarding calls**.





The image shows a YouTube video player interface. At the top left is the Google Cloud logo. The main title of the video is "Google has been in telephony for 12 years". Below this, there are two columns of text. The first column has a green box with the word "Billions" in white, followed by the text "Calls via Google Cloud" and "100+ countries, 100+ carriers, 100+ peering points, 18B minutes/yr, 30B messages/yr." The second column has a green box with the word "Millions" in white, followed by the text "Already know and love Voice" and "Since 2009, millions of users have relied on Voice to keep in touch with friends, family, and colleagues." To the right of these columns is a small video thumbnail showing a man's face. Below the main content is a navigation bar with links: "Android | Google Ads | Google Voice | Gmail | Google Fi | Google Meet | Google My Business | Identity". A large black box with white text is overlaid on the video, reading "behind the scenes voice is part of a much larger telephony platform that". The video player controls at the bottom show a play button, a progress bar at 2:09 / 14:05, and icons for volume, closed captions (CC), settings, and full screen. Below the video player, the video title is "#GoogleCloudNext Using Google Voice to manage business lines", with 1,188 views and a date of Nov 5, 2021. At the bottom left is the Google Workspace logo with "640K subscribers". At the bottom right is a red "SUBSCRIBE" button.

50. Google Voice provides a method of providing telephone service comprising: automatically storing electronic information that indicates a selection of call processing rules for the primary telephone number in the computer memory and automatically storing electronic information that indicates a selection of call processing rules for the secondary telephone number in the computer memory, including as demonstrated in the exemplary text below:

## Set up your phone to make & receive Google Voice calls

Your Google Voice number lets you make and receive calls at [voice.google.com](https://voice.google.com) or on the Google Voice app. You can also link phone numbers you want to forward calls to if you don't want to answer with Google Voice. When call forwarding is set up, calls to your Google Voice number will ring your linked phones.



## Add a number to place & receive calls & texts

1. Open the Voice app .
2. In the top left, tap Menu  > Settings.
3. Under "Account," tap Devices and numbers.
4. Tap **New linked number**.
5. Enter the phone number to link.
6. Google Voice sends you a verification code.
  - To verify a mobile number: Tap **Send code**. Google Voice sends the code in a text message.
  - To verify a landline number: Tap **Verify by phone** > Call. Google Voice calls the phone number and gives the code.
7. Enter the code > tap **Verify**.

### Tips:

- You can link up to 6 numbers. You can't link a number that's already linked to a Google Voice number.
- Calls to your Google Voice number also ring on your linked number.

## Change where you get calls

1. Open the Voice app .
2. In the top left, tap Menu  > Settings.
3. Under "Calls," tap **Incoming calls**.
4. Under "My devices," turn off any devices you don't want to get calls on.

## Change caller ID for incoming calls

*This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)*




You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

---

1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on Show my Google Voice number as caller ID when forwarding calls.
  - To show the caller's phone number on the device that receives a call, turn off Show my Google Voice number as caller ID when forwarding calls.

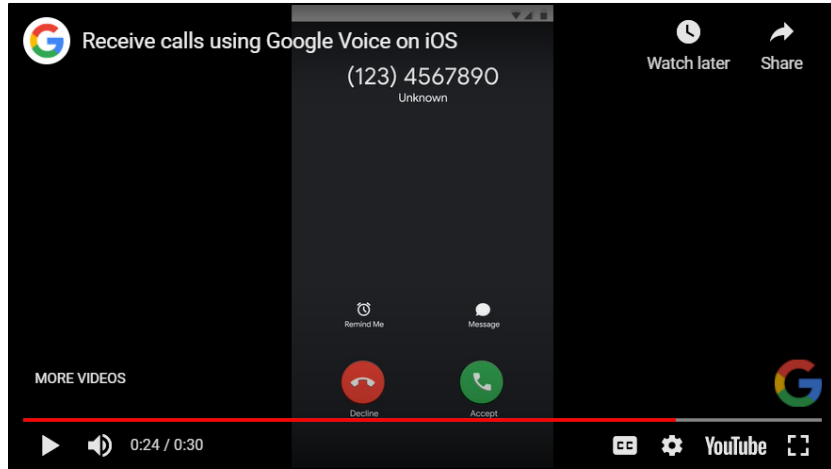
**Tip:** To help you identify calls that are forwarded from Google Voice, turn on Show my Google Voice number as caller ID when forwarding calls.

51. Google Voice provides a method of providing telephone service comprising: receiving an electronic indication of an incoming call to the secondary telephone number at the server, said electronic indication of an incoming call being received from a switch associated with the server, automatically accessing the call processing rules for the secondary telephone number under the control of the server responsive to the receipt of the electronic indication of the incoming call to the secondary telephone number, and automatically handing the incoming call in accordance with the accessed call processing rules for the secondary telephone number, including as demonstrated in the exemplary text above.

52. Google Voice provides a method of providing telephone service comprising: transmitting pre-call information via a data channel to the handset under the control of the server, said pre-call information including a bridge telephone number for connecting the handset to the



incoming call at the switch, receiving, at the server via the data channel, an electronic indication of a selection of a call processing rule for handling the incoming call to the secondary telephone number, or establishing a voice channel connection between the handset and the switch as a result of the handset calling the switch using the bridge telephone number, including as demonstrated in the exemplary text below:



## Screen your Google Voice calls

When you get calls to your Google Voice number, you can screen your calls to hear the name of the caller before you answer the call. After hearing the caller's name, you have these choices:

- Press 1 to accept the call.
- Press 2 to send the call to your voicemail in Voice. You can listen to the caller leave their message and then hang up, or talk to the caller by pressing **Star (\*)**.

## Change caller ID for incoming calls

*This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)*




You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

---

1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on Show my Google Voice number as caller ID when forwarding calls.
  - To show the caller's phone number on the device that receives a call, turn off Show my Google Voice number as caller ID when forwarding calls.

**Tip:** To help you identify calls that are forwarded from Google Voice, turn on Show my Google Voice number as caller ID when forwarding calls.

### **Count III: Claim for Patent Infringement of the '094 Patent**

53. Flyp repeats and realleges the allegations in paragraphs 1-52 as if fully set forth herein.

54. Google has infringed the '094 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '094 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice. In addition, since at least the filing of Flyp's Original Complaint in this action, Google has contributed to the infringement of and/or induced infringement of the '094 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered

by one or more claims of the '094 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice.

55. Google Voice infringes at least claims 1-4 of the '094 Patent. Google makes, uses, sells, offers for sale, imports, exports, supplies, or distributes Google Voice within the United States and thus directly infringes the '094 Patent.

56. Upon information and belief, Google indirectly infringes the '094 Patent by (1) inducing infringement by others, such as resellers, partners, and end-user customers in this District and throughout the United States with knowledge or willful blindness that the induced acts would constitute infringement, and (2) contributing to infringement by others, such as resellers, partners, and end-user customers. Upon information and belief, direct infringement is (1) the result of activities performed by resellers, partners, and end-user customers of Google Voice, who perform each step of the claimed invention as directed by Google, or (2) the result of activities performed by resellers, partners, and end-user customers of Google Voice—including placing of outbound calls and receiving inbound calls—in a normal and customary way that infringes the '094 Patent, that has no substantial non-infringing uses, that is known by Google, and that constitutes a material part of the invention of the '094 Patent.

57. On information and belief, Google had knowledge of Flyp and its patent applications at least as early as November 12, 2015. On that date, Rich Miner, general partner at GV (formerly Google Ventures) and co-founder of Android, met with Flyp to discuss Flyp's technology, business, and patent filings on November 12, 2015. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later on November 16, 2015, which included a summary of Flyp's technology and disclosed that Flyp

had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp's patent filings following that meeting. At the very least, Google received actual notice of the '094 Patent at least as early as the filing of the Original Complaint in this action.

58. By engaging in the conduct described herein, Google has injured Flyp and is thus liable for infringement of the '094 Patent, pursuant to 35 U.S.C. § 271. Google has committed these acts of infringement without license or authorization.

59. As a result of Google's infringement of the '094 Patent, Flyp has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Google's past infringement, together with interests and costs. In addition, Google's infringement is causing irreparable harm and monetary damage to Flyp and will continue to do so unless and until Google is enjoined by the Court.

60. Since at least the filing of the Original Complaint in this action, Google's infringement of the '094 Patent has been and continues to be deliberate and willful, and, therefore, this is an exceptional case warranting an award of enhanced damages for up to three times the actual damages awarded and attorney's fees to Flyp pursuant to 35 U.S.C. §§ 284-285.

61. Google Voice provides a method of providing telephone service comprising: automatically storing electronic information that indicates an association of a secondary telephone number and a primary telephone number with a telephone handset in a computer memory associated with a server, including as demonstrated in the exemplary text below:

## A smarter phone number

A Voice number works on smartphones and the web so you can place and receive calls from anywhere

Google Voice gives you a phone number for calling, text messaging, and voicemail. It works on smartphones and computers, and syncs across your devices so you can use the app in the office, at home, or on the go.



### Sign up for Voice and get your number

1. On your computer, go to [voice.google.com](https://voice.google.com) .
2. Sign in to your Google Account.
3. After reviewing the Terms of Service and Privacy Policy, tap **Continue**.
4. Search by city or area code for a number. Voice doesn't offer 1-800 numbers.
  - If there aren't any numbers available in the area you want, try somewhere nearby.
5. Next to the number you want, click **Select**. Follow the instructions.

After setting up Voice, you can link another phone number. Learn more about [setting up phones](#).

### Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

## Change caller ID for incoming calls




This feature is available with Voice for Google Workspace accounts managed by your work or school. [Sign in to your Google Workspace account.](#)

You can change the number that shows when a call to your Google Voice number forwards to one of your linked numbers. The device that receives the forwarded call can show your Google Voice number or the caller's phone number.

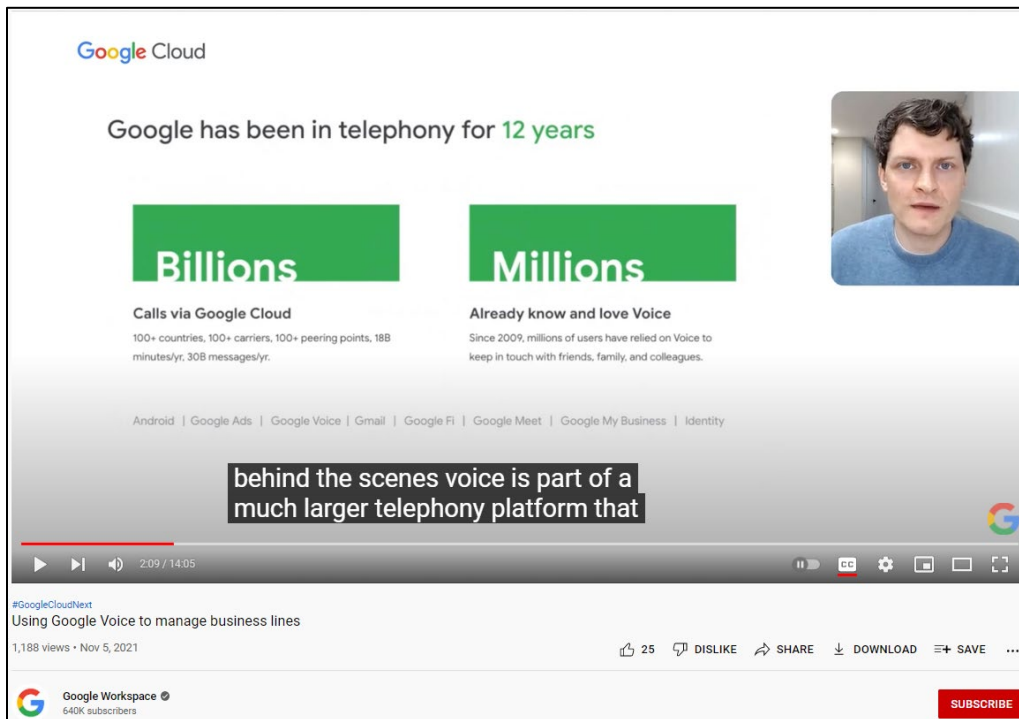
### Use different devices to change caller ID

**Important:** This setting doesn't affect Google Voice calls over the internet. Internet calls always show the caller's phone number.

[Android](#)   [Computer](#)   [iPhone & iPad](#)

1. Open the Google Voice app .
2. At the top left, tap Menu  > Settings .
3. Scroll to "Calls."
  - To show your Google Voice number on the device that receives a call, turn on **Show my Google Voice number as caller ID when forwarding calls.**
  - To show the caller's phone number on the device that receives a call, turn off **Show my Google Voice number as caller ID when forwarding calls.**

**Tip:** To help you identify calls that are forwarded from Google Voice, turn on **Show my Google Voice number as caller ID when forwarding calls.**



Google Cloud

Google has been in telephony for 12 years

**Billions**

**Calls via Google Cloud**  
100+ countries, 100+ carriers, 100+ peering points, 18B minutes/yr, 30B messages/yr.

**Millions**


**Already know and love Voice**  
Since 2009, millions of users have relied on Voice to keep in touch with friends, family, and colleagues.

Android | Google Ads | Google Voice | Gmail | Google Fi | Google Meet | Google My Business | Identity

behind the scenes voice is part of a much larger telephony platform that

#GoogleCloudNext  
Using Google Voice to manage business lines  
1,188 views • Nov 5, 2021

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Google Workspace  640K subscribers

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62. Google Voice provides a method of providing telephone service comprising: automatically associating a bridge or access telephone number with each of a plurality of contact telephone numbers in the computer memory, including as demonstrated in the exemplary text below:

• Calls made using Google Voice for iPhone can be placed through a Google Voice access number. All access number based calls use the standard minutes from your cell phone plan and may incur costs (e.g. when traveling internationally).

**Note:** To make calls from Google Voice using your mobile carrier, you need to turn on caller ID for your phone. If you turn off caller ID, you can't make Google Voice calls using your mobile carrier.

[You see a different number when calling](#) ^






When you call someone, you might see a U.S. number that isn't your Google Voice number or the other person's number. Numbers like these are used to send all Voice calls. The person you're calling will still see your Voice number.

63. Google Voice provides a method of providing telephone service comprising: automatically transmitting information that indicates the association of the bridge or access telephone number with each of a plurality of contact telephone numbers to the handset via a data channel, including as demonstrated in the exemplary text above.

64. Google Voice provides a method of providing telephone service comprising: automatically associating each primary telephone number and bridge or access telephone number pairing with a corresponding secondary telephone number and contact telephone number pairing in the computer memory, including as demonstrated in the exemplary text above.



65. Google Voice provides a method of providing telephone service comprising: receiving, at a switch associated with the server, an outgoing call from the handset to the bridge or access telephone number via a second channel, including as demonstrated in the exemplary text above and below:

**Note:** If you want to make calls through your mobile device carrier, caller ID needs to be turned on.

1. Open the Voice app .
2. At the bottom, tap Calls .
3. If the person is in your recent calls list, next to their name, tap Call .
  - a. Or, choose one of these methods:
    - In the search bar at the top, enter the person's name or phone number. Select them from the list of contacts that appears.
    - Tap Dial  and enter the number.  
For international calls, enter the country code before the number (for example, +55 for Brazil).
  - b. Tap Call .

## Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

To use Google Voice to make calls through your mobile carrier, [link your mobile number](#). The amount of data you use depends on your carrier's network quality and speed.

**Important:** If you start a call from your device's phone app instead of the Voice app, the call uses minutes from your mobile phone plan.



66. Google Voice provides a method of providing telephone service comprising: receiving, at the server, information from the switch indicating the outgoing call is being made to the bridge or access telephone number from the primary telephone number, including as demonstrated in the exemplary text above.



67. Google Voice provides a method of providing telephone service comprising: receiving, at the switch, information from the server directing the switch to: (a) connect the outgoing call to a contact telephone number associated with the primary telephone number and bridge or access telephone number pairing, and (b) identify a telephone number from which the outgoing call is being made as the secondary telephone number, including as demonstrated in the exemplary text above and below:

### Use Google Voice number for calls from phone's app

When making outgoing calls using your phone's dialer app, you can use your Google Voice number instead of your phone's carrier number. Calls you make from the Voice app always use your Google Voice number.

1. On your Android device, open the Voice app .
2. At the top left, tap Menu  > **Settings**.
3. Under **Calls**, tap **Calls started from this device's phone app**.
4. Select when to use Voice for calls from your phone's dialer app:
  - Yes (all calls)
  - Yes (international calls only)
  - Select number before each call
  - No

**Note:** To make calls from Google Voice using your mobile carrier, you need to turn on caller ID for your phone. If you turn off caller ID, you can't make Google Voice calls using your mobile carrier.

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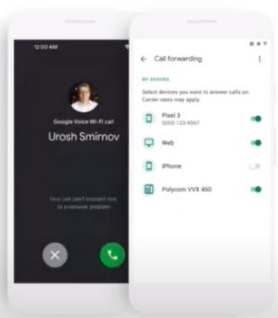
#### You see a different number when calling

When you call someone, you might see a U.S. number that isn't your Google Voice number or the other person's number. Numbers like these are used to send all Voice calls. The person you're calling will still see your Voice number.

Google Cloud

### Even more availability

Link your Voice number to multiple devices and other phone numbers so you're as connected as you want to be — wherever you go. Google Voice can make and receive calls over both VOIP and PSTN and easily allow you to switch to the most reliable connection.



Voice will predict which path is best based on your connection,

#GoogleCloudNext  
Using Google Voice to manage business lines  
1,188 views • Nov 5, 2021


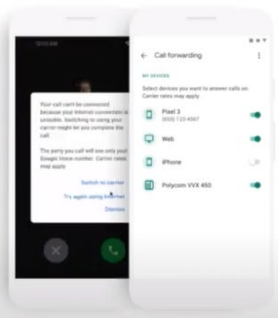
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Google Workspace 640K subscribers SUBSCRIBE

Google Cloud

### Even more availability

Link your Voice number to multiple devices and other phone numbers so you're as connected as you want to be — wherever you go. Google Voice can make and receive calls over both VOIP and PSTN and easily allow you to switch to the most reliable connection.

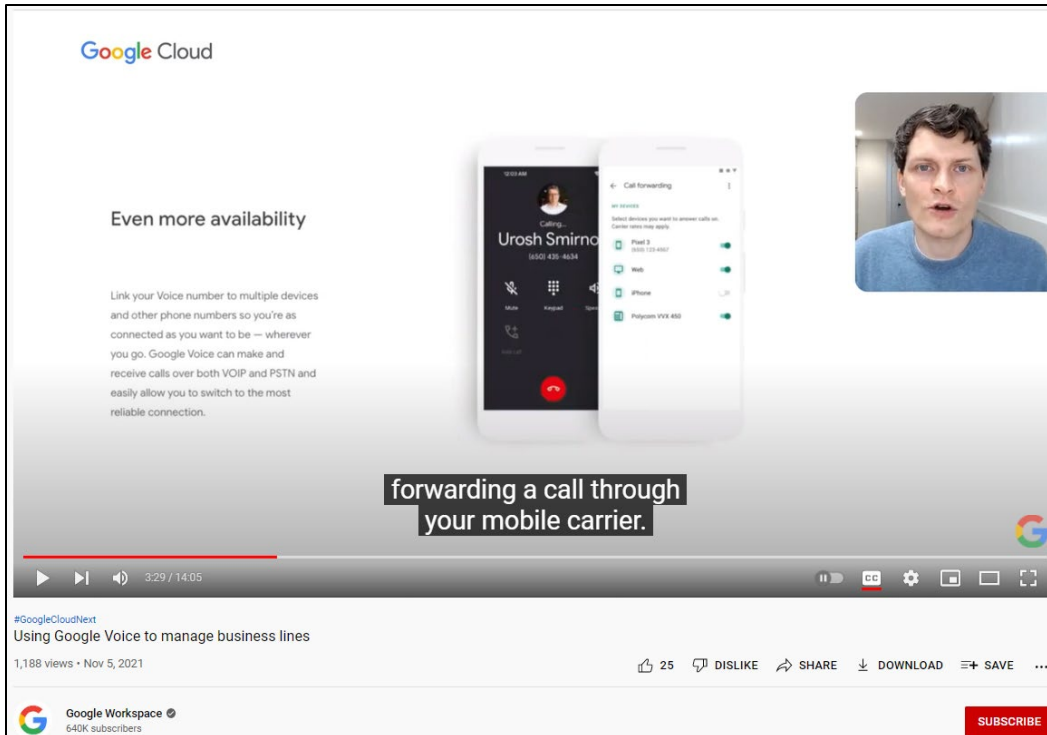


and will also preserve your caller ID info even when

#GoogleCloudNext  
Using Google Voice to manage business lines  
1,188 views • Nov 5, 2021

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Google Workspace 640K subscribers SUBSCRIBE



**Count IV: Claim for Patent Infringement of the '554 Patent**

68. Flyp repeats and realleges the allegations in paragraphs 1-67 as if fully set forth herein.

69. Google has infringed the '554 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '554 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice. In addition, since at least the filing of Flyp's Original Complaint in this action, Google has contributed to the infringement of and/or induced infringement of the '554 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others

make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '554 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice.

70. Google Voice infringes at least claims 1-4 of the '554 Patent. Google makes, uses, sells, offers for sale, imports, exports, supplies, or distributes Google Voice within the United States and thus directly infringes the '554 Patent.

71. Upon information and belief, Google indirectly infringes the '554 Patent by (1) inducing infringement by others, such as resellers, partners, and end-user customers in this District and throughout the United States with knowledge or willful blindness that the induced acts would constitute infringement, and (2) contributing to infringement by others, such as resellers, partners, and end-user customers. Upon information and belief, direct infringement is (1) the result of activities performed by resellers, partners, and end-user customers of Google Voice, who perform each step of the claimed invention as directed by Google, or (2) the result of activities performed by resellers, partners, and end-user customers of Google Voice—including placing outbound calls and receiving inbound calls—in a normal and customary way that infringes the '554 Patent, that has no substantial non-infringing uses, that is known by Google, and that constitutes a material part of the invention of the '554 Patent.

72. On information and belief, Google had knowledge of Flyp and its patent applications at least as early as November 12, 2015. On that date, Rich Miner, general partner at GV (formerly Google Ventures) and co-founder of Android, met with Flyp to discuss Flyp's technology, business, and patent filings on November 12, 2015. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later

on November 16, 2015, which included a summary of Flyp's technology and disclosed that Flyp had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp's patent filings following that meeting. At the very least, Google received actual notice of the '554 Patent at least as early as the filing of the Original Complaint in this action.

73. By engaging in the conduct described herein, Google has injured Flyp and is thus liable for infringement of the '554 Patent, pursuant to 35 U.S.C. § 271. Google has committed these acts of infringement without license or authorization.

74. As a result of Google's infringement of the '554 Patent, Flyp has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Google's past infringement, together with interests and costs. In addition, Google's infringement is causing irreparable harm and monetary damage to Flyp and will continue to do so unless and until Google is enjoined by the Court.

75. Since at least the filing of the Original Complaint in this action, Google's infringement of the '554 Patent has been and continues to be deliberate and willful, and, therefore, this is an exceptional case warranting an award of enhanced damages for up to three times the actual damages awarded and attorney's fees to Flyp pursuant to 35 U.S.C. §§ 284-285.

76. Google Voice provides a method of providing telephone service comprising: automatically storing electronic information that indicates an association of a secondary telephone number and a primary telephone number with a mobile device in a computer memory associated with a server, including as demonstrated in the exemplary text below:

## A smarter phone number

A Voice number works on smartphones and the web so you can place and receive calls from anywhere

Google Voice gives you a phone number for calling, text messaging, and voicemail. It works on smartphones and computers, and syncs across your devices so you can use the app in the office, at home, or on the go.



### Sign up for Voice and get your number

1. On your computer, go to [voice.google.com](https://voice.google.com) .
2. Sign in to your Google Account.
3. After reviewing the Terms of Service and Privacy Policy, tap **Continue**.
4. Search by city or area code for a number. Voice doesn't offer 1-800 numbers.
  - If there aren't any numbers available in the area you want, try somewhere nearby.
5. Next to the number you want, click **Select**. Follow the instructions.

After setting up Voice, you can link another phone number. Learn more about [setting up phones](#).

### Change your device's number


**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

77. Google Voice provides a method of providing telephone service comprising: automatically transmitting information that indicates an access telephone number to the mobile device via a data channel, including as demonstrated in the exemplary text below:

• Calls made using Google Voice for iPhone can be placed through a Google Voice access number. All access number based calls use the standard minutes from your cell phone plan and may incur costs (e.g. when traveling internationally).

**Note:** To make calls from Google Voice using your mobile carrier, you need to turn on caller ID for your phone. If you turn off caller ID, you can't make Google Voice calls using your mobile carrier.

[You see a different number when calling](#) 






When you call someone, you might see a U.S. number that isn't your Google Voice number or the other person's number. Numbers like these are used to send all Voice calls. The person you're calling will still see your Voice number.

78. Google Voice provides a method of providing telephone service comprising: automatically associating the telephone access number with a switch associated with the server, including as demonstrated in the exemplary text above.

79. Google Voice provides a method of providing telephone service comprising: receiving, at the switch associated with the server, an outgoing call from the mobile device to the access telephone number via a second channel, including as demonstrated in the exemplary text above.



80. Google Voice provides a method of providing telephone service comprising: receiving, at the server, information from the switch indicating the outgoing call is being made to the access telephone number from the primary telephone number, including as demonstrated in the exemplary text above and below:

**Note:** If you want to make calls through your mobile device carrier, caller ID needs to be turned on.

1. Open the Voice app .
2. At the bottom, tap Calls .
3. If the person is in your recent calls list, next to their name, tap Call .
  - a. Or, choose one of these methods:
    - In the search bar at the top, enter the person's name or phone number. Select them from the list of contacts that appears.
    - Tap Dial  and enter the number.  
For international calls, enter the country code before the number (for example, +55 for Brazil).
  - b. Tap Call .

## Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > Settings.
3. Under "Account," tap Devices and numbers.
4. Under "This device," tap Change device number.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap Save.

To use Google Voice to make calls through your mobile carrier, [link your mobile number](#). The amount of data you use depends on your carrier's network quality and speed.

**Important:** If you start a call from your device's phone app instead of the Voice app, the call uses minutes from your mobile phone plan.

81. Google Voice provides a method of providing telephone service comprising: receiving, at the switch, information from the server directing the switch to (a) connect the outgoing call to a contact telephone number indicated by the mobile device, and (b) identify a



telephone number from which the outgoing call is being made as the secondary telephone number, including as demonstrated in the exemplary text above.

**Count IV: Claim for Patent Infringement of the '585 Patent**

82. Flyp repeats and realleges the allegations in paragraphs 1-81 as if fully set forth herein.

83. Google has infringed the '585 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '585 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice. In addition, since at least the filing of Flyp's Original Complaint in this action, Google has contributed to the infringement of and/or induced infringement of the '585 Patent by making, using, selling, offering for sale, or importing into the United States, or by intending that others make, use, import into, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '585 Patent, including, but not limited to, Google's app-based telephone feature known as Google Voice

84. Google Voice infringes at least claims 1-4 of the '585 Patent. Google makes, uses, sells, offers for sale, imports, exports, supplies, or distributes Google Voice within the United States and thus directly infringes the '585 Patent.

85. Upon information and belief, Google indirectly infringes the '585 Patent by (1) inducing infringement by others, such as resellers, partners, and end-user customers in this District and throughout the United States with knowledge or willful blindness that the induced acts would constitute infringement, and (2) contributing to infringement by others, such as resellers,

partners, and end-user customers. Upon information and belief, direct infringement is (1) the result of activities performed by resellers, partners, and end-user customers of Google Voice, who perform each step of the claimed invention as directed by Google, or (2) the result of activities performed by resellers, partners, and end-user customers of Google Voice—including placing outbound calls and receiving inbound calls—in a normal and customary way that infringes the '585 Patent, that has no substantial non-infringing uses, that is known by Google, and that constitutes a material part of the invention of the '585 Patent.

86. On information and belief, Google had knowledge of Flyp and its patent applications at least as early as November 12, 2015. On that date, Rich Miner, general partner at GV (formerly Google Ventures) and co-founder of Android, met with Flyp to discuss Flyp's technology, business, and patent filings on November 12, 2015. In response to a request from Mr. Miner, Flyp transmitted a copy of the presentation given to Mr. Miner at that meeting days later on November 16, 2015, which included a summary of Flyp's technology and disclosed that Flyp had filed patent applications related to its technology as early as 2013. On information and belief, Google took no steps to monitor Flyp's patent filings following that meeting. At the very least, Google received actual notice of the '585 Patent at least as early as the filing of the Original Complaint in this action.

87. By engaging in the conduct described herein, Google has injured Flyp and is thus liable for infringement of the '585 Patent, pursuant to 35 U.S.C. § 271. Google has committed these acts of infringement without license or authorization.

88. As a result of Google's infringement of the '585 Patent, Flyp has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Google's

past infringement, together with interests and costs. In addition, Google's infringement is causing irreparable harm and monetary damage to Flyp and will continue to do so unless and until Google is enjoined by the Court.

89. Since at least the filing of the Original Complaint in this action, Google's infringement of the '585 Patent has been and continues to be deliberate and willful, and, therefore, this is an exceptional case warranting an award of enhanced damages for up to three times the actual damages awarded and attorney's fees to Flyp pursuant to 35 U.S.C. §§ 284-285.

90. Google Voice provides a method of providing telephone service comprising: automatically storing electronic information that indicates an association of a secondary telephone number and a primary telephone number with a mobile device in a computer memory associated with a server, including as demonstrated in the exemplary text below:

**A smarter phone number**  
A Voice number works on smartphones and the web so you can  
place and receive calls from anywhere

Google Voice gives you a phone number for calling, text messaging, and voicemail. It works on smartphones and computers, and syncs across your devices so you can use the app in the office, at home, or on the go.



### Sign up for Voice and get your number

1. On your computer, go to [voice.google.com](https://voice.google.com) .
2. Sign in to your Google Account.
3. After reviewing the Terms of Service and Privacy Policy, tap **Continue**.
4. Search by city or area code for a number. Voice doesn't offer 1-800 numbers.
  - If there aren't any numbers available in the area you want, try somewhere nearby.
5. Next to the number you want, click **Select**. Follow the instructions.

After setting up Voice, you can link another phone number. Learn more about [setting up phones](#).

### Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > Settings.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

91. Google Voice provides a method of providing telephone service comprising: automatically transmitting information that indicates an access telephone number to the mobile device via a data channel, including as demonstrated in the exemplary text below:

• Calls made using Google Voice for iPhone can be placed through a Google Voice access number. All access number based calls use the standard minutes from your cell phone plan and may incur costs (e.g. when traveling internationally).

**Note:** To make calls from Google Voice using your mobile carrier, you need to turn on caller ID for your phone. If you turn off caller ID, you can't make Google Voice calls using your mobile carrier.

#### You see a different number when calling






When you call someone, you might see a U.S. number that isn't your Google Voice number or the other person's number. Numbers like these are used to send all Voice calls. The person you're calling will still see your Voice number.

92. Google Voice provides a method of providing telephone service comprising: automatically associating a primary telephone number and access telephone number pairing with a corresponding secondary telephone number and contact telephone number pairing in the computer memory, including as demonstrated in the exemplary text above.

93. Google Voice provides a method of providing telephone service comprising: receiving, at the switch associated with the server, an outgoing call from the mobile device to the access telephone number via a second channel, including as demonstrated in the exemplary text above.



94. Google Voice provides a method of providing telephone service comprising: receiving, at the server, information from the switch indicating the outgoing call is being made to the access telephone number from the primary telephone number, including as demonstrated in the exemplary text above and below:

**Note:** If you want to make calls through your mobile device carrier, caller ID needs to be turned on.

1. Open the Voice app .
2. At the bottom, tap Calls .
3. If the person is in your recent calls list, next to their name, tap Call 
  - a. Or, choose one of these methods:
    - In the search bar at the top, enter the person's name or phone number. Select them from the list of contacts that appears.
    - Tap Dial  and enter the number.  
For international calls, enter the country code before the number (for example, +55 for Brazil).
  - b. Tap Call .

## Change your device's number

**Important:** Google Voice uses your linked number to make calls if an internet connection isn't available. If you didn't link your device's number during sign-up, you can link it later.

1. Open the Voice app .
2. In the top left, tap Menu  > **Settings**.
3. Under "Account," tap **Devices and numbers**.
4. Under "This device," tap **Change device number**.
5. Choose one of these options:
  - **Your device's number:** Voice links to your mobile device.
  - **No number:** Voice isn't linked to a device number.
  - **New linked number:** Voice links to a new number you enter. Google Voice verifies the number before linking.
6. Tap **Save**.

To use Google Voice to make calls through your mobile carrier, [link your mobile number](#). The amount of data you use depends on your carrier's network quality and speed.

**Important:** If you start a call from your device's phone app instead of the Voice app, the call uses minutes from your mobile phone plan.

95. Google Voice provides a method of providing telephone service comprising: receiving, at the switch, information from the server directing the switch to (a) connect the outgoing call to the contact telephone number of the secondary telephone number and contact telephone number pairing, and (b) identify a telephone number from which the outgoing call is being made as the secondary telephone number, including as demonstrated in the exemplary text above.

### **DEMAND FOR JURY TRIAL**

96. Flyp hereby demands a trial by jury on all claims so triable.

### **PRAYER FOR RELIEF**

WHEREFORE, Flyp respectfully requests that this Court enter judgment in its favor and grant the following relief:

- A. Adjudge that Google infringes the Asserted Patents;
- B. Adjudge that Google's infringement of the Asserted Patents after the filing of this action was willful, and that Google's continued infringement of the Asserted Patents is willful;
- C. Award Flyp damages in an amount adequate to compensate Flyp for Google's infringement of the Asserted Patents, but in no event less than a reasonable royalty under 35 U.S.C. § 284;
- D. Award enhanced damages pursuant to 35 U.S.C. § 284;
- E. Award Flyp pre-judgment and post-judgment interest to the full extent allowed under the law, as well as its costs;
- F. Enter an order finding that this is an exceptional case and awarding Flyp its reasonable attorneys' fees pursuant to 35 U.S.C. § 285;
- G. Enter a permanent injunction against all Google products found to infringe the Asserted Patents;
- H. Award, in lieu of an injunction, a compulsory forward royalty;
- I. Order an accounting of damages; and
- J. Award such other relief as the Court may deem appropriate and just under the circumstances.

**DATED:** September 6, 2022

Respectfully submitted,

*/s/ Thomas M. Melsheimer*

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5. Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Administrative Policies and Procedures for Electronic Filing in Civil and Criminal Cases, Western District of Texas, Section 14.

/s/ Thomas M. Melsheimer  
Thomas M. Melsheimer