8138881

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

July 29, 2021

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APPLICATION NUMBER: *16/122,136*
FILING DATE: *September 05, 2018*
PATENT NUMBER: *10489560*
ISSUE DATE: *November 26, 2019*

Certified by

Under Secretary of Commerce
for Intellectual Property
and Director of the United States
Patent and Trademark Office

Roku EX1011
U.S. Pat. No. 9,715,581
Roku v. Media Chain

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	2018-09-05
First Named Inventor	Christopher A. Estes
Art Unit	
Examiner Name	
Attorney Docket Number	ESTES-4

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6920567	B1	2005-07-19	Doherty et al.	
	2	7676437	B2	2010-03-09	Satkunanathan et al.	
	3	8151194	B1	2012-04-03	Chan et al.	
	4	8745647	B1	2014-06-03	Shin et al.	
	5	9148706	B1	2015-09-29	Shin	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20020032905	A1	2002-03-14	Sherr et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

	2	20020154157	A1	2002-10-24	Sherr et al.	
	3	20030149884	A1	2003-08-07	Hernandez et al.	
	4	20030220883	A1	2003-11-27	Block et al.	
	5	20040039916	A1	2004-02-26	Aldis et al.	
	6	20050004873	A1	2005-01-06	Pou et al.	
	7	20050060701	A1	2005-03-17	Murase	
	8	20050114265	A1	2005-05-26	Satkunanathan et al.	
	9	20050177844	A1	2005-08-11	Levi et al.	
	10	20050223415	A1	2005-10-06	Oho et al.	
	11	20060031785	A1	2006-02-09	Raciborski	
	12	20070055439	A1	2007-03-08	Denker et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

	13	20070241176	A1	2007-10-18	Epstein et al.	
	14	20080027742	A1	2008-01-31	Maeda	
	15	20080243694	A1	2008-10-02	Johnson et al.	
	16	20090210245	A1	2009-08-20	Wold	
	17	20100324983	A1	2010-12-23	Etchegoyen	
	18	20110051914	A1	2011-03-03	Neuman et al.	
	19	20110213721	A1	2011-09-01	Raley et al.	
	20	20120010931	A1	2012-01-12	Mehra et al.	
	21	20120096339	A1	2012-04-19	Cohen et al.	
	22	20120109834	A1	2012-05-03	Bongiovanni et al.	
	23	20120123831	A1	2012-05-17	King et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

	24	20120124638	A1	2012-05-17	King et al.	
	25	20120123916	A1	2012-05-17	Shintani et al.	
	26	20120303490	A1	2012-11-29	Hill et al.	
	27	20130051772	A1	2013-02-28	Ramaswamy et al.	
	28	20130047271	A1	2013-02-21	Tang	
	29	20140108029	A1	2014-04-17	Kim	
	30	20150040002	A1	2015-02-05	Kanna et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	Habermann, Online Video Analytics: YouTube Insight-Advanced Techniques, May 17, 2000.	

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Patrick J. Palascak/	Date (YYYY-MM-DD)	2018-09-05
Name/Print	Patrick J. Palascak	Registration Number	73533

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Filer:	Patrick J. Palascak/Tiana Powell
Attorney Docket Number:	ESTES-4

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	75	75
UTILITY SEARCH FEE	2111	1	330	330
UTILITY EXAMINATION FEE	2311	1	380	380
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	2202	3	50	150
INDEPENDENT CLAIMS IN EXCESS OF 3	2201	1	230	230
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1165**

Electronic Acknowledgement Receipt

EFS ID:	33632250
Application Number:	16122136
International Application Number:	
Confirmation Number:	4998
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Customer Number:	43218
Filer:	Patrick J. Palascak/Tiana Powell
Filer Authorized By:	Patrick J. Palascak
Attorney Docket Number:	ESTES-4
Receipt Date:	05-SEP-2018
Filing Date:	
Time Stamp:	14:58:54
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$1165
RAM confirmation Number	090618INTEFSW00001485501438
Deposit Account	501438
Authorized User	Tiana Powell

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	ADS.pdf	1902353 de07a9c949c1f071a34e5e5405b0443494f4efc7	no	8
Warnings:					
Information:					
2		Specification.pdf	1677090 7b05ed29f3c919e48a5565c76faf88c0ecff56e4	yes	39

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	31
Claims	32	38
Abstract	39	39

Warnings:					
Information:					
3	Drawings-only black and white line drawings	Drawings.pdf	127511 ee637ff2560d3048dba1e96138bff3a4766cb983	no	7
Warnings:					
Information:					
4	Oath or Declaration filed	Declaration.pdf	347566 5b57596c42fe305c6606979f574494d9c3b7f197	no	1
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Form (SB08)	IDS.pdf	621061 5aefd25a3425e8e0c8e4eb80d2d08d188ceaf482	no	7

Warnings:					
Information:					
6	Fee Worksheet (SB06)	fee-info.pdf	37973 eb7849c8ba8c9d53b7b2f657bd4e0c666ee0cbdb	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	4713554	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/AIA/14 (02-18)
Approved for use through 11/30/2020. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Christopher	A.	Estes	

Residence Information (Select One) ● US Residency Non US Residency Active US Military Service

City	Mountain View	State/Province	CA	Country of Residence i	US

Mailing Address of Inventor:

Address 1	240 Mountain View Avenue		
Address 2			
City	Mountain View	State/Province	CA
Postal Code	94041	Country i	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	43218		
Email Address	taft-ip-docket@taftlaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING		
Attorney Docket Number	ESTES-4	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	7	Suggested Figure for Publication (if any)	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	● Customer Number	US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	43218		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation of	15898978	2018-02-19

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
15898978	Continuation of	15659175	2017-07-25	9898590	2018-02-20
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
15659175	Continuation of	13667629	2012-11-02	9715581	2017-07-25
Prior Application Status	Expired				Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
13667629	Claims benefit of provisional	61555810	2011-11-04		

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button. Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Remove

Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. Add

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1 Remove

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Person to whom the inventor is obligated to assign.	Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

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Signature	/Patrick J. Palascak/			Date (YYYY-MM-DD)	2018-09-05
First Name	Patrick J.	Last Name	Palascak	Registration Number	73,533

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	ESTES-4
	Application Number	
Title of Invention	DIGITAL MEDIA REPRODUCTION AND LICENSING	

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent CooperationTreaty.

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

DIGITAL MEDIA REPRODUCTION AND LICENSING

Cross-Reference

[0001] The present application is a continuation application of United States Patent Application No. 15/898,978, filed February 19, 2018, and claims the benefit of United States Patent No. 9,898,590, filed July 25, 2017, and claims the benefit of United States Patent No. 9,715,581, filed November 2, 2012, and claims the benefit of United States Provisional Patent Application No. 61/555,810, filed November 4, 2011, which a r e incorporated herein by reference in their entirety.

Technical Field

[0002] Embodiments relate to licensing digital media for reproduction, and more specifically to a digital media licensing system for licensing and enabling reproduction of digital media on a reproduction device.

Background

[0003] Conventionally, the distribution of media content, such as music, movies, and books for example, is in large part controlled by owners who are the rights-holders of the media content. In conventional systems, the media content is incorporated into a physical media such as a compact disk (CD), a digital video disk (DVD), a printed publication, and/or any other physical media. In such conventional systems, the rights-holders of the media content are able to control licensing of the media content, the production of physical media copies of the media content, and/or the distribution of the media content to customers and/or third party retailers and thereby monetize the media content.

[0004] There has been a dramatic shift in the marketplace away from media content distributed on physical media to digital media content that may be distributed via the internet. Conventionally, rights-holders of digital media content have significantly less control over the distribution of such digital media content as compared to the distributionof physical media. For example, a party that does not hold rights of the digital media content may reproduce the digital media content and then distribute the digital media content via the internet without the permission of the actual rights-holder of the digital media content. As a result, the actual-rights holder of the digital media content cannot monetize the unauthorized distribution of the digital media content.

[0005] The inability of rights-holders of digital media content to monetize the unauthorized distribution of the digital media content limits the financial gain that rights- holders of the digital media content obtain in creating the original digital media content. Often times such unauthorized distribution of the digital media content prohibits the rights- holders of the digital media from covering the costs of creating the original digital mediacontent which discourages creation of digital media content.

Brief Summary

[0006] Embodiments relate to monetizing the reproduction of digital media content for the rights-holder of the digital media content. In an embodiment, a computer implemented method provides a multimedia hardware device a capability to generate an authorized reproduction of a media content item included in a digital media file. A digital media filethat includes a media content item may be loaded for reproduction. The digital media file may be analyzed to identify digital media

information associated with the media content item. A license database may be accessed to determine whether a user is licensed to reproduce the media content item based on the digital media information. The media content item may be reproduced when the user is licensed to reproduce the media content item based on the digital media information. A licensing query may be provided to the user when the user is not licensed to reproduce the media content item to prompt the user to select to acquire a license to reproduce the media content item or to decline the license to reproduce the media content item.

[0007] In another embodiment, a system provides a media content licensing and verification system to license media content for reproduction. A transceiver may receive a media licensing request from an external device associated with a user. The media licensing request may include digital media information associated with a media content item included in a digital media file. A processor may access a media catalog database that includes a plurality of media content records where a media content record from the plurality of media content records is associated with the media content item. The processor may also determine whether the media licensing request is to be granted based on the media content record stored in the media catalog database that is associated with the media content item. The processor may grant the media licensing request for the external device when the media content record associated with the media content item verifies the granting of the license for the media content item to the external device. The processor may also decline the media licensing request for the external device when the media content record associated with the media content item does not verify the granting of the license for

the media content item to the external device.

[0008] Further embodiments, features, and advantages, as well as the structure and operation of the various embodiments, are described in detail below with reference to theaccompanying drawings.

Brief Description of the Drawings

[0009] Embodiments are described with reference to the accompanying drawings. In the drawings, like reference numbers may indicate identical or functionally similar elements.

[0010] FIG. 1 illustrates a digital media file licensing and authorized reproduction system, according to an embodiment;

[0011] FIG. 2 illustrates a second digital media file licensing and authorized reproduction system, according to an embodiment;

[0012] FIG. 3 illustrates a flowchart illustrating an exemplary aspect of operation for the media content licensing and verification system to analyze a received catalog of media content and manage the catalog of media content, according to an embodiment;

[0013] FIG. 4 illustrates a flowchart illustrating an exemplary aspect of operation for the external multimedia hardware device, according to an embodiment;

[0014] FIG. 5 illustrates a flowchart illustrating an exemplary aspect of operation for the media content licensing and verification system to receive a payment for a license to reproduce a digital media file, according to an embodiment;

[0015] FIG. 6 illustrates a flow chart illustrating an exemplary aspect of operation for the media content licensing and verification system to receive licensing information froma third party media retailer, according to an embodiment; and

[0016] FIG. 7 illustrates a flow chart illustrating an exemplary aspect of operation for the media content licensing and verification system to receive a third-party request for licensing statistics.

Detailed Description

[0017] The digital media file licensing and authorized reproduction system provides a capability to ensure that a user possesses a license to reproduce a digital media file and if the user does not have a license, providing to the user the option to obtain such a license. In the Detailed Description herein, references to "one embodiment", "an embodiment", an "example embodiment", etc., indicate that the embodiment described may include a particular feature, structure, or characteristic, by every embodiment may not necessarily include the particular feature, structure, or characteristic. Moreover, such phrases are not necessarily referring to the same embodiment. Further, when a particular feature, structure, or characteristic may be described in connection with an embodiment, it may be submitted that it may be within the knowledge of one skilled in the art to effect such feature, structure, or characteristic in connection with other embodiments whether or not explicitly described.

Overview

[0018] FIG. 1 illustrates a digital media file licensing and authorized reproduction system 30 in which embodiments or portions thereof, may be implemented. Digital media file licensing and authorized reproduction system 30 includes an external multimedia hardware device 10, a network 12, a media

content licensing and verification system 16, a media content rights-holders system 18, a third party online media retailers system 20, and a hardware device manufacturers system 22.

[0019] System 30 may monetize the reproduction of a media content item included within a digital media file. Reproduction of a media content item may include reproducing sound from a digital audio file, reproducing video from a digital video file, reproducing text from a digital text file, and/or any other reproduction of a digital media file that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0020] Reproduction may be defined as a first use by a user of the media content item. For example, reproduction of the media content item may include when a user first accesses a media content item where the user obtained the media content item from an outside source, such as but not limited to a third party online media distributor. Reproduction may also be defined as further distribution of the media content item by the user after the user has initially accessed the media content item. For example, reproduction of the media content item may include when the user distributes the media content item to other parties after the user has obtained the media content item from the third party online media distributor.

[0021] A digital media file may represent a MPEG Layer 3 (MP3) file, a RealAudio (RA) file, a raw sample (RAW) file, a Microsoft wave (WAV) file, a Windows Media Audio (WMA) file, and/or any other suitable digital media file that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure. The media content item may include any

portion of data included in the digital media file. A user of external multimedia hardware device 10 may reproduce the media content item with external multimedia hardware device 10. Device 10 may represent a smart phone, a smart tablet, a mobile telephone, a television, an audio system, a personal music player, a portable computing device, other computing devices such as a personal computer, a laptop, or a desktop computer, computer peripheral such as a printer, a portable audio/or a video player, and/or any other suitable electronic device that can reproduce a media content item that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0022] However, the user may not have a license that authorizes the user to reproduce the media content item. The digital media file including the media content item may have been procured from various sources that are not licensed to reproduce the media content item and do not collect licensing fees for use of the media content item. As such, when the user loads the digital media file for reproduction, device 10 may analyze the digital media file to determine the media content item included in the file and determine whether the user of device 10 is authorized. For example, the device may analyze a digital music file to identify the song and artist of the media content item that may be a track included in the digital music file. The user may be authorized when the user has a license to load and/or reproduce a media content item included in the digital media file.

[0023] In an embodiment, device 10 may analyze a plurality of identifying characteristics associated with the media content item to identify the media content item and to determine whether the user of device 10 is authorized. The plurality of

identifying characteristics may be an identifying characteristic associated with the media content item inherently present in the media content item such that the media content item is not remastered to include the identifying characteristic after the media content item is initially recorded. The plurality of identifying characteristics can represent a fingerprint, digital watermarking, and/or any other suitable algorithm to identify copyright ownership of the media content item included in the digital media file that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure. In an embodiment, device 10 may analyze metadata included in the loaded digital media file to identify the media content item included in the digital media file.

[0024] System 30 may query a license database locally and/or remotely located to system 30 to determine whether the user of device 10 has the appropriate license for the media content item. Device 10 may refuse to play the digital media file and query the user to determine whether the user wishes to purchase the appropriate license when the user does not have the appropriate license.

[0025] Device 10 may communicate with media content licensing and verification system 16 over network 12 and transmit the fingerprint of the media content item to media content licensing and verification system 16 when the user selects to purchase the appropriate license. Licensing system 16 may identify the media content item based on the received fingerprint. Licensing system 16 may transmit back to device 10 the title and/or other information associated with the identified media content item and request the user to confirm purchase of the license. The user may interface with device 10 to conduct the licensing transaction

with licensing system 16, and after purchasing the license, licensing system 16 may transmit a license to device 10. After receiving the license from licensing system 16, device 10 may commencereproduction of the media content item. Moreover, licensing system 16 may store arecord of the transaction for statistical purposes, and/or store a copy of the licensein a database under a user record associated with the user of device 10.

[0026] Device 10 and licensing system 16 may provide data associated with the use of the media content item to media content rights-holders system 18 over network 12. Rights-holders system 18 may be accessed by an owner of a copyright for the media content item. For example, device 10 and licensing system 16 may provide data to rights-holders system 18 that includes the user who is accessing the media content item, the geographic location of the user who is accessing the media content item, other media content items that the user may be accessing, the quantity of times the media content item is accessed, and/or any other data associated with the use of the media content item that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0027] The data provided by device 10 and licensing system 16 to rights-holders system 18 for the media content item may be used by the copyright owner to develop future licensing agreements that may be provided to the user of device 10 by licensing system 16 for future use of the media content item. Payments for the license to use the media content item may be received from the user via device 10 and licensing system 16. Payments may also be distributed to the copyright owner via rights-holders system 18.

[0028] Device 10 and licensing system 16 may also provide data associated with the use of the media content item to third party online media retailers system 20. The data provided to retailers system 20 may be similar to the data provided to rights - holders system 18. However, retailers system 20 may be accessed by third party online media retailers who have been selected by the copyright owner of the media content item to distribute the media content item via the Internet.

[0029] The data provided by device 10 and licensing system 16 to retailers system 20 for the media content item may be used by the third party online retailers to develop future pricing for their online media content item distribution including which media content items to distribute in the future. The data provided to retailers system 20 may also be used to help third party online media retailers target the marketing of the media content item to demographics that have shown a trend of interest in the media content item. Payments for the distribution of the media content item by the third party on line media retailer may be received from the user via device 10 and licensing system 16. Payments may also be distributed to the third party online media retailer via r etailers system 20.

[0030] Device 10 and licensing system 16 may also provide data associated with the use of the media content item to hardware device manufactures system 22. The data provided to manufactures system 22 may be similar to the data provided to rights- holders system 18 and retailer system 20. However, manufactures system 22 may be accessed by hardware device manufacturers who manufacture the hardware that may be implemented in device 10 that provides device 10 with the

capabilities to limit reproduction of the media content item to when the user has a license to reproduce the media content item. Payments for use of the hardware provided by the hardware device manufacturers implemented in device 10 by the user of device 10 may also be distributed to the hardware device manufacturer via manufacturers system 20.

[0031] Device 10 may be configured to connect to network 12. Network 12 may include one or more networks, such as the Internet. In some examples, network 12 may include one or more network technologies such as Ethernet, Fast Ethernet, Gigabit Ethernet, a variant of the IEEE 802.11 standard such as WiFi, and the like. Communication over network 12 takes place using one or more network communication protocols including reliable streaming protocols such as transmission control protocol (TCP). These examples are illustrative and not intended to limit the present disclosure. As shown in FIG. 1, device 10 may engage in communication with network 12 via connection 14, where connection 14 may be a wireless, wired, a secured communication connection, any combination thereof, and/or any other communication connection that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0032] Licensing system 16 may be configured to engage in communication with network 12. As such, device 10 may communicate with licensing system 16 via network 12. Additionally, rights-holders system 18, retailers system 20, and/or manufacturers system 22 may also communicate with licensing system 16 and device 10 via network 12. Licensing system 16, rights-holders system 18, retailers

system 20, and/or manufacturers system 22 may engage in communication with network 12 via a communication connection similar to connection 14.

[0033] Device 10, licensing system 16, rights-holders system 18, retailers system 20, and/or manufacturers system 22 may have a cloud computing configuration. Device 10, licensing system 16, rights-holders system 18, retailers system 20, and/or manufacturers system 22 may share resources via network 12. For example, device 10 may retrieve licensing information for the user of device 10 who wishes to reproduce the media content item via network 12. Licensing system 16 may also update rights-holders system 18 with the user information for the user who wishes to reproduce the media content item. Based on the cloud computing configuration, the interaction between device 10, licensing system 16, and rights-holders system 18 may not be limited to a single external multimedia hardware device. A plurality of external multimedia hardware devices may update licensing system 16 and rights-holders system 18 via network 12 with user information of users wishing to reproduce the media content item. Licensing system 16 may provide each of these updates for the user information to any media content rights-holders system that requests the user information.

Digital Media File Licensing and Authorized Reproduction System

[0034] FIG. 2 illustrates a second digital media file licensing and authorized reproduction system 95 in which embodiments or portions thereof, may be implemented. Digital media file licensing and authorized reproduction system 95 includes external multimedia hardware device 10, media content licensing and verification system 16, and network 12. External multimedia hardware device 10

includes a processor 40, a transceiver 44, an input/output interface 46, a memory 52, a mass storage 60, a human machine interface (HMI) 48 and a reproduction module 50. Processor 40 may be a hardware based processor that includes a general purpose microcontroller, a special purpose microcontroller and/or any other controller that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0035] Processor 40 includes a media recognition module 42. Media recognition module 42 may be configured to analyze a loaded digital media file to identify the media content item included in the digital media file and/or determine an identifying characteristic, such as a fingerprint for example, of the media content item. In an embodiment, the media recognition module 40 may include hardware based circuitry configured to analyze a loaded digital media file. In an embodiment, the media recognition module 42 may include program code executing on the processor 40 configured to cause the processor 40 to analyze a loaded digital media file.

[0036] Memory 52 includes a digital media file 58, an application 54, and an operating system (OS) 56. Memory 52 may be accessed by processor 40, such that processor 40 may read data from memory 52 and write data to memory 52. In some embodiments, application 54 and/or OS 56 may include program code including one or more instructions, that when executed by processor 40 cause device 10 to perform the steps necessary to execute steps or elements embodying the various aspects of the disclosure. Furthermore, digital media file 58 may be loaded for reproduction.

[0037] Mass storage 60 includes a license database 62 and digital media file 58. License database 62 includes a license record 64. Mass storage 60 may be utilized in addition to memory 52, or may not be included at all, in which case the data elements illustrated as stored on mass storage 60 would be stored in memory 52. For exemplary purposes, mass storage 60 includes digital media files 58, illustrating that one or more digital media files 58 may be stored in mass storage 60 of device 10. Moreover, mass storage 60 includes a license database 62, where license database 62 includes one or more license records 64. In an embodiment, license database 62 includes license records 64, where license records 64 indicate a media content item that a user of the device may be licensed to reproduce.

[0038] Media content licensing and verification system 16 includes a transceiver 68, a processor 66, an input/output interface 70, a mass storage 74, a memory 76, and a HMI 72. Memory 76 includes an application 78, an OS 80, a registered user database 86, a digital media catalog database 82, and a licensing statistics database 92. Application 78 and/or the OS 80 may include program code including one or more instructions configured to be executed by processor 66 to cause licensing system 16 to perform steps necessary to perform embodiments of the disclosure.

[0039] Registered user database 86 includes a user record 88. User record 88 includes a license record 90. Digital media catalog database 82 includes a media record 84. Each media record 84 includes data associated with a unique media content item loaded into the licensing system 16. As such, a rights-holder or content creator may load a catalog of media content items that may include but

not limited to a song, a movie, a television show, a novel, and/or any other media content item into licensing system 16. Licensing system 16 may analyze each media content item in the catalog, and generate a media record corresponding to each media content item. In some embodiments, each media record may include data indicating various information of the corresponding media content item, including but not limited to the rights-holder of the media content item, the title of the media content item, the plurality of identifying characteristics, and/or any other information associated with the corresponding media content item that will be apparent to the those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0040] Each user record 88 may be associated with a unique user and indicates all media content items the user has purchased a license for. Each user record 88 may include one or more license records 90, where each license record may include dataindicating a media content item that the user is licensed to reproduce.

[0041] Licensing statistics database 92 includes a statistics record 94. Each statistics record 94 may include data indicating a license purchased by a user connecting to licensing system 16. The data may include, for example, whether a user that purchased a license for a particular media content item, how many users refused to license a particular media content item, the rights-holder of the media content item for which the license was purchased, the title of the media content item, demographic information for the user that may include but is not limited to age, gender, location, and/or any other data that may be associated with the user

and/or license obtained by the user that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0042] Embodiments of the present disclosure can be implemented on any type of processing (or computing) device having one or more processors. For example, embodiments can be implemented on a workstation, mobile device, computer, cluster of computers, set-top box, or other devices having at least one processor. In an embodiment, multiple modules may be implemented on the same processing device. Software can include one or more applications and an operating system. Hardware can include, but may not be limited to, a processor, memory, and/or graphical user interface display.

Method 100

[0043] FIG. 3 illustrates a flowchart of an exemplary method 100 of processing a digital media catalog for use in a media content licensing and verification system. At step 102, the media content licensing and verification system receives digital media catalog. At step 104, each media content item of the received catalog may be analyzed.

[0044] At step 106, a plurality of identifying characteristics associated with the media content item may be determined. For example, the fingerprint of the media content item may be determined. Determining a media content fingerprint may include one or more steps for analyzing the digital file including the media content item to determine one or more characteristics that uniquely identify the media content item stored therein. For example, if the media content item were a book

stored in a digital text file, the natural media fingerprint may be determined to be a predefined number of words from the beginning of the text file.

[0045] In another exemplary embodiment, the media content item may be a song stored in a digital music file, and the system may determine the natural media fingerprint by analyzing the digital music file to identify lyrics included in the song, notes played in the song, and/or a sampled sound wave included in the song. These characteristics may be considered individually or in various combinations to uniquely identify the song. Moreover, in many digital media file formats, one or more information fields related to the media content item stored in the file are included in metadata of the file. In an embodiment of the invention, the system may analyze metadata included in the digital media file to identify the media content item stored thereon.

[0046] In step 108, the system generates a media record for each media content item, where the media record includes data indicating the fingerprint, rights-holder information, title, and/or any other media content item data. In step 110, the media record is stored in a digital media catalog database accessible by the system.

[0047] Embodiments can work with software, hardware, and/or operating system implementations other than those described herein. Any software, hardware, and operating system implementations suitable for performing the functions described herein can be used.

Method 120

[0048] FIG. 4 illustrates a flowchart of an exemplary method 120 of verifying that a digital media file has been licensed prior to reproduction and facilitating the purchase ofa license if the digital media file has not been properly licensed prior to reproduction. At step 122, a digital media file is loaded for reproduction on the external multimedia hardware device. At step 124, the device analyzes the digital media file.

[0049] At step 126, information associated with the digital media file is determined. Information associated with the digital media file may include a fingerprint associated with the media content item included in the digital media file, the rights-holder of the media content item, the title of the media content item, and/or any other digit al media file information that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure. For example, as described above with respect to FIG. 3, the device may analyze the digital media file to determine one or more characteristics of the media content item stored thereon, where the characteristics may be utilized alone and/or in various combinations to identify the media content item.

[0050] The selected characteristics may be referred to as the natural media fingerprint of the media content item. Advantageously, the natural media fingerprint identifies a media content item, even considering the possibility of different versionsof the same media content item. For example, multiple versions of a song ar e recorded at various times and may be stored as digital music files,

such as a live version and a studio version. However, by analyzing the characteristics of a media content item, different versions of the same song may be consistently identified. For example, analyzing characteristics may include analyzing word recognition of lyrics, the occurrence of various frequencies at particular points in time in relation to the occurrence of the lyrics, and/or any other media content item characteristic that willbe apparent to those skilled in the relevant art(s) without departing from the spirit andscope of the disclosure.

[0051] At step 128, the device accesses a license database. At step 130, whether a user of the device has a license for the digital media file may be determined based on the natural media fingerprint and/or other digital media information, such as metadata, included in the digital media file. At step 132, the device initializes reproduction of the digital media file in response to the determining that the user has the appropriate license.

[0052] At step 134, the device generates a display query asking the user whether the user would like to purchase a license for the digital media file in response todetermining that the user does not have the appropriate license. The device generates a display query asking the user whether the user would like to purchasea license for the digital media file.

[0053] At step 136, the device indicates to the user that the digital media file cannot be played in response to the user indicating that the user would not like topurchase a license. At step 137, the device transmits statistics related to the media content item stored on the digital media file to the media content licensing and verification system. The statistics information may include, for

example, the determined natural media fingerprint of the media content item stored in the digital media file and/or any other such information related to the media content item, the digital media file, the external multimedia hardware device, and/or the user of the device.

[0054] At step 138, the device initializes a licensing interface in response to the user indicating that the user would like to purchase the license. The device initializes a licensing interface that includes establishing a secure communication connection to a media content licensing and verification system.

[0055] At step 140, the device transmits user identification data to the system, such that the user of the device may be identified to log into a user account associated with the user, process the licensing transaction, and/or for other such reasons to facilitate purchasing a license for the media content item. The user identification data may include for example, a user name and password, a unique identifier associated with the user, the user's billing information, and/or any other user identification data that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0056] At step 142, the device transmits a licensing request to the system, where the request includes information corresponding to the digital media file and the media content item included in the digital media file, such as the fingerprint of the media content item, the title of the media content item, the rights-holder of the digital media file, and/or other media content item information that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0057] Embodiments can work with software, hardware, and/or operating system implementations other than those described herein. Any software, hardware, and operating system implementations suitable for performing the functions described herein can be used.

Method 160

[0058] FIG. 5 illustrates a flowchart of an exemplary method 160 of processing a license request from an external multimedia hardware device. At step 161, prior to initializing the licensing transaction, the system receives the user identification data and confirms the user's identity. For example, the system logs the device into a securedtransaction interface associated with an account of the user.

[0059] At step 162, the system receives a digital media licensing request from an external multimedia hardware device over a network where the licensing request includes data indicating a media content item that a user of the device wishes to acquire a licensefor. In an embodiment, the licensing request includes a fingerprint of the media content item, information identifying the rights-holder of the media content item, the title of the media content item, and/or other media content item information.

[0060] At step 164, the system accesses a digital media catalog database to identify the media content item indicated by the request. At step 166, the system matches the fingerprint of the media content item included in the license request to a fingerprint in the digital media catalog database to identify the media content item associated with the licensing request, the rights-holder associated with the media

content item, the price required for a license for the media content item, and/or any other identification information that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0061] At step 168, the system transmits data to the device indicating that a license is not required for reproduction in response to determining that a record corresponding to the media content item is not in the digital media catalog database. At step 169, the system transmits data to the device such that a user of the device may confirm a transaction to acquire the license associated with the media content item in response to identifying the media content item associated with the licensing request. In an embodiment, the system transmits data indicating the title of the media content item, the rights-holder of the media content item, an artist associated with the media content item, and/or other media content information such that the device presents this information to the user when asking the user whether to confirm the transaction.

[0062] At step 170, the system transmits data to the device indicating that the license has not been purchased in response to the user declining the licensing transaction, at which point, the device may refuse to reproduce the digital media file for the user. At step 172, the system processes the licensing transaction in response to the user confirming the licensing transaction and the system receiving confirmation data from the device. The processing may include collecting payment information, charging previously known payment information, debiting a user account, and/or any other such payment processing methods.

[0063] At step 174, the system transmits a license associated with the media content item over the communication network to the device in response to processing the licensing transaction. At step 176, the system generates a license record indicating the user and the media content item in response to processing the transaction, the system generates a transaction record including data that identifies the user, the media content item, demographic information about the user, and/or any other license record information that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0064] At step 177, the user has not purchased a license for a media content item, either because the media content item is not identified in the database or because the user refuses to make the purchase. However, a statistics record may be generated. The statistics data may include for example the natural media fingerprint associated with the media content item, the rights-holder of the media content item, the title of the media content item, and/or any other statistical data. The statistics data generated may be utilized for a variety of purposes, including for example, encouraging non- participating rights-holders from participating in the system by identifying the number of times a license was requested for a media content item owned by the non-participating rights-holder. At step 178, the statistics record is stored in the licensing statistics database, and the license record is stored in the registered user database in a user record associated with the user.

[0065] Embodiments can work with software, hardware, and/or operating system implementations other than those described herein. Any software,

hardware, and operating system implementations suitable for performing the functions described herein can be used.

Method 180

[0066] FIG. 6 illustrates a flowchart of an exemplary method 180 of loading licenses for media content items associated with a user from third party sources. At step 182, the system connects to a third party online media retailer. At step 184, licenses purchased from the third party retailers may be uploaded into a registered user database of the system. At step 186, after receiving the user license data, the system updates the registered user database of the system.

[0067] Embodiments can work with software, hardware, and/or operating system implementations other than those described herein. Any software, hardware, and operating system implementations suitable for performing the functions described herein can be used.

Method 200

[0068] FIG. 7 illustrates a flowchart of an exemplary method 700 of providing statistics associated with licensing transactions performed by the system to a third party over a communication network consistent with embodiments of the invention. At step 202, the system stores one or more transaction records in a connected licensing statistics database.

[0069] At step 204, the system dynamically aggregates the transaction records in relation to one or more fields of information included in each transaction record. For example, the system may aggregate all transaction records stored in the

licensing statistics database where the media content item of the transaction record has a desired title, and as such, data and statistics related to how many times a license was purchased for the media content item having the desired title may be retrieved. In an embodiment, similar aggregation may be performed to determine how many licenses were purchased for a particular rights-holder, titles of media content items that users of a particular demographic purchased, and/or other such relevant data and statistics.

[0070] At step 206, the system may receive a statistics request from a third party that may include but not limited to a rights-holder, a hardware manufacturer, a marketing/analytics partner, and/or other such third parties that will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0071] At step 208, the system may generate a statistics report based on the received request. At step 210, the system may transmit the statistics report to the third party overthe communication network. As such, in an embodiment a participating rights-holder may quickly retrieve licensing data and statistics for media content items that the rights-holder owns. In another embodiment, a marketing and/or analytics company may receive valuable licensing and statistics data for media content items for particular demographics of users, genres of media content items, and/or other such categories.

[0072] Embodiments can work with software, hardware, and/or operating system implementations, other than those described herein. Any software,

hardware, and operating system implementations suitable for performing the functions described herein can be used.

Conclusion

[0073] As such, in general, some embodiments of the invent ion are directed to a system for recognizing licensed and unlicensed multi-media content by use of a natural media fingerprint recognition and license verification database and system. The system disables the use of unlicensed content and provides a secure method to license unlicensed multimedia content and distribute the licensing revenue to content owners, rights-holders, participating third-party hardware and software manufacturers,and/or other additional third parties. In some embodiments, an external multi-media hardware device includes a hardware or software read/write licensed media database module, operatively connected to a hardware or software natural media fingerprint recognition and license verification module, where the recognition and license verification module may be operatively connected to a hardware or software data encryption module. Moreover, the device may include an operating system and/or application stored on memory associated with the external multi-media hardware device. Where the operating system and/or application may be executed by a processor associated with the device to cause the processor to control one or more of the modules to perform one or more tasks associated with the one or more modules. In addition, media reproduction (e.g., audio and video playback) hardware and/or software module may be monitored and controlled by processor of the device operatively connected to, executing, and/or accessing the content fingerprint recognition and

license verification module. Moreover, a physical memory device (e.g., a memory and/or a mass storage device) may be accessible by the processor during execution of the one or more operations of the operating system and/or application residing on a memory associated with the external multi-media hardware device. In some embodiments, the operating system and/or application may cause the processor to drive a peripheral device using an 1/0 interface to present a user of the device with a graphic user interface.

[0074] Furthermore, the external multimedia hardware device may communicate over a communication network (e.g., an internet connection, a cellular communication network connection, etc.). In some embodiments, the external multimedia hardware device may be connected to a one or more servers functioning as a media content licensing and verification system over the communication network, such as a media content licensing and verification system shown in Figs. 1 and 2. In other embodiments, the external multimedia hardware device may be connected to a personal computer functioning as a media content licensing and verification system. For example, an external multimedia hardware device may connect to a user's personal computer over a Wi-Fi connection to verify a user has the appropriate license to reproduce a particular media content item, where the personal computer may include a plurality of licensing records associated with the user. In some embodiments, the communication connection between the device and the server may be a secure internet connection. In addition, the media content licensing and verification system may receive multi-media content items (e.g., songs, videos, books, etc.) from participating copyright

owners and/or rights-holders through a catalog submissions module operatively connected to the system and executing thereon. The catalog submissions may be loaded into a natural media fingerprint creation module to generate a natural media fingerprint catalog. In addition, the system may be operatively connected to a storage device storing a registered users and licensed media database.

[0075] In addition, the media content licensing and verification system may be operatively connected to and/or execute a secure license verification and payment collection module stored on a connected storage device and/or executing on a computing system connected over the communication network. Such that the the content fingerprint and licenses verification module associated with the external multimedia hardware device may conduct license purchasing transactions by communicating over the communication network with the media licensing and verification system and/or the secure license verification and payment collection module. The secure license verification and payment collection module may be connected through the central computer controlled sub-system server (e.g. a media content licensing and verification system) and/or through a computing system in communication with the media content licensing and verification system over the communication network.

[0076] As such, the application and/or operating system executing on the external multimedia hardware device may facilitate licensing transactions for various media content items stored in the media content licensing and verification system. Furthermore, the media content licensing and verification system may include a payments distribution with real-time statistics module that may execute

on the media content licensing and verification system, such that copyright owners, rights -holders, and/or participating hardware manufacturers may receive payments and statistics associated with the licensing of media content items using the media content licensing and verification system.

[0077] In some embodiments, pre-existing licenses may be submitted to the media content licensing and verification system such that the registered users and licensed media master database may be updated to include licenses for registered users purchased from third party sources, such as third party online media retailers. Where the previously purchased license data may be imported into the system over the communication network to the media content licensing and verification system from the third party sources, such as databases maintained by third parties.

[0078] It will therefore be appreciated that the invention may be implemented, for example, using program code implemented on one or more hardware-based computers, one or more processors, and/or one or more integrated circuits (e.g., semiconductors). Program code typically comprises one or more instructions that are resident at various times in various memory and storage devices in a computer, and that, when read and executed by one or more processors in a computer, cause that computer to perform the steps necessary to execute steps or elements embodying the various aspects of the invention. Moreover, while the invention has and hereinafter will be described in the context of fully functioning computers and computer systems, those skilled in the art will appreciate that the various embodiments of the invention are capable of being distributed as a program product in a variety of forms, and that the invention applies equally regardless of

the particular type of computer readable media used to actually carry out the distribution. Examples of computer readable media include but are not limited to tangible, recordable type media such as volatile and non-volatile memory devices, floppy and other removable disks, hard disk drives, magnetic tape, optical disks (e.g., CD-ROMs, DVDs, etc.) among others.

[0079] Moreover, while the invention has and hereinafter will been described in the context of digital media files resident on a memory, the invention is not so limited. Those skilled in the art will appreciate that embodiments of the invention are capable of facilitating licensing transactions with respect to streaming digital media. For example, a media content item may be streamed to an external multimedia hardware device over a communication network, and a portion of the media content item may be stored in a local memory (e.g., buffered in a cache of a processor associated with the external multimedia hardware device) while a portion may be stored remotely on a memory device accessible by the external multimedia hardware device over a communication network. For example, a media content item may be streamed to an external multimedia hardware device over a communication network from a cloud based storage system, a digital media streaming service (e.g., Pandora, Last.fm, Spotify, iTunes, iCloud, Netflix, and/or other such services) and embodiments of the invention may analyze the media content item when loaded for reproduction and perform the operations consistent with embodiments of the invention to confirm that a user of the device has the appropriate license for the streaming media content item prior to reproducing the streaming media content item.

[0080] While the invention has been illustrated by a description of the various embodiments and the examples, and while these embodiments have been described in considerable detail, it is not the intention of the applicants to restrict or in any other way limit the scope of the invention to such detail. Additional advantages and modifications will readily appear to those skilled in the art. Thus, the invention in its broader aspects is therefore not limited to the specific details, representative apparatus and method, and illustrative example shown and described. In particular, any of the blocks of the above flowcharts may be deleted, augmented, made to be simultaneous with another, combined, or be otherwise altered in accordance with the principles of the invention. Accordingly, departures may be made from such details without departing from the spirit or scope of applicants' general inventive concept.

WHAT IS CLAIMED IS:

1. A computer implemented method for configuring a multimedia hardware device to generate an authorized reproduction of a media content item included in a digital media file, comprising:

receiving a request from a user to reproduce the media content item;

evaluating the request to determine whether the user has acquired a license to reproduce the media content item and offering the license to reproduce the media content item to the user when the user does not have the license to reproduce the media content item;

after the evaluation of the request, extracting user data that is specific to the user that is attempting to reproduce the media content item when the user at least one of acquires and declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner of the media content item to gauge at least one of a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for the media content item of the copyright owner;

aggregating the user data into a statistics record for the request when the user at least of acquires and declines the license, wherein the statistics record summarizes the user data associated with the request;

storing in a license database the statistics record so that the user data is accessible to the copyright owner of the media content item; and

analyzing a plurality of statistics records aggregated from each request for the media content item owned by the copyright owner to provide the copyright owner with the aggregated user data from each request of the media content item.

2. The method of claim 1, further comprising:

receiving a license to reproduce the media content from a licensing system when the request is granted by the licensing system; and

preventing reproduction of the media content item when the request is declined by the licensing system.

3. The method of claim 2, further comprising:

reproducing the media content item based on a plurality of reproduction parameters in the license that is received from the licensing system.

4. The computer implemented method of claim 1, further comprising:

storing in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

5. The computer implemented method of claim 1, further comprising:

storing in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

6. The method of claim 1, wherein the user data includes a geographic location of the user who is accessing the media content item.

7. A computer implemented method for configuring a media content licensing and verification system to license media content for reproduction, the method comprising:

receiving a request from an external device associated with a user to reproduce a media content item, wherein the request includes digital media information associated with the media content item included in a digital media file;

determining whether the request is to be granted based on a media content record stored in a media catalog database that is associated with the media content item and offering a license to reproduce the media content item to the user when the user does not have the license to reproduce the media content item;

after the determination of the request, extracting user data that is specific to the user that is attempting to reproduce the media content item when the user is at least one of granted the license and when the user declines the license, wherein the user data includes demographic data associated with the user that enables a copyright

owner to gauge at least one of a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for the media content item of the copyright owner;

aggregating the user data into a statistics record for the request when the user at least one of acquires and declines the license, wherein the statistics record summarizes the user data associated with the request;

storing in a license database the statistics record so that the user data is accessible to the copyright owner of the media content item; and

analyzing a plurality of statistics records aggregated from each request for the media content item owned by the copyright owner to provide the copyright owner with the aggregated user data from each request of the media content item when at least one of the license is acquired and declined by the user.

8. The method of claim 7, further comprising:

generating a license record that includes license granting information associated with the license granted to the external device; and

storing the license record in a registered user database that is associated with the user.

9. The method of claim 7, wherein the digital media information includes a fingerprint associated with the media content item.

10. The method of claim 7, further comprising:

storing in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

11. The method of claim 7, further comprising:

storing in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

12. The method of claim 7, wherein the user data includes additional media content items that the user has previously accessed.

13. A system for configuring a multimedia hardware device to generate an authorized reproduction of a media content item included in a digital media file, comprising:

at least one processor; and

a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to:

receive a request from a user requesting to reproduce the media content item;

evaluate the request to determine whether the user has acquired a license to reproduce the media content item and offer the license to reproduce the media content item to the user when the user does not have the license to stream the media content item;

after the evaluation of the request, extract user data that is specific to the user that is attempting to reproduce the media content item when the user at least one of acquires and declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge at least one of a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for the media content item of the copyright owner,

aggregate the user data into a statistics record for the request when the user at least one of acquires and declines the license, wherein the statistics record summarizes the user data associated with the request,

store in the license database the statistics record so that the user data is accessible to the copyright owner of the media content item, and

analyze a plurality of statistics records aggregated from each request for the media content item owned by the copyright owner to provide the copyright owner with the aggregated user data from each request of the media content item when the license is at least one of acquired and declined by the user.

14. The system of claim 12, wherein the processor is further configured to:

receive a license to reproduce the media content item from a licensing system when the request is granted by the licensing system; and

prevent reproduction of the media content item when the request is declined by the licensing system.

15. The system of claim 12, wherein the processor is further configured to reproduce the media content item based on a plurality of reproduction parameters included in the license that is received from the licensing system.

16. The system of claim 12, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

17. The system of claim 12, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

18. The system of claim 12, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

19. A system for configuring a media content licensing and verification system to license media content for reproduction, comprising:

a receiver configured to receive a request from an external device associated with a user to reproduce the media content item, wherein the request includes digital media information associated with the media content item included in a digital media file;

at least one processor; and

a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to:

determine whether the request is to be granted based on the media content record stored in the media catalog database that is associated with the media content item and offer a license to reproduce the media content item to the user when the user does not have the license to reproduce the media content item,

after the determination of the request, extract user data that is specific to the user that is attempting to reproduce the media content item when the user at least one of acquires and declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge at least one of a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for the media content item of the copyright owner,

aggregate the user data into a statistics record for the request when the user at least one of acquires and declines the license, wherein the statistics record summarizes the user data associated with the media licensing request, and

store in a license database the statistics record so that the user data is accessible to the copyright owner of the media content item, and

analyze a plurality of statistics records aggregated from each request for the media content item owned by the copyright owner to provide the copyright owner with the aggregated user data from each request of the media content item when at least one of the license is acquired and declined by the user.

20. The system of claim 18, wherein the processor is further configured to:

generate a license record that includes license granting information associated with the license granted to the external device; and

store the license record in a registered user database that is associated with the user.

21. The system of claim 18, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

22. The system of claim 20, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to reproduce the media content item that is accessible to a hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

23. The system of claim 18, wherein the user data includes a geographic location of the user who is accessing the media content item that enables the copyright owner to gauge geographic locations where the media content item is being accessed.

Abstract

Systems and methods for monetizing the reproduction of digital media content for the rights-holders of the digital media content. Embodiments of the presentdisclosure relate to determining whether a user of a media content item has a license to reproduce the media content item. In one embodiment, the media content item may be reproduced when the user is licensed. The user is prompted to select to acquire a license to reproduce the media content item or to decline the license to reproduce the media content item when the user is not licensed. Further embodiments determine whether a user may receive a license when the user wishes to acquire a license. In an embodiment, the user is declined a license when notapproved for the license.

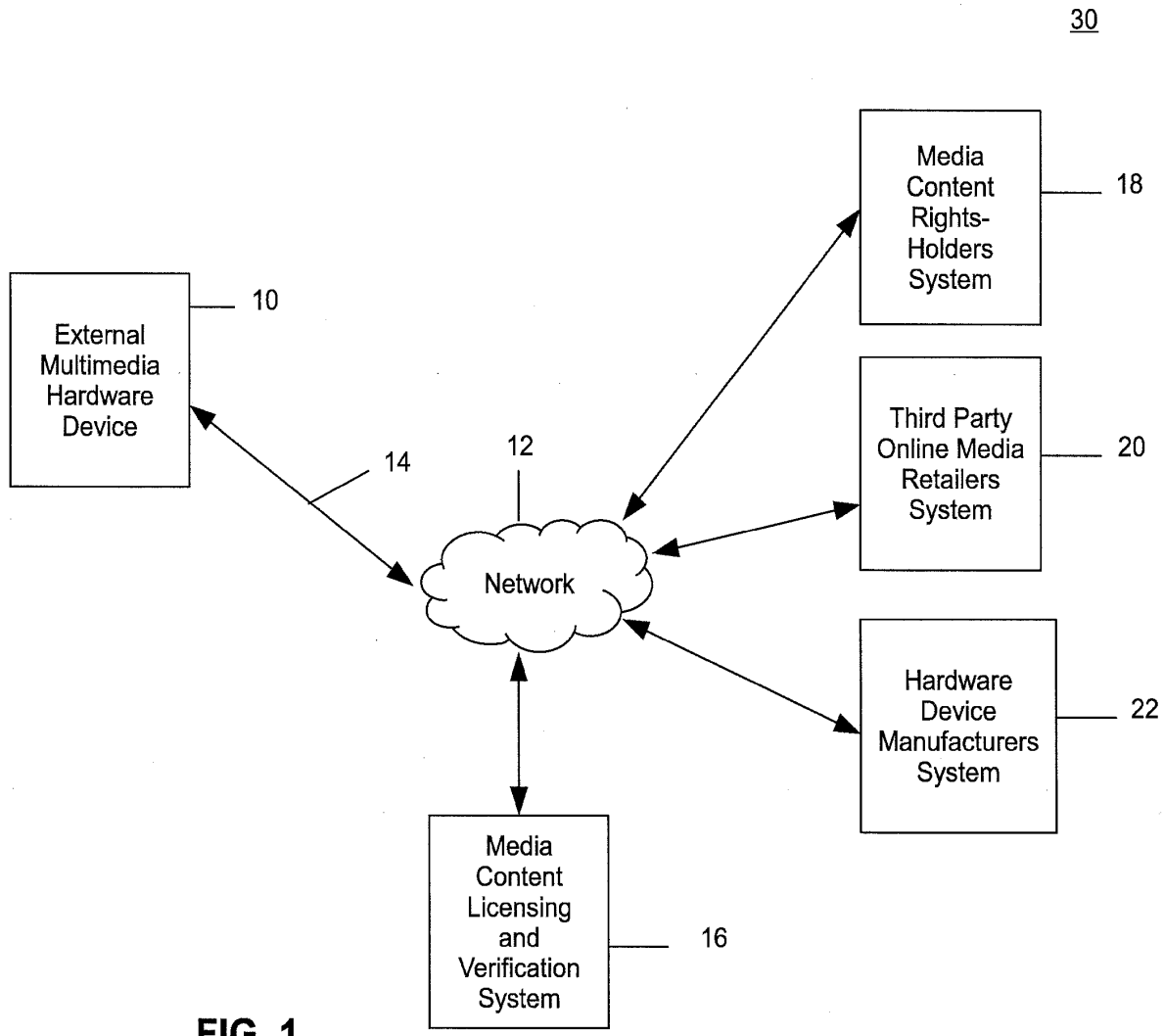
30
External Multimedia Hardware Device
10
14
12
Network
Media Content Rights-Holders System
18
Third Party Online Media Retailers System
20
Hardware Device Manufacturers System
22
Media Content Licensing and Verification System
16

FIG. 1

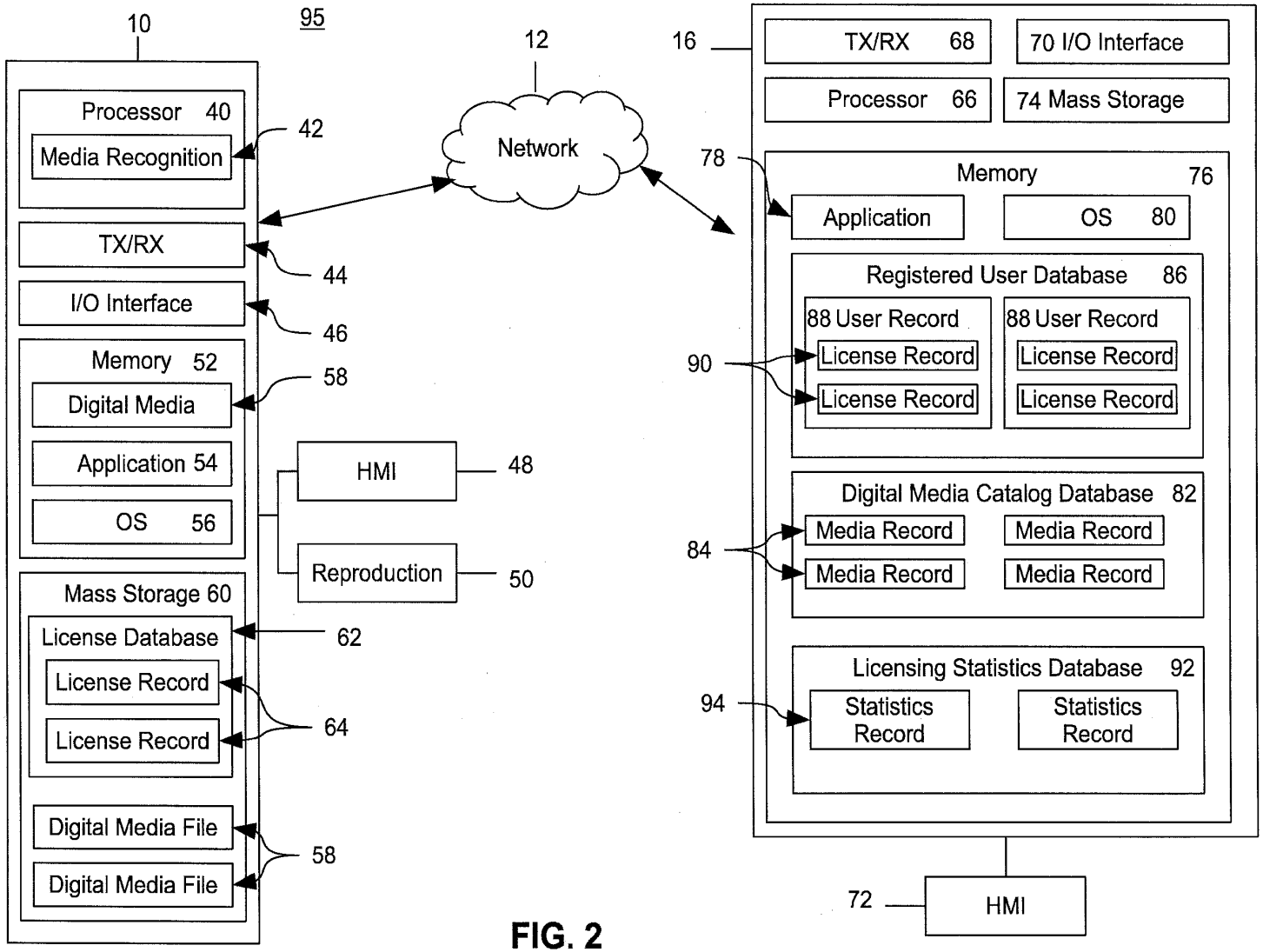
10
95
Processor 40
Media Recognition
42
TX/RX
44
I/O Interface
46
Memory 52
Digital Media
58
Application 54
OS 56
HMI
48
Reproduction
50
Mass Storage 60
License Database
62
License Record
License Record
64
Digital Media File
Digital Media File
58
12
Network
16
TX/RX 68
70 I/O Interface
Processor 66
74 Mass Storage
78
Memory 76
Application
OS 80
Registered User Database 86
88 User Record
License Record
License Record
88 User Record
License Record
License Record
90
Digital Media Catalog Database 82
Media Record
Media Record
Media Record
Media Record
84
Licensing Statistics Database 92
Statistics Record
Statistics Record
94
72
HMI

FIG. 2

100

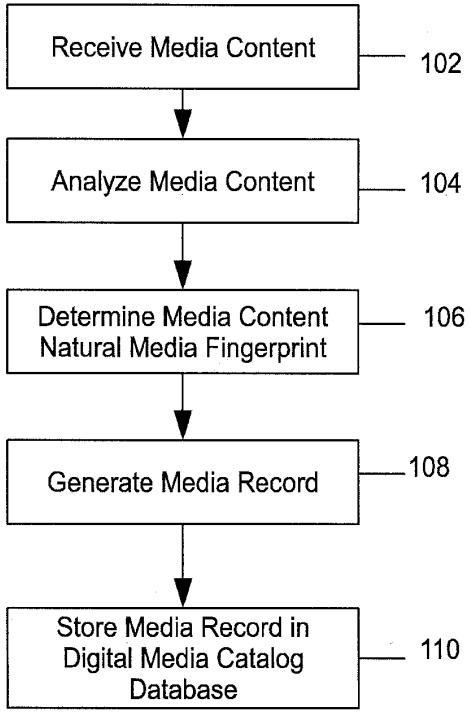
Receive Media Content
102
Analyze Media Content
104
Determine Media Content Natural Media Fingerprint
106
Generate Media Record
108
Store Media Record in Digital Media Catalog Database
110

FIG. 3

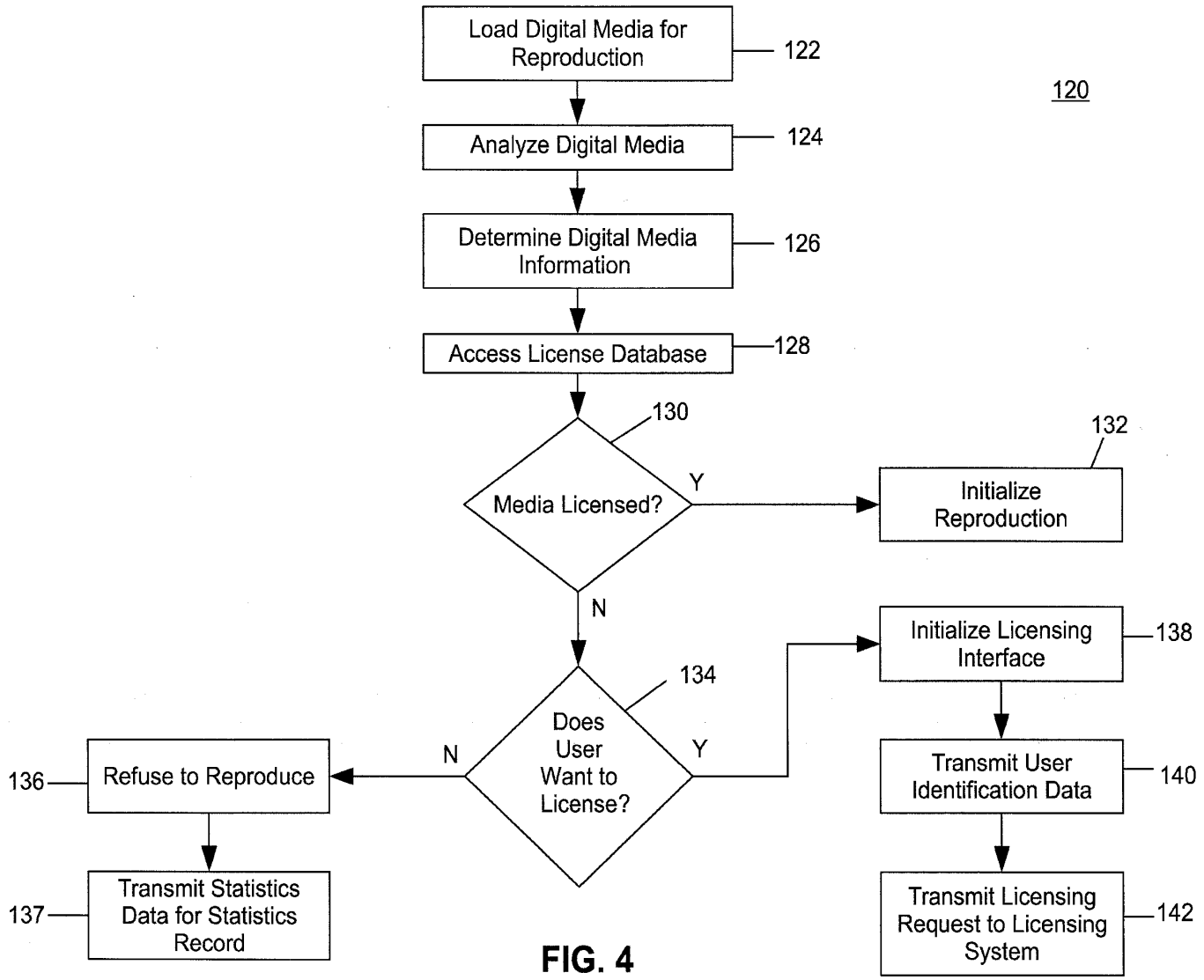
120
Load Digital Media for Reproduction
122
Analyze Digital Media
124
Determine Digital Media Information
126
Access License Database
128
130
Media Licensed?
Y
N
132
Initialize Reproduction
134
Does User Want to License?
N
Y
136
Refuse to Reproduce
137
Transmit Statistics Data for Statistics Record
Initialize Licensing Interface
138
Transmit User Identification Data
140
Transmit Licensing Request to Licensing System
142

FIG. 4

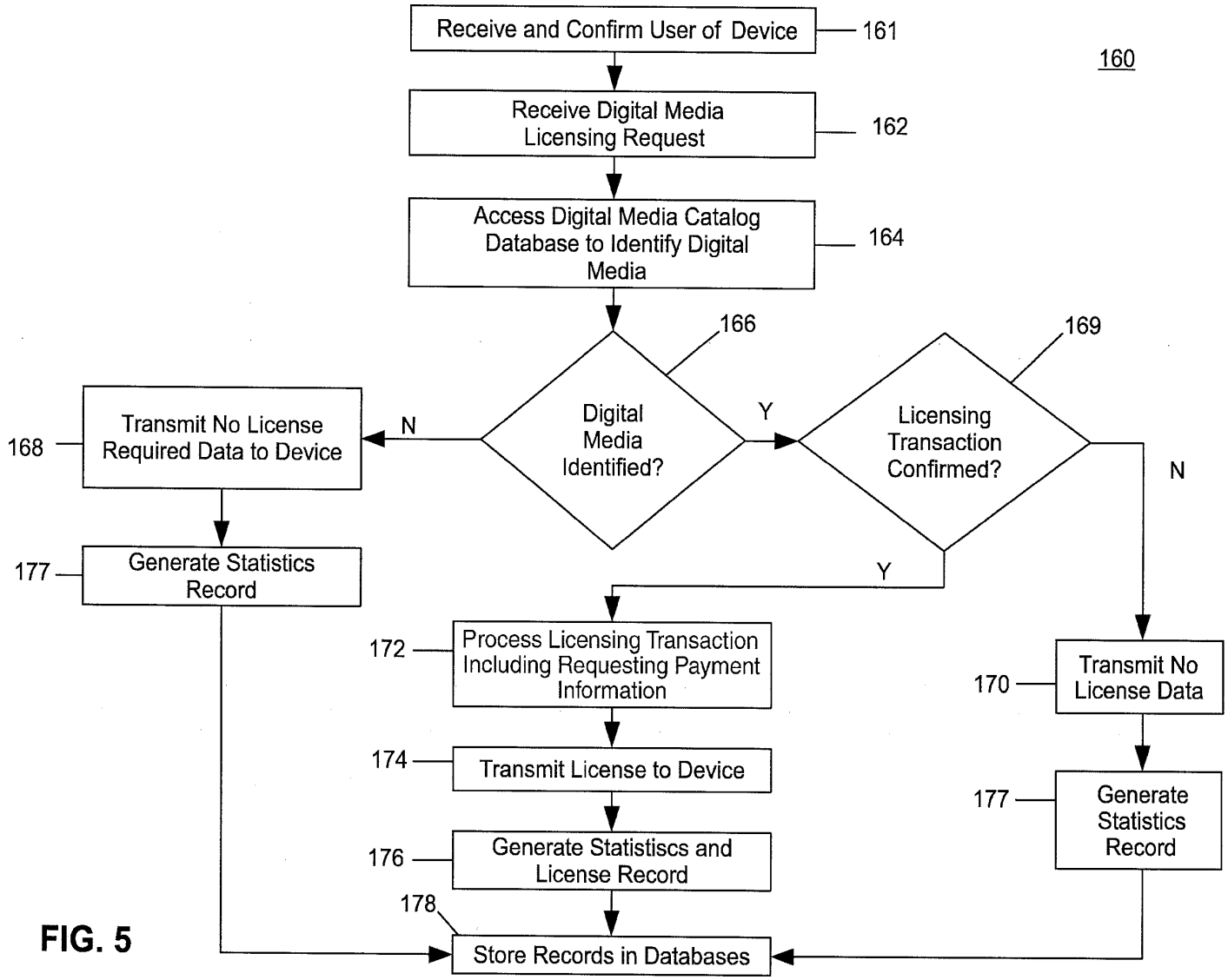
160
Receive and Confirm User of Device
161
Receive Digital Media Licensing Request
162
Access Digital Media Catalog Database to Identify Digital Media
164
Digital Media Identified?
166
N
Y
Transmit No License Required Data to Device
168
Generate Statistics Record
177
Licensing Transaction Confirmed?
169
N
Y
Process Licensing Transaction Including Requesting Payment Information
172
Transmit License to Device
174
Generate Statistiscs and License Record
176
Transmit No License Data
170
Generate Statistics Record
177
Store Records in Databases
178

FIG. 5

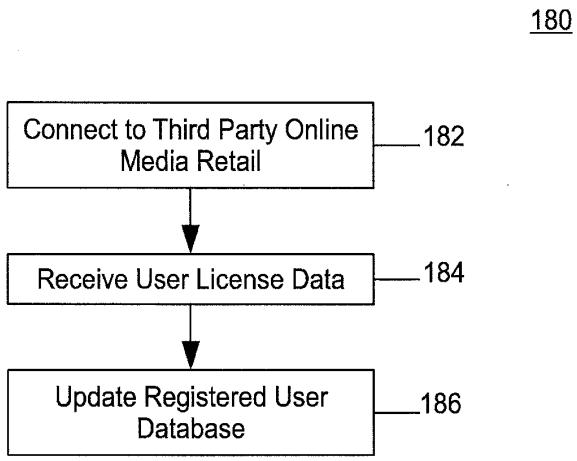
180
Connect to Third Party Online Media Retail
182
Receive User License Data
184
Update Registered User Database
186

FIG. 6

200

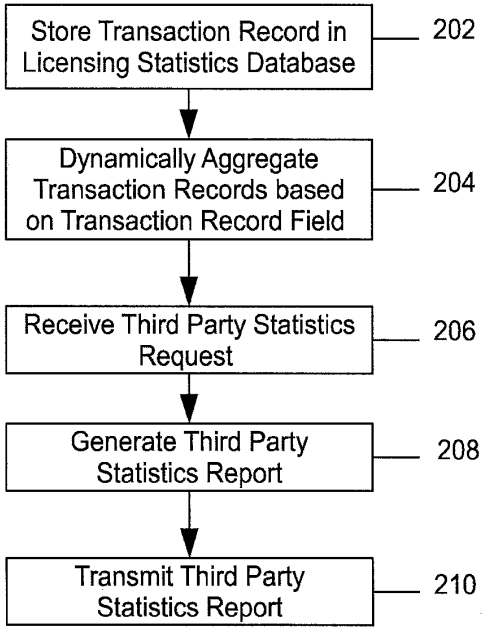
Store Transaction Record in Licensing Statistics Database
202
Dynamically Aggregate Transaction Records based on Transaction Record Field
204
Receive Third Party Statistics Request
206
Generate Third Party Statistics Report
208
Transmit Third Party Statistics Report
210

FIG. 7

Attorney Docket No.: ESTES-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

I hereby declare that:

My residence and mailing address are as stated below next to my name.

I believe that I am the original inventor or an original joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIGITAL MEDIA REPRODUCTION AND LICENSING

the specification of which is attached hereto.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Wood Herron & Evans LLP, 441 Vine Street, Suite 2700, Cincinnati, Ohio 45202-2917, to insert above the filing date and/or Application No. of said application.

The above-identified application was made or authorized to be made by me.

I hereby acknowledge that any willful false statement made in this Declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Full name of sole or first inventor Christopher A. Estes	
Sole or first inventor's signature	Date 7-25-17
Residence Mountain View, California	
Mailing Address 240 Mountain View Avenue Mountain View, California 94041	

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82B (07-13)
Approved for use through 01/31/2018. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
16/122,136	September 5, 2018

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 43218

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

☑ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☐ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature		Date (Optional)	
Name	Christoper A. Estes		
Title	CEO		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☑ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt

EFS ID:	33644558
Application Number:	16122136
International Application Number:	
Confirmation Number:	4998
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Customer Number:	43218
Filer:	Patrick J. Palascak/Tiana Powell
Filer Authorized By:	Patrick J. Palascak
Attorney Docket Number:	ESTES-4
Receipt Date:	06-SEP-2018
Filing Date:	
Time Stamp:	14:11:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA.pdf	694734 589708f2d77ba220eff21bf73259d954b54a0d1e	no	1

Warnings:

Information:	
Total Files Size (in bytes):	694734

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
16/122,136

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	330		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	380		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	23 minus 20 =	* 3	x 50 =	150	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	4 minus 3 =	* 1	x 230 =	230			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	1165		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT A	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT A	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT A	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)		RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT B	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT B	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT B	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
16/122,136	09/05/2018		1165	ESTES-4	23	4

CONFIRMATION NO. 4998

FILING RECEIPT

43218
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

OC000000102313020

Date Mailed: 09/25/2018

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Christopher A. Estes, Mountain View, CA;

Applicant(s)

Christopher A. Estes, Mountain View, CA;

Power of Attorney: The patent practitioners associated with Customer Number 43218

Domestic Priority data as claimed by applicant

This application is a CON of 15/898,978 02/19/2018
which is a CON of 15/659,175 07/25/2017 PAT 9898590
which is a CON of 13/667,629 11/02/2012 PAT 9715581
which claims benefit of 61/555,810 11/04/2011

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 09/21/2018

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 16/122,136**

Projected Publication Date: 01/03/2019

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****
Title

DIGITAL MEDIA REPRODUCTION AND LICENSING

Preliminary Class

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4

CONFIRMATION NO. 4998

43218
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

PUBLICATION NOTICE

OC000000104850070

Title:DIGITAL MEDIA REPRODUCTION AND LICENSING

Publication No.US-2019-0005204-A1
Publication Date:01/03/2019

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently https://portal.uspto.gov/pair/PublicPair. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

43218 7590 06/21/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
06/21/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Taft-IP-Docket@taftlaw.com

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No. 16/122,136	Applicant(s) Estes, Christopher A.	
	Examiner RICHARD A MCCOY	Art Unit 2431	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on 9/5/2018.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL.** 2b) ☑ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☑ Claim(s) 1-23 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 1-23 is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☑ The drawing(s) filed on 9/5/2018 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☑ Notice of References Cited (PTO-892)

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The IDS filed 9/5/2018 has been considered and entered.

Drawings

The drawings filed 9/5/2018 are accepted.

Specification

The specification filed 9/5/2018 is accepted.

Claim Objections

Claims 5, 11, 17, and **22** are objected to because it is unclear to what the limitation 'that is implemented by the multimedia hardware device' is referring.

Claim Rejections - 35 USC § 103

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim [**1, 2, 4-7, 9-19, 21, and 23**] is/are rejected under 35 U.S.C. 103 as being unpatentable over **Smith, IV US 2003/0001887** hereinafter **Smith** in view of in view of NPL: "Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2010 hereinafter referred as "Habermann" in further view of Tang et al (US 2013/0047271 hereinafter referred as "Tang") in further view of Hernandez et al (US 2003/0149884 hereinafter Hernandez)

As to claim 1, Smith discloses a computer implemented method for configuring a multimedia hardware device to generate an authorized reproduction of a media content item included in a digital media file, comprising:

receiving a request from a user to reproduce the media content item;

[**0057**] user request for content

evaluating the request

[**0083**] the installation script will determine whether the PC is enabled for the particular CD

to determine whether the user has acquired a license to reproduce the media content item

[**0083**] only the licensed user would be able to consume the content

and offering the license to reproduce the media content item to the user

[**0083**] the user is prompted to purchase a license

when the user does not have the license to reproduce the media content item;

[**0083**] if no paid up license is identified, the user is prompted to supply billing information

after the evaluation of the request, extracting user data

[**0083**] once enabled, the user will be prompted for information

that is specific to the user that is attempting to reproduce the media content item

[**0083**] billing information

and [**0054**] user information may include **demographics**

in view of [**0083**] information

when the user at least one of acquires and declines the license;

[**0083**] Once this information is provided, …..the license is for a specific user

wherein the user data includes demographic data associated with the user

[**0054**] user information may include **demographics**

It should be noted that a reference that discloses steps is obvious over the claimed steps notwithstanding the order of the disclosed steps. In view of:

> In Ex parte Rubin, 128 USPQ 440 (Bd. App. 1959) (Prior art reference disclosing a process of making a laminated sheet wherein a base sheet is first coated with a metallic film and thereafter impregnated with a thermosetting material was held to render prima facie obvious claims directed to a process of making a laminated sheet by reversing the order of the prior art process steps.). See also In re Burhans, 154 F.2d 690, 69 USPQ 330 (CCPA 1946) (selection of any order of performing process steps is prima facie obvious in the absence of new or unexpected results); In re Gibson, 39 F.2d 975, 5 USPQ 230 (CCPA 1930) (Selection of any order of mixing ingredients is prima facie obvious.).

aggregating the user data into a statistics record, [**0078**] once user information is gathered, it is stored

when the user acquires the license

[**0083**] the user will be prompted for information in order to consume the enabled content

in view of [**0083**] only the licensed user would be able to consume the content

wherein the statistics record summarizes the user data associated with the request;

Fig 9, Fig 10, and **Fig 12**

including location and age data *which corresponds* to the example in applicant's specification

found in [**0040**]

storing in a license database [**0083**] central location

the statistics record

[**0083**] billing or other information, once provided by the user, may be retained

so that the user data is accessible [[to a copyright owner of the media content item]];

[**0065**] provides a marketing tool to the content supplier

a copyright owner

Fig 6, Fig 7 NSync (i.e. the band Nsync)

in view of **Fig 7** 2001POPODYSSEY TOUR *and* 'Meet the Band'

aggregated user data **from each request of the media content item**

see **Smith claim 75** number of times content is listened to or viewed

Smith does not disclose

analyzing a plurality of statistics records aggregated from requests for the media content item to provide the copyright owner the aggregated user data.

Habermann teaches

analyzing a plurality of statistics records aggregated from requests for the media content item to provide [[the copyright owner]] **the aggregated user data aggregated user** data from each request of the media content item

On page 3, Habermann teaches an data analytics report having a plurality of records wherein each record represents a particular online video and certain meta data associated with the video including the number of views

which corresponds to analyzing a plurality of statistics records aggregated from requests for the media content item to provide [[the copyright owner]] the aggregated user data.

Neither Smith or Habermann teaches

analyzing a plurality of statistics records aggregated from requests for the media content item to provide **the copyright owner** the aggregated user data aggregated user data from each request of the media content item

so that the user data is accessible **to a copyright owner of the media content item**

Tang teaches in [0002]

"original works of authorship" (i.e. created by authors) are protected by copyright (i.e. **copyright owner).**

Further in [**0074**], Tang teaches that authors could require as part of their contracts with distributors and publishers access to data derived from the sale and interaction with consumer devices *corresponding to* **provide the copyright owner the aggregated user data.**

therefore **Smith combined with Habermann and Tang teach**

analyzing a plurality of statistics records aggregated from requests for the media content item to provide the copyright owner the aggregated user data from each request of the media content item so that the user data is accessible to a copyright owner of the media content item

because

Tang teaches in [**0074**] and [**0002**] data derived from the sale and interaction should be available to authors and authors are copyright owners *whereas* **Habermann** provides an embodiment of Tang's data as shown on **Habermann** page 3 as a data table of having meta data representing the analytics of content viewership *which corresponds to* the claimed 'plurality of statistics records aggregated from requests for the media content'. These reference therefore combine to arrive at the claim limitation.

Neither Smith, Habermann, nor Tang teach

wherein the user data includes demographic data associated with the user **that enables** a copyright owner of the media content item **to gauge** at least one of **a demographic that acquired the license for the media content item of the copyright owner** and a demographic that declined the license for the media content item of the copyright owner;

Hernandez teaches

wherein the user data includes demographic data associated with the user

[**0012**] user may be required to provide demographic information

that enables a copyright owner [**0010**] content owner

of the media content item [**0010**] protected electronic content

to gauge [**0010**] polling *see also* [**0045**] track demographic data

a demographic [**0010**] authorized users *see also* [**0045**] track demographic data of accessor

that acquired the license for the media content item of the copyright owner ;

[**0010**] authorize user access upon acceptance of license agreement

At the time of the invention, it would have been obvious to a person having ordinary skill in the art to combine the combined teachings of Smith and Habermann as suggested by Smith in [**0065**] 'marketing tool for content supplier' *because* Habermann teaches a comprehensive system implemented by one of the world's leading media companies (i.e. Google via YouTube) for providing data analytics covering the use of their works of authorship. Smith therefore is improved by incorporating the teachings of Habermann **page 3** to embody the marketing tool of Smith [**0065**].

At the time of the invention, it would have been obvious to a person having ordinary skill in the art to combine the teachings of Smith combined with Habermann with those of Tang with the motivation of adding the protections taught by Tang for the copyright holder in [**0002**] in view of the motivation taught by Tang in [**0004**] *wherein* a content supplier as disclosed by Smith [**0065**] may go out of business leaving legitimate license holders without access to the media. However, by adding the capability taught by Tang in [**0074**], the author (copyright owner) may query the database subsequent to a license purchase to acquire the data derived from the sale so that if the seller goes out of business the author may restore access to the media as taught by Tang in [**0008**] and [**0009**] wherein the data could be used to validate the proof of purchase.

At the time of the invention, it would have been obvious to a person having ordinary skill in the art to combine the combined teachings of Smith, Habermann, and Tang with those of Hernandez to extend the teaching of Tang and Habermann. More particularly, Habermann teaches the use of aggregated demographic information for "advertisers to target our ads". However, Habermann does not teach embodiments for **collecting** the demographic information to be aggregated. Hernandez provides the needed solution for Habermann in [**0010**] wherein the user must provide demographic information as part of the acceptance of the licensing terms required for content access. Further, Hernandez, in [**0117**], suggest that this data could drive the <u>targeted advertising</u> as taught by Habermann on **page 3** (e.g. 'target our ads')

As to claim 2, Smith discloses

receiving a license to reproduce the media content from a licensing system (**Fig 1**, server **10** *in view of* **[0069]** server) when the request is granted by the licensing system:

[**0083**] user prompted to purchase a license….which is stored on the PID (i.e. portable identification device)

and preventing reproduction of the media content item when the request is declined by the licensing system.

[0084] only licensed users can play the entire content

As to claim 4, Smith discloses

storing [**0083**] information provided by the user may be retained
in the license database [**0083**] central location
the user data that is associated with the user that is attempting to reproduce the media content item
[**0083**] the user will be prompted for information….billing information
that is accessible
[**0083**] information retained…to allow the user to confirm billings for future transactions
in view of **Fig 10** Credit Card
to a third party online media retailer that has been selected by a copyright owner
Fig 6 - **Fig 11** Kids.com *hosted by* MusicVision *featuring* the band. NSYNC
in view of [**0065**] content supplier

to distribute the media content item.
[**0084**] content is streamed
in view of [**0012**] music available to a user through streaming
in view of [**0083**] license covering one or more songs

Claim 5 is rejected on the basis previously presented in the rejection of **claim 4** *in view of* [**0065**] CD supplier *which corresponds to the claimed* hardware device manufacture and [**0064**] music CD *which corresponds to the claimed* hardware / hardware device.

As to claim 6, Smith discloses

wherein the user data includes a geographic location of the user who is accessing the media content item.
[**0058**] geographic location of the user

Claim 7 is rejected on the basis previously presented in the rejection of **claim 1** *wherein* the claimed request is mapped to [**0057**] user request for content

Smith additionally discloses:

digital media information [**0084**] personal identity or digital signature
associated with the media content item [**0057**] user request for **content** *in view of* [**0084**] **content**

included
[**0084**] invention seeks to limit such activity by **including** a personal identity or signature in **the content**
in in a digital media file
[**0064**] music file
in view of [**0084**] content

Smith does not disclose 'the request includes digital media information'

Smith teaches 'the request includes digital media information'
because in [**0076**] Smith discloses the steps may comprise separate steps **lumped together** in a single communications *which means that* Smith's separately disclosed steps of requesting content in [**0057**] and determining if the requesting user has a license [**0084**] may be combined to arrive at the claim limitation of 'the request includes digital media information'. The lumped together steps yielding the [**0057**] request for content including information about a [**0084**]*signature or other personal identity* wherein the server may compare the information in the request to second information previously inserted into the content *as per* [**0084**] when the license was issued.

Claim 9 is rejected on the basis previously presented in the rejection of **claim 7**
in view of [**0056**] and [**0078**]thumb scan and [**0047**] fingerprints
which is an embodiment of [**0084**] personal identity

Claim 10 is rejected on the basis previously presented in the rejection of **claim 4**

Claim 11 is rejected on the basis previously presented in the rejection of **claim 5**

As to claim 12, Smith discloses
the user data includes additional media content items that the user has previously accessed
[**0021**] number of times content is listened to or viewed

Claim 13 is rejected on the basis previously presented in the rejection of **claim 1**

Claim 14 is rejected on the basis previously presented in the rejection of **claim 2**

Claim 15 is rejected on the basis previously presented in the rejection of **claim 3**

Claim 16 is rejected on the basis previously presented in the rejection of **claim 4**

Claim 17 is rejected on the basis previously presented in the rejection of **claim 5**

Claim 18 is rejected on the basis previously presented in the rejection of **claim 12**
in further view of [**0046**] content preferences *which corresponds to* additional media content item

Claim 19 is rejected on the basis previously presented in the rejection of **claim 1** and **7**

Claim 21 is rejected on the basis previously presented in the rejection of **claim 4**

Claim 23 is rejected on the basis previously presented in the rejection of **claim 6**

Claims [**3, 8, 20** and **22**] is/are rejected under 35 U.S.C. 103 as being unpatentable over **Smith** in view of Habermann in further view of Tang in further view of Hernandez in further view of Nikitin et al US 2010/029622 hereinafter Nikitin

As to claim 3, Smith, Habermann, and Tang teaches all the subject matter pointed out in the above 103 rejection of parent claim 1.

As to claim 3, Smith discloses

reproducing the media content item [**0057**] user request for content
based on a plurality of reproduction parameters
[**0083**] confirmation, [**0083**] one or more songs or albums, [**0083**] rules
[[in]] the license [**0083**] a license
that is received [**0083**] stored in the PID
from the licensing system **Fig 1**, server **10** *in view of* [**0069**] server

Neither Smith, Habermann, or Tang teaches

a plurality of reproduction parameters **in** the license

Nikitin teaches

a plurality of reproduction parameters **in** the license
Fig 3 *in view of* [**0038**]

At the time of the invention, it would have been obvious to a person having ordinary skill in the art to combine the teachings of Smith, Habermann , Tang and Hernandez with those of Nikitin as suggested by Smith in [**0083**] and [**0084**] wherein Smith discloses rules governing what devices are enabled to play the content , a signature identifying the user that is authorized to play the content, a number of times the content may be played, and a preview time. In other words, Smith discloses several parameters associated with governing and enforcing the playing of content according the [**0083**] *paid up license*. However, Smith does not provide explicit detail about where these parameters are stored and how, for example, the user signature is associated with the [**0083**] *license to enforce valid playback*. Nikitin cures the deficiencies of Smith in **Fig 3, 300** illustrating several attributes that may be contained in a license. With respect to Smith [**0084**], wherein a 'personal identity' is stored in the content to enforce licensed playback, Nikitin provides **Fig 3 320** *User Id* embedded in the license which could be compared to Smith's [**0084**] *identity embedded in the content* to determine a licensed user and therefore arrive at the claimed invention.

Claim 8 is rejected on the combined basis previously presented in the rejections of **claims 1** and **3** wherein Nikitin teaches the claimed 'license record' in **Fig 3, 300** and Habermann teaches demographic report on **page 3 showing several records in a database table.** Nikitin and Habermann combined with Smith and Tang teach the claimed 'statistics record' *in view of* Habermann **page 3**.

Claim 20 is rejected on the basis previously presented in the rejection of **claim 8**.
Claim 22 is rejected on the basis previously presented in the rejection of **claim 5**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD A MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on M - F 10 - 6.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R.A.M/
Examiner, Art Unit 2431

/LYNN D FEILD/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 16/122,136	Applicant(s)/Patent Under Reexamination Estes, Christopher A.	
	Examiner RICHARD A MCCOY	Art Unit 2431	Page 1 of 3

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	S					
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NON-PATENT DOCUMENTS

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	U	NPL: “Online Video Analytics: YouTube Insight-Advanced Techniques” by Greg Habermann, May 17, 2010 hereinafter referred as “Habermann”
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	06/13/2019								
	1	✓								
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

CPC - Searched*		
Symbol	**Date**	**Examiner**

CPC Combination Sets - Searched*		
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US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**

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Search Notes		
Search Notes	**Date**	**Examiner**
art searched using key words (see attached east file)	05/28/2019	mccoy
double patenting searched using key words (see attached east file)	05/28/2019	mccoy
updated search (see attached east file)	06/13/2019	mccoy

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

/RICHARD A MCCOY/ Examiner, Art Unit 2431	/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431

Online Video Analytics: YouTube Insight – Advanced Techniques

Video 17 May 10 | Greg Habermann

Share 0 Share 0 Share 0 Tweet

Last time, I presented an overview of YouTube Insight and went into some of the common metrics that you could find through utilizing this unique video analytics tool. Hopefully you're ready to roll up your sleeves, queue up Excel, and dig deeper into your YouTube data.

Google tends to reward those who are more curious than others. I don't mean black hat techniques or anything of the sort. It just seems that, for the most part, the reports that are given to someone through many Google properties are aimed at the layperson or meant as an executive summary of sorts.

Seriously, when was the last time a hardcore search marketer looked at a pie graph in an analytics report as if it held the location of the Holy Grail somewhere deep in its midst?

Leave the graphs for your executive summary sheet. If you're going to get down and dirty with online video analytics, then you should move to a tool that will get stuff done for you — Excel.

Luckily, Google (and in this case You Tube) loves the spreadsheet and is willing to give you more data through it then they do with their dashboard interface. At the bottom of any report within YouTube Insight you will see a link to: "Download reports for this video".

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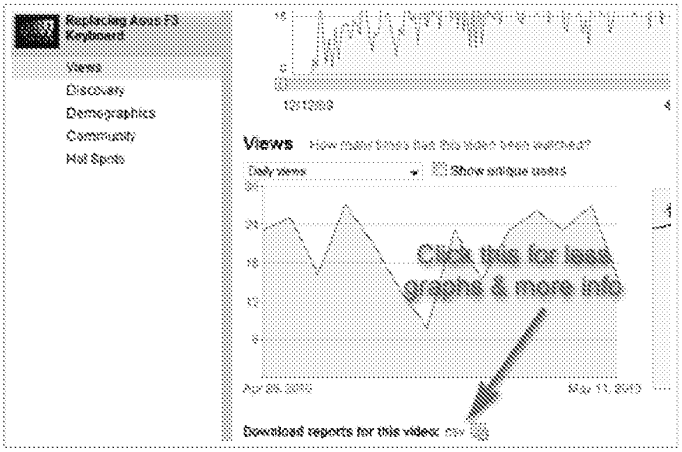
Md Jubayer thanks for the information

Matt Cutts on Blog Comments, Links & Spam: Use Your Name, Not Keywords 4



Clicking on this link will yield a Zip file that will make your pie chars cry out in agony while your actual statistics revel in moans of pleasure.

Here is my video export to download for your reference.

Inside this Zip you will find three different files:

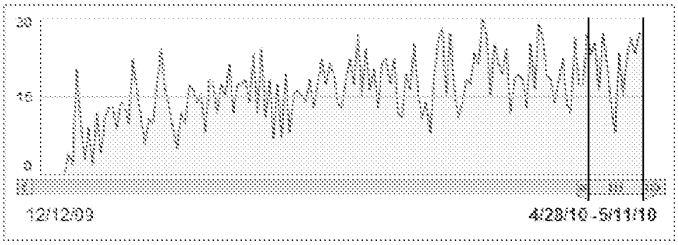
1. gBpFE3u0WPc_2010-04-28-2010-05-11_world_views_1.csv
2. gBpFE3u0WPc_2010-04-28-2010-05-11_world_referrers_1.csv
3. gBpFE3u0WPc_demographics_1.csv

Anatomy of a File Name

gBpFE3u0WPc_2010-04-28-2010-05-11_world_views_1 csv

The first series of letters/numbers is the ID of the video: www.youtube.com/watch?v=gBpFE3u0WPc

The second set is the reporting dates: 2010-04-28-2010-05-11 You can change the reporting dates by adjusting the date range on the graph in the Views tab.



The third part of the file name is the type of report you're viewing: world views, world referrers, or demographics.

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Long-form and live video delivers higher ad completion rates

Armed with these three reports, let's look at what info is given.

World Views Report from YouTube Insight

hours ago

Navin Rao Great post ...Loved it....

5 Advanced YouTube SEO Tactics to Drive More Traffic to Your Videos & Website · 4 hours ago

bbotond Yes you can.

How to maximize your AdSense earnings with Amazon CPM ads · 5 hours ago

Jamie Kimp Great advice. I am finding it harder and harder to do manual broken link finding in

Lima

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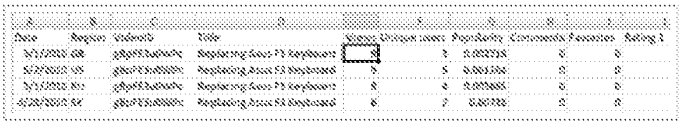
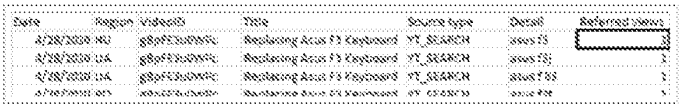
Say goodbye to Google: 14 alternative search engines



This shows us the date the video was viewed, the country the view was in, the ID and Title of the video, number of views, unique viewers, number of comments, number of people who made this video a favorite, and the ratings that people gave. This is a lot of sortable information about your YouTube video that you won't find in other places. The good news is that it only gets better from here!

World Referrers Report



This is the most important YouTube report because it gives you data like source type (how people were referred to your video), detail (original keyphrase referenced or site the video embed was on), and referred views (how many people came to you video through this source).

For example, we can see that X amount of people came to this video by doing a Google Search (GOOGLE_SEARCH) for: "asus f3 keyboard"; Y amount of people watched this video due to it being related to (RELATED_VIDEO) video ID "X2p8qYPIT_o"; and Z people found this through searching YouTube (YT_SEARCH) for a particular phrase.

This is a tremendous amount of insightful data to be looking at. In addition to telling you what data is popular over a given time frame, it also looks at where that data came from and what they did with your content. This is invaluable for advertisers on YouTube and even could help craft your keyword targeting efforts on related videos.

Demographics Report

VideoID	Title	Gender	Age group	Percentage
gBpFE3u0WPc	Replacing Asus F3 Keyboard	FEMALE	13-17	0.00%
gBpFE3u0WPc	Replacing Asus F3 Keyboard	FEMALE	55-64	4.21%
gBpFE3u0WPc	Replacing Asus F3 Keyboard	FEMALE	65-	0.00%

In this report we find a lot of information that we could use as advertisers to target our ads to the precise people who are watching our videos or find a demographic that we could target our future related You Tube videos or annotations towards.

This report shows the YouTube video ID, title, gender of the viewer, age range, and percent of viewership.

As you can plainly see, digging into the CSV downloads of YouTube data can clearly yield some valuable information that isn't available elsewhere. If you're handy enough with Excel you might even be able to make an impressive pie chart out of it. Good luck!

Tune in next time where we look at what the leading third-party video site, TubeMogul, offers from a video analytics perspective.

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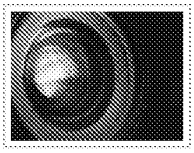
Going over to the duck side: a week using DuckDuckGo

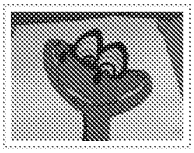
How to write meta title tags for SEO (with good and bad examples)



12 video SEO tips to help improve your search rankings

Video is everywhere and this is both a blessing and a curse, especially if you're trying to stand out from the rest of the crowd at the top of SERPs. Thus, it's time to consider the following tips...

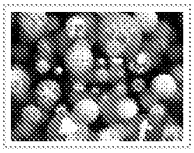
SEO Video 24 Aug 16 | Tereza Litsa



The state of influencer marketing in 2016

Before Vine's popularity declined, Vine stars had transcended the platform to become actual celebrities. How has influencer marketing changed as it's grown?

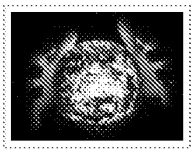
Industry More News Video 21 Jun 16 | Mike O'Brien



Searching for Video, Images, Audio, Gifs, Podcasts, Memes & Radio: a directory of search engines, finders & generators

Here's an up-to-date list of all the multimedia search engines for image, video, GIFs and radio stations.

SEO Video 20 May 16 | Tereza Litsa



Does Video Enhance Predictive Search?

Predictive search is nothing new, but as YouTube has grown to the second-largest search engine, it's spread to video. Does that help it? Experts say yes, both in direct and indirect ways.

Video 25 Sep 15 | Mike O'Brien

Tags

Excel | Youtube

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Doc code: IDS
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	2018-09-05
First Named Inventor	Christopher A. Estes
Art Unit	
Examiner Name	
Attorney Docket Number	ESTES-4

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.A.M/

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6920567	B1	2005-07-19	Doherty et al.	
	2	7676437	B2	2010-03-09	Satkunanathan et al.	
	3	8151194	B1	2012-04-03	Chan et al.	
	4	8745647	B1	2014-06-03	Shin et al.	
	5	9148706	B1	2015-09-29	Shin	

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	1	20020032905	A1	2002-03-14	Sherr et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
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	Art Unit	
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	Attorney Docket Number	ESTES-4

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.A.M/

	2	20020154157	A1	2002-10-24	Sherr et al.	
	3	20030149884	A1	2003-08-07	Hernandez et al.	
	4	20030220883	A1	2003-11-27	Block et al.	
	5	20040039916	A1	2004-02-26	Aldis et al.	
	6	20050004873	A1	2005-01-06	Pou et al.	
	7	20050060701	A1	2005-03-17	Murase	
	8	20050114265	A1	2005-05-26	Satkunanathan et al.	
	9	20050177844	A1	2005-08-11	Levi et al.	
	10	20050223415	A1	2005-10-06	Oho et al.	
	11	20060031785	A1	2006-02-09	Raciborski	
	12	20070055439	A1	2007-03-08	Denker et al.	

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	Attorney Docket Number	ESTES-4

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.A.M/

	13	20070241176	A1	2007-10-18	Epstein et al.	
	14	20080027742	A1	2008-01-31	Maeda	
	15	20080243694	A1	2008-10-02	Johnson et al.	
	16	20090210245	A1	2009-08-20	Wold	
	17	20100324983	A1	2010-12-23	Etchegoyen	
	18	20110051914	A1	2011-03-03	Neuman et al.	
	19	20110213721	A1	2011-09-01	Raley et al.	
	20	20120010931	A1	2012-01-12	Mehra et al.	
	21	20120096339	A1	2012-04-19	Cohen et al.	
	22	20120109834	A1	2012-05-03	Bongiovanni et al.	
	23	20120123831	A1	2012-05-17	King et al.	

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	Application Number	
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	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.A.M/

	24	20120124638	A1	2012-05-17	King et al.	
	25	20120123916	A1	2012-05-17	Shintani et al.	
	26	20120303490	A1	2012-11-29	Hill et al.	
	27	20130051772	A1	2013-02-28	Ramaswamy et al.	
	28	20130047271	A1	2013-02-21	Tang	
	29	20140108029	A1	2014-04-17	Kim	
	30	20150040002	A1	2015-02-05	Kanna et al.	

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	Attorney Docket Number	ESTES-4

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	1	Habermann, Online Video Analytics: YouTube Insight-Advanced Techniques, May 17, 2000.	

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EXAMINER SIGNATURE

Examiner Signature	/RICHARD A MCCOY/	Date Considered	06/13/2019

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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	Application Number	
	Filing Date	2018-09-05
	First Named Inventor	Christopher A. Estes
	Art Unit	
	Examiner Name	
	Attorney Docket Number	ESTES-4

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

X A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Patrick J. Palascak/	Date (YYYY-MM-DD)	2018-09-05
Name/Print	Patrick J. Palascak	Registration Number	73533

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	21	(request$3 acquir$3 get$4) near3 license with (content media music clip movie) same (user customer demographic marketing age race) near4 (data information age race) same3((analyz$3 aggregat$3 min$3) with (user customer demographic marketing age race) near4 (data information age race))	US-PGPUB; USPAT; USOCR	OR	OFF	2019/06/13 14:51
L2	12	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same(fingerprint watermark id identifier serial guid uuid) and(credit pay$4)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L3	7	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L4	6	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L5	6	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint watermark id identifier serial guid uuid) and(credit pay$4)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L6	19	L3 L4 L2 L5	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L7	18008	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L8	7	L7 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not L6	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L9	4	publisher with (licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L10	18	publish$2 with (artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not L9	US-PGPUB; USPAT	OR	ON	2019/06/13 14:52
L11	14	license with (media music song mp3) with	US-	OR	ON	2019/06/13

		server with device with manufactur$3	PGPUB; USPAT			14:52
L12	6	(request$3 acquir$3 get$4) near3 license with (content media music clip movie) same (user customer demographic marketing age race) near4 (data information age race) same3((user customer demographic marketing age race advertis$3) near4 (data information age race) with (market$3 advertis$3))	US-PGPUB; USPAT; USOCR	OR	OFF	2019/06/13 14:52
L13	21	(request$3 acquir$3 get$4) near3 license with (content media music clip movie) same (user customer demographic marketing age race) near4 (data information age race) same3((analyz$3 aggregat$3 min$3) with (user customer demographic marketing age race) near4 (data information age race))	US-PGPUB; USPAT; USOCR	OR	OFF	2019/06/13 14:52
L14	7	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2019/06/13 14:53

EAST Search History (Interference)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

43218 7590 09/03/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
09/03/2019	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Taft-IP-Docket@taftlaw.com

PTOL-90A (Rev. 04/07)

Applicant-Initiated Interview Summary	**Application No.** 16/122,136	**Applicant(s)** Estes, Christopher A.	
	Examiner RICHARD A MCCOY	**Art Unit** 2431	**AIA (FITF) Status** Yes

All participants (applicant, applicants representative, PTO personnel):

(1) RICHARD A. MCCOY.

(2) CHRISTOPHER ESTES.

(3) Patrick Palascak.

(4) _____.

Date of Interview: 28 August 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☑ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☑103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: Shintani, Block, Smith.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner suggested adding limitations which postively claim the use of data acquired based on a license declined event to determine a demographic profile for a media item. Such limiations to be subject to a new search. No agreements were reached..

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/RICHARD A MCCOY/ Examiner, Art Unit 2431	/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiners responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicants correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,-
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicants record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiners version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, Interview Record OK on the paper recording the substance of the interview along with the date and the examiners initials.

Electronic Acknowledgement Receipt

EFS ID:	37246655
Application Number:	16122136
International Application Number:	
Confirmation Number:	4998
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Customer Number:	43218
Filer:	Patrick J. Palascak/Tiana Powell
Filer Authorized By:	Patrick J. Palascak
Attorney Docket Number:	ESTES-4
Receipt Date:	23-SEP-2019
Filing Date:	05-SEP-2018
Time Stamp:	17:05:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	Response.pdf	260034 6164d1c00ed0678518e090258adb51ac3ee0883a	no	17

Warnings:

Information:	
Total Files Size (in bytes):	260034

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Christopher A. Estes	Before the Examiner: Richard A. McCoy
Application Serial No.: 16/122,136	Group Art Unit: 2431
Filed: September 5, 2018	Confirmation No.: 4998
DIGITAL MEDIA REPRODUCTION AND LICENSING	Ref. No.: ESTES-4

RESPONSE TO NON-FINAL OFFICE ACTION

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Non-Final Office Action dated June 21, 2019, please consider the following amendments and remarks.

No additional fees or extensions of time are believed to be due with regard to the filing of this Response. However, should any extensions of time or fees be deemed necessary, please provide any extensions of time and charge any such fees to Deposit Account No. 50-1438, but not to include any payment of issue fees.

Amendments to the Claims

The listing of the claims will replace all prior versions and listings of claims in the application.

1. (Currently Amended) A computer implemented method for configuring a multimedia hardware device to ~~generate~~ enable an authorized stream ~~reproduction~~ of a media content item included in a digital media file, comprising:

receiving a request from a user to stream ~~reproduce~~ the media content item;

evaluating the request to stream to determine whether the user has acquired a license to stream ~~reproduce~~ the media content item and offering the license to ~~reproduce~~ stream the media content item to the user when the user does not have the license to ~~reproduce~~ stream the media content item;

after the evaluation of the request to stream, extracting user data that is specific to the user that is attempting to ~~reproduce~~ stream the media content item when the user at least one of streams ~~acquires~~ and declines to stream the media content item ~~the license~~, wherein the user data includes demographic data associated with the user that enables a ~~copyright owner~~ third party online retailer that is providing [[of]] the media content item to be streamed by the user to gauge at least one of a demographic that ~~acquired the license for~~ streamed the media content item of [[the]] a copyright owner and a demographic that declined to stream ~~the license for~~ the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user;

aggregating the user data into a statistics record for the request to stream the media content item when the user at least one of ~~acquires~~ streams and declines to stream the media content item ~~license~~, wherein the statistics record summarizes the user data

associated with the request to stream the media content item;

storing in a license database the statistics record so that the user data is accessible to the ~~copyright owner of~~ third party online retailer that is providing the media content item to be streamed; and

analyzing a plurality of statistics records aggregated from each request [[for]] to stream the media content item as provided by the third party online retailer to be streamed ~~owned by the copyright owner~~ to provide the third party online retailer ~~copyright owner~~ with the aggregated user data from each request [[of]] to stream the media content item.

2. (Currently Amended) The method of claim 1, further comprising:

receiving a license to reproduce the media content from a licensing system when the request is granted by the licensing system; and

preventing ~~reproduction~~ streaming of the media content item when the request is declined by the licensing system.

3. (Original) The method of claim 2, further comprising:

reproducing the media content item based on a plurality of reproduction parameters in the license that is received from the licensing system.

4. (Currently Amended) The computer implemented method of claim 1, further comprising:

storing in the license database the user data that is associated with the user that is attempting to ~~reproduce~~ stream the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

5. Cancelled

6. (Currently Amended) The method of claim 1, wherein the user data includes a geographic location of the user who is ~~accessing~~ streaming the media content item.

7. (Currently Amended) A computer implemented method for configuring a media content licensing and verification system to license media content for streaming ~~reproduction~~, the method comprising:

receiving a request from an external device associated with a user to ~~reproduce~~ stream a media content item, wherein the request to stream includes digital media information associated with the media content item included in a digital media file and the digital media information includes at least one identification characteristic that is unique to the media content item that is included in the media content item when the media content item is initially created and not dependent on any encoding during any mastering of the media content item;

determining whether the request to stream is to be granted based on a media content record stored in a media catalog database that is associated with the media content item and offering a license to ~~reproduce~~ stream the media content item to the user when the user does not have the license to ~~reproduce~~ stream the media content item;

after the determination of the request to stream, extracting user data that is specific to the user that is attempting to ~~reproduce~~ stream the media content item when the user [[is]] at least one of ~~granted the license~~ streams and when the user declines to stream the media content item ~~license~~, wherein the user data includes demographic data associated with the user that enables a ~~copyright owner~~ a third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that ~~acquired the license for~~ streamed the media content item of [[the]] a copyright owner and a demographic that declined ~~the license for~~ to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest

associated with the user;

aggregating the user data into a statistics record for the request to stream the media content item when the user at least one of ~~acquires~~ streams and declines to stream ~~the license~~ the media content item, wherein the statistics record summarizes the user data associated with the request to stream the media content item;

storing in a license database the statistics record so that the user data is accessible to the ~~copyright owner of~~ third party online retailer that is providing the media content item to be streamed; and

analyzing a plurality of statistics records aggregated from each request [[for]] to stream the media content item as provided by the third party online retailer to be streamed ~~owned by the copyright owner~~ to provide the ~~copyright owner~~ third party online retailer with the aggregated user data from each request to stream [[of]] the media content item ~~when at least one of the license is acquired and declined by the user~~.

8. (Original) The method of claim 7, further comprising:

generating a license record that includes license granting information associated with the license granted to the external device; and

storing the license record in a registered user database that is associated with the user.

9. (Currently Amended) The method of claim 7, wherein the digital media information includes the at least one identification characteristics that is a fingerprint associated with the media content item.

10. (Currently Amended) The method of claim 7, further comprising:

storing in the license database the user data that is associated with the user that is attempting to ~~reproduce~~ stream the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

11. Cancelled

12. (Original) The method of claim 7, wherein the user data includes additional media content items that the user has previously accessed.

13. (Currently Amended) A system for configuring a multimedia hardware device to generate an authorized ~~reproduction~~ stream of a media content item included in a digital media file, comprising:

at least one processor; and

a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to:

receive a request from a user requesting to ~~reproduce~~ stream the media content item;

evaluate the request to stream to determine whether the user has acquired a license to ~~reproduce~~ stream the media content item and offer the license to ~~reproduce~~ stream the media content item to the user when the user does not have the license to stream the media content item;

after the evaluation of the request to stream, extract user data that is specific to the user that is attempting to ~~reproduce~~ stream the media content item when the user at least one of ~~acquires~~ streams and declines to stream the media content item ~~the license~~, wherein the user data includes demographic data associated with the user that enables a ~~copyright owner~~ third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that ~~acquired the license~~ streamed [[for]] the media content item of [[the]] a copyright owner and a demographic that declined ~~the license for~~ to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables a third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in

media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user,

aggregate the user data into a statistics record to stream the media content item for the request when the user at least one of ~~acquires~~ streams and declines to stream the media content item ~~license~~, wherein the statistics record summarizes the user data associated with the request to stream the media content item,

store in the license database the statistics record so that the user data is accessible to the ~~copyright owner of~~ third party online retailer that is providing the media content item to be streamed, and

analyze a plurality of statistics records aggregated from each request [[for]] to stream the media content item as provided by the third party online retailer to be streamed ~~owned by the copyright owner~~ to provide the third party online retailer ~~copyright owner~~ with the aggregated user data from each request [[of]] to stream the media content item ~~when the license is at least one of acquired and declined by the user~~.

14. (Currently Amended) The system of claim [[12]] 13, wherein the processor is further configured to:

receive a license to ~~reproduce~~ stream the media content item from a licensing system when the request is granted by the licensing system; and

prevent ~~reproduction~~ streaming of the media content item when the request is declined by the licensing system.

15. (Currently Amended) The system of claim [[12]] 13, wherein the processor is further configured to ~~reproduce~~ stream the media content item based on a plurality of streaming ~~reproduction~~ parameters included in the license that is received from the licensing system.

16. (Currently Amended) The system of claim [[12]] 13, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to ~~reproduce~~ stream the media content item that is accessible to a third party

online media retailer that has been selected by the copyright owner to distribute the media content item.

17. Cancelled

18. (Currently Amended) The system of claim [[12]] 13, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

19. (Currently Amended) A system for configuring a media content licensing and verification system to license media content for streaming ~~reproduction~~, comprising:

a receiver configured to receive a request from an external device associated with a user to ~~reproduce~~ stream the media content item, wherein the request includes digital media information associated with the media content item included in a digital media file and the digital media information includes at least one identification characteristic that is unique to the media content item that is included in the media content item when the media content item is initially created and not dependent on any encoding during any mastering of the media content item;

at least one processor; and

a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to:

determine whether the request to stream is to be granted based on the media content record stored in the media catalog database that is associated with the media content item and offer a license to ~~reproduce~~ stream the media content item to the user when the user does not have the license to ~~reproduce~~ stream the media content item,

after the determination of the request to stream, extract user data that is specific to the user that is attempting to ~~reproduce~~ stream the media content item when the user at least one of ~~acquires~~ streams and declines to stream ~~the license~~, wherein the user data includes demographic data associated with the user that enables a ~~copyright owner~~ third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that ~~acquired the license for~~ streamed the

media content item of [[the]] a copyright owner and a demographic that declined to stream ~~the license for~~ the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user,

aggregate the user data into a statistics record for the request to stream the media content item when the user at least one of ~~acquires~~ streams and declines to stream the media content item ~~the license~~, wherein the statistics record summarizes the user data associated with the media licensing request to stream the media content item, and

store in a license database the statistics record so that the user data is accessible to the ~~copyright owner of~~ third party online retailer that is providing the media content item to be streamed, and

analyze a plurality of statistics records aggregated from each request [[for]] to stream the media content item as provided by the third party line retailer to be streamed ~~owned by the copyright owner~~ to provide the third party online retailer ~~copyright owner~~ with the aggregated user data from each request [[of]] to stream the media content item ~~when at least one of the license is acquired and declined by the user~~.

20. (Currently Amended) The system of claim [[18]] 19, wherein the processor is further configured to:

generate a license record that includes license granting information associated with the license granted to the external device; and

store the license record in a registered user database that is associated with the user.

21. (Currently Amended) The system of claim [[18]] 19, wherein the processor is further configured to store in the license database the user data that is associated with the user that is attempting to ~~reproduce~~ stream the media content item that is accessible to a third party online media retailer that has been selected by the copyright owner to distribute the media content item.

22. Cancelled

23. (Currently Amended) The system of claim [[18]] 19, wherein the user data includes a geographic location of the user who is accessing the media content item that enables the copyright owner to gauge geographic locations where the media content item is being accessed.

Remarks

Reconsideration of this application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-23 are pending in the application, with claims 1, 7, 13, and 19 being the independent claims. Claims 1, 5-7, 10, 11, 13, 16, 17, 19, 21, and 22 are sought to be amended. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled and/or amended claims, in the future. These changes are believed to introduce no new matter and their entry is respectfully requested.

Based on the above amendments and following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Statement of Substance of Examiner Interview

The Examiner and the Supervisor Examiner is thanked for extending a Telephonic Interview to Applicant's representative, Patrick J. Palascak Reg. No. 73,533, and the Applicant on August 28, 2019. Regarding the 35 U.S.C. § 103 rejection as being unpatentable in view of Smith, Tang, and Habermann, the Applicant proposed further amending the independent claims to incorporate the extraction of media content items that the user has streamed and media content items that the user has declined to stream as extracted user data. The Examiner proposed further amending the independent claims to emphasize the declining to stream feature of the claim and tying that extraction of user data during the declining to an action that is thereby acted upon. However, no agreement was reached.

Claim Objection

Claims 5, 11, 17, and 22 were objected to because it is unclear to what the limitation "that is implemented by the multimedia device" is referring. Applicant has amended claims 5, 11, 17, and 22 to recite "that is for the multimedia device."

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 4-7, 9-19, 21, and 23

Claims 1, 2, 4-7, 9-19, 21, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0001887 to Smith, IV ("Smith") in view of NPL: "Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2010 ("Habermann") in further view of U.S. Publication No. 2013/0047271 Tang ("Tang") in further view of U.S. Publication No. 2003/0149884 Hernandez et al. ("Hernandez"). Applicant respectfully traverses the rejection.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate at least the features of "*the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user.*" Applicant has amended independent claims 7, 13, and 19 in a substantially similar manner.

Smith references that family members may be added that provides a screen for the type of family member as well as other aspects such as demographic data, user preference information, user interests, and user specified machine characteristics. (Smith, ¶ [0053].) Smith discloses that the user information may include user demographics such as the user's age, sex, language, cultural background, interests in sports, outdoor activities and other interests as well as content preferences such as text only, still images, sound, or video. (Smith, ¶ [0053].) Smith discloses that the server may then respond to user requests for content in a fashion that will take into account the user's demographics, interests, and preferences in order to enhance the user experience by molding not only the type of content but also the manner in which the content is presented based on the user's demographic, preference, and interest information. (Smith, ¶ [0053].)

Smith discloses that billing information or other information once provided by a user may be retained at some central location such as the user's machine or a server to allow the user to simply confirm billings for future transactions without having to reenter the information each time. (Smith, ¶ [0083].) Smith discloses that the user information may be retained on a portable identification device (PID) such that user identifies themselves to the PID and when the user connects to the content provider such as Sony Music using the PID protocol, the user is prompted to purchase a license covering one or more songs or albums and confirmation is stored on the PID. (Smith, ¶ [0083].) Smith discloses that the after the billing information is entered into the PID, the PID is checked when the user requests content to confirm the license status and the content is provided to the user subject to the paid up license allowing the user to consume the content. (Smith, ¶ [0083].)

Smith specifically discloses that the "invention thus provides a method of protecting a user against undesirable content on a computer requiring user identification and, *based on the user's predetermined criteria*, providing the user with user specific content." (Smith, ¶ [0009], emphasis added.) Smith again specifically discloses specific digital content is provided to the user based on "verifying the identity of the user, and presenting user specific digital content to the user *based on previously received user information*." (Smith, ¶ [0013], emphasis added.) Smith discloses that the user information typically includes demographic information about the user and optionally user interest information and user preference information that is used to determine the type of content and manner of presentation of the content. (Smith, ¶ [0013].) Smith specifically discloses that in "*response to the information gathered from the user*, the server will take into account the user's demographics, interests, and preferences. (Smith, ¶ [0057], emphasis added.)

While Smith does reference that user information that may include demographics as well as user interest information and user preference information is taken into account for user requests of content to mold the type of content provided to the user, Smith fails to disclose that the content provided and/or suggested to the user continues to evolve based on a history of what the user streams and declines to stream. The demographics, user interest information, and user preference information as disclosed in Smith is all captured as "*the user's predetermined criteria*" in that the demographics, user interest information, and user

preference information is all captured *before* the content is then provided and/or suggested to the user based on "*the user's predetermined criteria*". In doing so, the content is then provided and/or suggested to the user in "*response to the information gathered from the user*".

The capturing of "*the user's predetermined criteria*" and then the generation of content that is then provided and/or suggested to the user in *"in response to the information gathered from the user*" is not the same as extracting the content that the user has streamed and the content that the user has declined to stream to then target the marketing of different content based on the history of the content that the user has streamed and the content that the user has declined to stream. Similarly, the capturing of "*the user's predetermined criteria*" and the generation of content "*in response to the information gathered from the user*" is not the same as the third party online retailer that is providing the content to the user then determining a trend of interest in the content by the user and thereby targeting the marketing of the different content to the user based on the determined trend of interest associated with the user.

That is, Smith fails to disclose that the capturing of "*the user's predetermined criteria*" is dynamic in that the generation of the content for the user "*in response to the information gathered from the user*" continues to evolve based on the history of content that the user streams and declines to stream. Rather, Smith discloses that the capturing of "*the user's predetermined criteria*" is static in that the generation of the content for the user "*in response to the information gathered from the user*" continues to remain based on the "*the user's predetermined criteria*" until "*the user's predetermined criteria*" is updated. Without an update in *"the user's predetermined criteria*", the user fails to experience different content that is based on criteria other than "*the user's predetermined criteria*" until "*the user's predetermined criteria*" is updated by the user. Nowhere, does Smith disclose that the capturing of "*the user's predetermined criteria*" is dynamic in that the history of content that the user has streamed and declined to stream that then enables the third party online retailer to determine a trend of interest in content by the user and thereby target the marketing of different content based on the determined trend of interest associated with the user.

Therefore, Smith fails to teach or suggest in amended independent claim 1, at least the features of "*the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user.*"

Tang does not cure the deficiencies of Smith, nor does the Office Action allege. For example, Tang discloses that copyright owners could require that distributors and/or publishers provide access to data derived from the sale of their copyrighted works. (Tang, ¶ [0074].) Providing access to data associated with a sale of a copyright owner's work is not the same as providing access to user data when the user accepts a sale of a copyright owner's work and when the user declines the sale of the copyright owner's work.

Therefore, Tang in disclosing that the copyright owners have access to data associated with the sale of their works, fails to teach or suggest in amended independent claim 1, at least the feature of "*the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user.*"

Habermann does not cure the deficiencies of Smith and Tang, nor does the Office Action allege. For example, Habermann discloses that a demographic report for a specific YouTube posting may be accessed in which the demographic report provides information such as the YouTube video ID, title, gender of the viewer, age range, and the percent of viewership that may be used by "advertisers to target our ads to the precise people who are watching our videos." (Habermann, Page 4.) However, Habermann fails to disclose that the

demographic information is extracted in addition to a history of YouTube videos that the user has streamed and declined to stream thereby enabling YouTube to determine a trend of interest in YouTube videos for the user and thereby targeting the marketing of different YouTube videos to the user.

There is no mention in Habermann of any procedure to extract each YouTube video streamed by the user and YouTube video that the user declined to stream. Rather, Habermann discloses simply that demographic information of users that have accessed a specific YouTube video is provided in a report for that specific YouTube video. The providing of demographic information of users that have accessed a specific YouTube video in a report is not the same as extracting the YouTube videos that the user has streamed and the YouTube videos that the user has declined to stream.

Therefore, Habermann in disclosing that the demographic information of users that have accessed a YouTube video is available in a report, fails to teach or suggest in amended independent claim 1, at least the feature of "*the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user.*"

Therefore, the Office Action has failed to state a case of obviousness with respect to independent claim 1. Amended independent claims 7, 13, and 19 recite substantially similar features that are likewise not taught by the combination of Smith, Tang, and Habermann. Dependent claims 2, 4-7, 9-12, 14-18, 21, and 23 are likewise patentable over the combination of Smith, Tang, and Habermann for at least the same reasons as the independent claim from which they respectively depend, and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 1, 2, 4-7, 9-19, 21, and 23 under 35 U.S.C. § 103 be reconsidered and withdrawn.

Claims 3, 8, 20, and 22

Claims 3, 8, 20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Habermann in further view of Tang in further view of Hernandez in further view of U.S. Publication No. 2010/029622 to Nikitin et al. ("Nikitin"). Applicant respectfully traverses.

As discussed above, the combination of Smith, Tang, and Habermann does not teach or suggest each and every feature of amended independent claim 1. Nikitin does not provide the missing teaching or suggestions with respect to amended independent claim 1 nor does the Office Action so allege. Therefore, the combination of Smith, Tang, Habermann, and Nikitin does not render amended independent claims 1, 7, 13, and 19 obvious. Dependent claims 3, 8, 20, and 22 are likewise not rendered obvious by the combination of Smith, Tang, Habermann, and Nikitin for the same reasons as the independent claim from which they respectively depend and further in view of their own respective features. Accordingly, Applicant respectfully requests that the rejection of claims 3, 8, 20, and 22 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

The Applicant respectfully requests entry of this response to the outstanding Non-Final Office Action, and requests consideration and allowance of the present application including claims 1-23. Timely action towards a Notice of Allowability is hereby solicited. The Examiner is encouraged to contact the undersigned by telephone to resolve any outstanding matters concerning the subject application.

Respectfully submitted,

By: ___/Patrick J. Palascak/_____

Patrick J. Palascak; Reg. No. 73,533
Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, Indiana 46204-2023
513-357-9358 (voice)

UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

43218 7590 10/17/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

DATE MAILED: 10/17/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

TITLE OF INVENTION: DIGITAL MEDIA REPRODUCTION AND LICENSING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	01/17/2020

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
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P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

43218 7590 10/17/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

TITLE OF INVENTION: DIGITAL MEDIA REPRODUCTION AND LICENSING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	01/17/2020

EXAMINER	ART UNIT	CLASS-SUBCLASS
MCCOY, RICHARD ANTHONY	2431	726-032000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1_____
2_____
3_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. Fees submitted: ❑Issue Fee ❑Publication Fee (if required) ❑Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

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INDIANAPOLIS, IN 46204-2023

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

DATE MAILED: 10/17/2019

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 16/122,136	Applicant(s) Estes, Christopher A.	
	Examiner RICHARD A MCCOY	Art Unit 2431	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☑ This communication is responsive to claims filed 9/23/2019.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are 1-4,6-10,12-16,18-21 and 23 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐All b) ☐ Some *c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☑ Interview Summary (PTO-413), Paper No./Mail Date. 10/10/2019.
5. ☑ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/R.A.M/ Examiner, Art Unit 2431	/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431

DETAILED ACTION

Claim Objections

The previous objections are withdrawn in view of applicant's amended claim language.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
Authorization for this examiner's amendment was given in an interview with [**Patrick Palascak**] on [**10/10/2019**].
The application has been amended as follows:

1. (Currently Amended) A computer implemented method for configuring a multimedia hardware device to enable an authorized stream of a media content item included in a digital media file, comprising: receiving a request from a user to stream the media content item; evaluating the request to stream to determine whether the user has acquired a license to stream the media content item and offering the license to stream the media content item to the user when the user does not have the license to stream the media content item; after the evaluation of the request to stream, extracting user data that is specific to the user that is attempting to stream the media content item when the user at least one of streams ~~acquires~~ and declines to stream the media content item , wherein the user data includes demographic data associated with the user that enables a third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that streamed the media content item of a copyright owner and a demographic that declined to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user; aggregating the user data into a statistics record for the request to stream the media content item when the user ~~at least one of~~ streams ~~and~~ or declines to stream the media content item , wherein the statistics record summarizes the user data associated with the request to stream the media content item; storing in a license database the statistics record so that the user data is accessible to the third party online retailer that is providing the media content item to be streamed; and analyzing a plurality of statistics records aggregated from each request to stream the media content item as provided by the third party online retailer to be streamed to provide the third party online retailer with the aggregated user data from each request to stream the media content item.

7. (Currently Amended) A computer implemented method for configuring a media content licensing and verification system to license media content for streaming the method comprising: receiving a request from an external device associated with a user to stream a media content item. wherein the request to stream includes digital media information associated with the media content item included in a digital media file and the digital media information includes at least one identification characteristic that is unique to the media content item that is included in the media content item when the media content item is initially created and not dependent on any encoding during any mastering of the media content item; determining whether the request to stream is to be granted based on a media content record stored in a media catalog database that is associated with the media content item and offering a license to stream the media content item to the user when the user does not have the license to stream the media content item; after the determination of the request to stream, extracting user data that is specific to the user that is attempting to stream the media content item when the user at least one of streams and when the user declines to stream the media content item , wherein the user data includes demographic data associated with the user that enables a third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that streamed the media content item of a copyright owner and a demographic that declined to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user; aggregating the user data into a statistics record for the request to stream the media content item when the user ~~at least one of~~ streams ~~and~~ or declines to stream the media content item, wherein the statistics record summarizes the user data associated with the request to stream the media content item; storing in a license database the statistics record so that the user data is accessible to the third party online retailer that is providing the media content item to be streamed; and analyzing a plurality of statistics records aggregated from each request to stream the media content item as provided by the third party online retailer to be streamed to provide the third party online retailer with the aggregated user data from each request to stream the media content item.

13. (Currently Amended) A system for configuring a multimedia hardware device to generate an authorized stream of a media content item included in a digital media file, comprising: at least one processor; and a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to: receive a request from a user requesting to stream the media content item; evaluate the request to stream to determine whether the user has acquired a license to stream the media content item and offer the license to stream the media content item to the user when the user does not have the license to stream the media content item; after the evaluation of the request to stream, extract user data that is specific to the user that is attempting to stream the media content item when the user at least one of streams and declines to stream the media content item , wherein the user data includes demographic data associated with the user that enables a third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that streamed the media content item of a copyright owner and a demographic that declined to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables a third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user, aggregate the user data into a statistics record to stream the media content item for the request when the user ~~at least one of~~, streams ~~and~~ or declines to stream the media content item , wherein the statistics record summarizes the user data associated with the request to stream the media content item, store in the license database the statistics record so that the user data is accessible to the third party online retailer that is providing the media content item to be streamed, and analyze a plurality of statistics records aggregated from each request to stream the media content item as provided by the third party online retailer to be streamed to provide the third party online retailer with the aggregated user data from each request to stream the media content item.

19. (Currently Amended) A system for configuring a media content licensing and verification system to license media content for streaming , comprising: a receiver configured to receive a request from an external device associated with a user to stream the media content item, wherein the request includes digital media information associated with the media content item included in a digital media file and the digital media information includes at least one identification characteristic that is unique to the media content item that is included in the media content item when the media content item is initially created and not dependent on any encoding during any mastering of the media content item; at least one processor; and a memory coupled with the processor, the memory including instructions that, when executed by the processor cause the processor to: determine whether the request to stream is to be granted based on the media content record stored in the media catalog database that is associated with the media content item and offer a license to stream the media content item to the user when the user does not have the license to stream the media content item, after the determination of the request to stream, extract user data that is specific to the user that is attempting to stream the media content item when the user at least one of, streams and declines to stream , wherein the user data includes demographic data associated with the user that enables a third party online retailer that is providing the media content item to be streamed by the user to gauge at least one of a demographic that streamed the media content item of a copyright owner and a demographic that declined to stream the media content item of the copyright owner and the user data includes each media content item that the user streamed and each media content item that the user declined to stream that enables the third party online retailer to target marketing of different media content items to the user based on the demographic of the user and based on a history of media content items that the user has streamed and media content items that the user has declined to stream to determine a trend of interest in media content items by the user and to thereby target the marketing of the different media content items to the user based on the determined trend of interest associated with the user, aggregate the user data into a statistics record for the request to stream the media content item when the ~~user at least one of~~ streams ~~and~~ or declines to stream the media content item , wherein the statistics record summarizes the user data associated with the media licensing request to stream the media content item, and store in a license database the statistics record so that the user data is accessible to the third party online retailer that is providing the media content item to be streamed, and analyze a plurality of statistics records aggregated from each request for to stream the media content item as provided by the third party line retailer to be streamed to provide the third party online retailer with the aggregated user data from each request to stream the media content item.

Allowable Subject Matter

Claims [1-4, 6-10, 12-16, 18-21 and 23] are allowed.

Examiners Comment

This communication warrants No Examiner's Reason for Allowance, applicant's reply make evident the reasons for allowance, satisfying the "record as a whole" proviso of the rule 37 CFR 1.104(e). Specifically, applicant's arguments filed on 9/23/2019 in combination with the examiners amendment herein are persuasive, as such the reasons for allowance are in all probability evident from the record and no statement is deemed necessary (see MPEP 1302.14).

Any comments Applicants considers necessary must be submitted no later than the payment of the Issue Fee and to avoid processing delays, should preferable accompany the Issue Fees. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance". In event of any post-allowance papers (e.g. IDS, 312 amendment, petition, etc.), Applicant is exhorted to mail papers to the Production Control branch in Publications or faxed to post-allowance papers correspondence branch at (703) 308-5864 to expedite issuing process or call PUB's Customer Service if any questions at (703) 305-8497.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD A MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on M - F 10 - 6.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R.A.M/
Examiner, Art Unit 2431

/LYNN D FEILD/
Supervisory Patent Examiner, Art Unit 2431

Examiner-Initiated Interview Summary	**Application No.** 16/122,136	**Applicant(s)** Estes, Christopher A.	
	Examiner RICHARD A MCCOY	**Art Unit** 2431	**AIA (FITF) Status** Yes

All participants (applicant, applicant's representative, PTO personnel):

(1) RICHARD A. MCCOY. (3) _____.

(2) Patrick Palascak. (4) _____.

Date of Interview: 10 October 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☑ No.
If Yes, brief description: _____.

Issues Discussed ☐ 101 ☐ 112 ☐ 102 ☑ 103 ☐ Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: NA.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner proposed changes to put the case into condition for allowance which were accepted..

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/RICHARD A MCCOY/ Examiner, Art Unit 2431	/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

CPC						
Symbol					**Type**	**Version**
G06F	/	21	/	10	F	2013-01-01
G06Q	/	30	/	02	I	2013-01-01

CPC Combination Sets								
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

/RICHARD A MCCOY/ Examiner, Art Unit 2431 (Assistant Examiner)	10 October 2019 (Date)	**Total Claims Allowed:** 19	
/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431 (Primary Examiner)	11 October 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

U.S. Patent and Trademark Office

Part of Paper No.: 20191010

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

INTERNATIONAL CLASSIFICATION				
CLAIMED				
G06Q	/	30	/	02

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**
726	32

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

/RICHARD A MCCOY/ Examiner, Art Unit 2431 (Assistant Examiner)	10 October 2019 (Date)	**Total Claims Allowed:** 19	
/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431 (Primary Examiner)	11 October 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	9	10	16	19										
2	2		11	17	20										
3	3	10	12	18	21										
4	4	11	13		22										
	5	12	14	19	23										
5	6	13	15												
6	7	14	16												
7	8		17												
8	9	15	18												

/RICHARD A MCCOY/ Examiner, Art Unit 2431 (Assistant Examiner)	10 October 2019 (Date)	**Total Claims Allowed:** 19	
/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431 (Primary Examiner)	11 October 2019 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

U.S. Patent and Trademark Office Part of Paper No.: 20191010

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/122,136	Estes, Christopher A.
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

CPC - Searched*		
Symbol	**Date**	**Examiner**

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
art searched using key words (see attached east file)	05/28/2019	mccoy
double patenting searched using key words (see attached east file)	05/28/2019	mccoy
updated search (see attached east file)	06/13/2019	mccoy
updated search (see attached east file)	10/10/2019	mccoy
consulted with M Vaughan on allowance	10/10/2019	mccoy

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
updated search (see attached east file)		10/10/2019	mccoy

/RICHARD A MCCOY/ Examiner, Art Unit 2431	/LYNN D FEILD/ Supervisory Patent Examiner, Art Unit 2431

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1210	(media content video audio song movie) with (stream$3 play$3 render$3 watch$3 listen$3 download$3) with declin$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:00
L2	567	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near7 declin$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:01
L3	474	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 declin$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:01
L4	432	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 declin$3	US-PGPUB; USPAT	OR	ON	2019/10/10 11:01
L5	47	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 declin$3 with (track$3 record$3 log$4 sav$3 stor$3 count$3)	US-PGPUB; USPAT	OR	ON	2019/10/10 11:02
L6	48	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 declin$3 with (track$3 record$3 log$4 sav$3 stor$3 count$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:03
L7	83	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 (declin$3 refus$3) with (track$3 record$3 log$4 sav$3 stor$3 count$3) not 6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:09
L8	83	(media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 (declin$3 refus$3 ("not" near3 (select accept choose))) with (track$3 record$3 log$4 sav$3 stor$3 count$3) not 6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/10/10 11:10

EAST Search History (Interference)

Ref	Hits	Search Query	DBs	Default	Plurals	Time

#				Operator		Stamp
L9	5	((media content video audio song movie) near7 (stream$3 play$3 render$3 watch$3 listen$3 download$3) near4 (declin$3 refus$3 ("not" near3 (select accept choose))) with (track$3 record$3 log$4 sav$3 stor$3 count$3)).clm.	USPAT	OR	ON	2019/10/10 11:33
L10	2	(license with (reject$3 refuse decline "not" adj3 accept) same2 ((data information record) with (demographic marketing segment$5 age sex gender region state country preference race ethnicity) with (analys$3 analyz$3 gaug$3 study$3 scrutiniz$3 examin$3 inspect$3))).clm.	USPAT	OR	ON	2019/10/10 11:33
L11	2	(license with (reject$3 refuse decline "not" adj3 accept) and((data information record) with (demographic marketing segment$5 age sex gender region state country preference race ethnicity) with (analys$3 analyz$3 gaug$3 study$3 scrutiniz$3 examin$3 inspect$3))).clm.	USPAT	OR	ON	2019/10/10 11:34
L13	7	9 10 11	USPAT	OR	ON	2019/10/10 11:35

10/ 10/ 2019 11:44:13 AM
C:\ Users\ rmccoy1\ Documents\ EAST\ Workspaces\ 13667629.wsp

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

43218 7590 10/17/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	09/05/2018	Christopher A. Estes	ESTES-4	4998

TITLE OF INVENTION: DIGITAL MEDIA REPRODUCTION AND LICENSING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	01/17/2020

EXAMINER	ART UNIT	CLASS-SUBCLASS
MCCOY, RICHARD ANTHONY	2431	726-032000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Taft Stettinius & Hollister LLP
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Media Chain, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Miami, Florida

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ☒ Corporation or other private group entity ❑ Government

4a. Fees submitted: ☒ Issue Fee ❑ Publication Fee (if required) ❑ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Patrick J. Palascak; Reg. No. 73,533/ Date October 22, 2019

Typed or printed name Patrick J. Palascak Registration No. 73,533

Electronic Patent Application Fee Transmittal

Application Number:	16122136
Filing Date:	05-Sep-2018
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Filer:	Patrick J. Palascak/Tiana Powell
Attorney Docket Number:	ESTES-4

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	2501	1	500	500

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**500**

Electronic Acknowledgement Receipt

EFS ID:	37527203
Application Number:	16122136
International Application Number:	
Confirmation Number:	4998
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher A. Estes
Customer Number:	43218
Filer:	Patrick J. Palascak/Tiana Powell
Filer Authorized By:	Patrick J. Palascak
Attorney Docket Number:	ESTES-4
Receipt Date:	22-OCT-2019
Filing Date:	05-SEP-2018
Time Stamp:	15:21:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$500
RAM confirmation Number	E20190LF22061342
Deposit Account	501438
Authorized User	Tiana Powell

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	IssueFeeTransmittal.pdf	116250 7d91cb4e51f8e832d4470e0a478b8449fb117de5	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30189 b39880f02ec98e36df001a54f523154cffb0bbb9	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	146439		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
<u>National Stage of an International Application under 35 U.S.C. 371</u>
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/122,136	11/26/2019	10489560	ESTES-4	4998

43218 7590 11/06/2019
Taft Stettinius & Hollister LLP
ONE INDIANA SQUARE, SUITE 3500
INDIANAPOLIS, IN 46204-2023

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Christopher A. Estes, Mountain View, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IR103 (Rev. 10/09)

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas - Austin Division on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
1:21-CV-027-LY	1/8/2021	Western District of Texas - Austin Division

PLAINTIFF	DEFENDANT
Media Chain, LLC	Roku, Inc.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	9,715,581 B1	7/25/2017	Media Chain, LLC
2	9,898,590 B2	2/20/2018	Media Chain, LLC
3	10,489,560 B2	11/26/2019	Media Chain, LLC
4	10,515,191 B2	12/24/2019	Media Chain, LLC
5	10,860,691 B2	12/8/2020	Media Chain, LLC

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 10,885,154 B2	1/5/2021	Media Chain, LLC
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
Jeannette J. Clack		January 8, 2021

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy