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United States Patent and Trademark Office

July 29, 2021

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Certified by

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

0001

EX1009
Roku V. Media Chain
U.S. Patent No. 10,489,560

Doc Code: PA.
Document Description: Power of Attorney

PTO/AIA/82B (07-12)
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POWER OF ATTORNEY BY APPLICANT

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

[X] I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), an transact all business in the United States Patent and Trademark Office connected therewith for the application referer in the attached transmittal letter (form PTO/AIA/82A or equivalent):

26875

OR

[ ] I hereby appoint Practitioner(s) named below 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 equivalent):

Name	Registration Number	Name	Registration Number

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

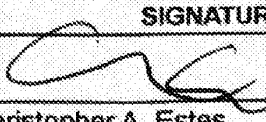
[X] Inventor or Joint Inventor

[ ] Legal Representative of a Deceased or Legally Incapacitated Inventor

[ ] Assignee or Person to Whom the Inventor is Under an Obligation to Assign

[ ] Person Who Otherwise Shows a Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) w granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	11/1/12
Name	Christopher A. Estes	Telephone	(615) 646-1375

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention: Digital Medial Reproduction and Licensing

As the below named inventor, I hereby declare that:

This Declaration is directed to:

[x] The attached application

OR

[ ] United States Application Number or PCT International Application Number _____ filed on _____.

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

I believe that I am the original inventor or an original joint inventor of a claimed invention in the above-identified application.

I have reviewed and understand the contents of the above-identified application, including the claims.

I am aware of the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

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.

Legal name of Inventor: Christopher Estes

Inventor's Signature: _____ Date: 11/1/12

Residence City/State/ Country: Nashville, TN, United States of America

Mailing Address: 402 Belle Point Dr.
Nashville, Tennessee 37221

Citizenship: US

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Lis O'Brien
Attorney Docket Number:	BESTES-7US

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	98	98
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Independent claims in excess of 3	2201	1	125	125
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**658**

Electronic Acknowledgement Receipt

EFS ID:	14138068
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	DIGITAL MEDIA REPRODUCTION AND LICENSING
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Lis O'Brien
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	02-NOV-2012
Filing Date:	
Time Stamp:	16:13:52
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$658
RAM confirmation Number	3027
Deposit Account	233000
Authorized User	DAVIS, JOHN PAUL
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	Application_Data_Sheet.PDF	997957 fd963a7c92485b4cdfb5c674087dbd33a64c8d1d	no	5
Warnings:					
Information:					
2		BESTES-7US_Application.PDF	175722 c705b68d8f8decd6a32834b0b2ed8ac3d93c6a45	yes	27

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	21
Claims	22	26
Abstract	27	27

Warnings:					
Information:					
3	Drawings-only black and white line drawings	Bestes-7US_Drawings.PDF	604509 7ef9109d1a2152d7f1f8d10c906f3464cddace71	no	7
Warnings:					
Information:					
4	Oath or Declaration filed	Power_of_Attorney_and_Declaration.PDF	3348071 8c7cda37fe7841d24e6f87b8bc4624ad1898e89d	no	2
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	36759 c70fd3ba866332970b303bfa00ca3dfc04192ffe	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	5163018		

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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.

PTO/AIA/14 (08-12)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	BESTES-7US
	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
Mr.	Christopher		Estes	

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

City	Nashville	State/Province	TN	Country of Residence	US

Mailing Address of Inventor:

Address 1	402 Belle Point Dr.		
Address 2			
City	Nashville	State/Province	TN
Postal Code	37221	Country	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	26875		
Email Address	USPTODOC@whe-law.com	Add Email	Remove Email

Application Information:

Title of the Invention	Digital Media Reproduction and Licensing		
Attorney Docket Number	BESTES-7US	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	BESTES-7US
	Application Number	
Title of Invention	Digital Media Reproduction and Licensing	

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	26875		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this 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.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	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 benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. 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(a).

Remove

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Priority Claimed
			○ Yes ○ No

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

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	BESTES-7US
	Application Number	
Title of Invention	Digital Media Reproduction and Licensing	

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

If 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 World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

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

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Remove

○ Assignee	○ Legal Representative under 35 U.S.C. 117
○ 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:

Name of the Deceased or Legally Incapacitated Inventor :

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	BESTES-7US
	Application Number	
Title of Invention	Digital Media Reproduction and Licensing	

Mailing Address Information:			
Address 1			
Address 2			
City		**State/Province**	
Country [i]		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Signature:

Remove

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

Signature	/John Paul Davis/			Date (YYYY-MM-DD)	2012-11-02
First Name	John	Last Name	Davis	Registration Number	52798

Additional Signature may be generated within this form by selecting the Add button. Add

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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 records.

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.

DIGITAL MEDIA REPRODUCTION AND LICENSING

FIELD

[0001] 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

[0002] 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.

[0003] 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 distribution of 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.

[0004] 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 media content which discourages creation of digital media content.

BRIEF SUMMARY

[0005] 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 file that 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.

[0006] 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.

[0007] Further embodiments, features, and advantages, as well as the structure and operation of the various embodiments, are described in detail below with reference to the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS/FIGURES

[0008] Embodiments are described with reference to the accompanying drawings. In the drawings, like reference numbers may indicate identical or functionally similar elements.

[0009] FIG. 1 illustrates a digital media file licensing and authorized reproduction system, according to an embodiment;

[0010] FIG. 2 illustrates a second digital media file licensing and authorized reproduction system, according to an embodiment;

[0011] 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;

[0012] FIG. 4 illustrates a flowchart illustrating an exemplary aspect of operation for the external multimedia hardware device, according to an embodiment;

[0013] 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;

[0014] FIG. 6 illustrates a flow chart illustrating an exemplary aspect of operation for the media content licensing and verification system to receive licensing information from a third party media retailer, according to an embodiment; and

[0015] 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

[0016] 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

[0017] 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.

[0018] 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.

[0019] 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.

[0020] 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.

[0021] 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.

[0022] 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.

[0023] 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.

[0024] 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 commence reproduction of the media content item. Moreover, licensing system 16 may store a record of the transaction for statistical purposes, and/or store a copy of the license in a database under a user record associated with the user of device 10.

[0025] 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.

[0026] 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.

[0027] 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.

[0028] 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 online 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 retailers system 20.

[0029] 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.

[0030] 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.

[0031] 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.

[0032] 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

[0033] 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.

[0034] 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.

[0035] 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.

[0036] 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.

[0037] 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.

[0038] 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.

[0039] 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 data indicating a media content item that the user is licensed to reproduce.

[0040] 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.

[0041] 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

[0042] 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.

[0043] 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.

[0044] 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.

[0045] 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.

[0046] 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

[0047] 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 of a 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.

[0048] 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 digital 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.

[0049] 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 versions of the same media content item. For example, multiple versions of a song are 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 will be apparent to those skilled in the relevant art(s) without departing from the spirit and scope of the disclosure.

[0050] 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.

[0051] 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 to determining that the user does not have the appropriate license. The device generates a display query asking the user whether the user would like to purchase a license for the digital media file.

[0052] 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 to purchase 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.

[0053] 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.

[0054] 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.

[0055] 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.

[0056] 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

[0057] 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 secured transaction interface associated with an account of the user.

[0058] 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 license for. 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.

[0059] 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.

[0060] 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.

[0061] 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.

[0062] 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.

[0063] 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.

[0064] 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

[0065] 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.

[0066] 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

[0067] 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.

[0068] 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.

[0069] 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.

[0070] 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 over the 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.

[0071] 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

[0072] As such, in general, some embodiments of the invention 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 multi-media 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 I/O interface to present a user of the device with a graphic user interface.

[0073] 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.

[0074] 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.

[0075] As such, the application and/or operating system executing on the external multi-media 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.

[0076] 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.

[0077] 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.

[0078] 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.

[0079] 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 providing a multimedia hardware device to generate an authorized reproduction of a media content item included in a digital media file, comprising:

loading a digital media file for reproduction, wherein the digital media file includes a media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

accessing a license database to determine whether a user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information; and

providing a licensing query 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.

2. The method of claim 1, further comprising:

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

3. The method of claim 2, further comprising:

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

4. The method of claim 3, further comprising:

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

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

5. The method of claim 4, further comprising:

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

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

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

accessing a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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; and

declining 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.

7. The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. The method of claim 6, 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.

10. The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

load a digital media file for reproduction, wherein the digital media file includes a media content item,

analyze the digital media file to identify digital media information associated with the media content item,

access a license database to determine whether a user is licensed to reproduce the media content item based on the digital media information, and

reproduce the media content item when the user is licensed to reproduce the media content item based on the digital media information; and

a user interface configured to provide a licensing query 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.

12. The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

provide a licensing request to a licensing system when the user selects to acquire the license to reproduce the media content item based on the licensing response from the user; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. The system of claim 13, wherein the processor is further configured to:

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

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

15. The system of claim 14, 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. A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

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

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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, and

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.

17. The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. The system of claim 17, wherein the processor is further configured to grant the media licensing request for the external device when payment of the license for the media content item is completed.

19. The system of claim 16, 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.

20. The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

ABSTRACT

Systems and methods for monetizing the reproduction of digital media content for the rights-holders of the digital media content. Embodiments of the present disclosure 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 not approved for the license.

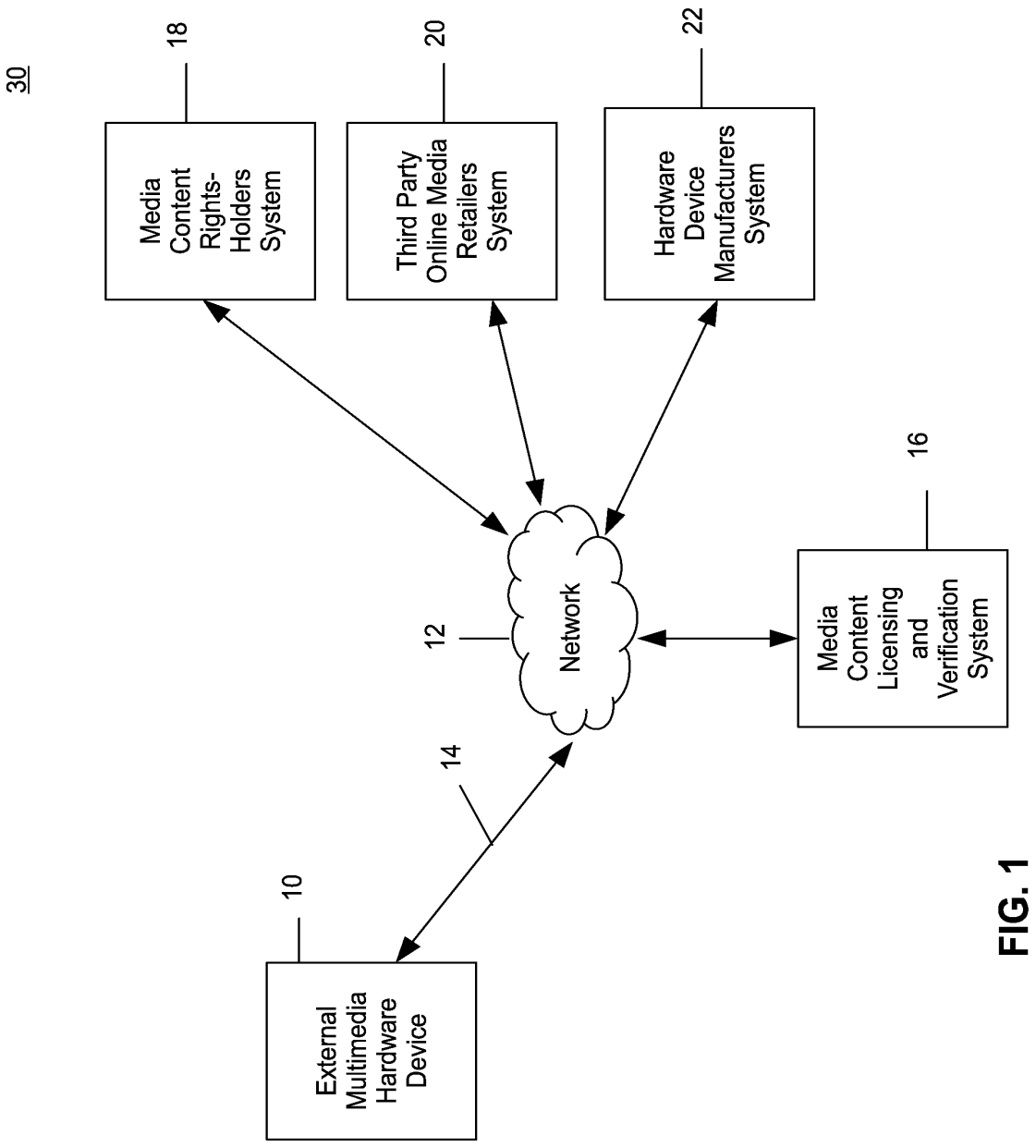

30
18
Media Content Rights-Holders System
20
Third Party Online Media Retailers System
22
Hardware Device Manufacturers System
16
Media Content Licensing and Verification System
12
Network
14
10
External Multimedia Hardware Device

FIG. 1

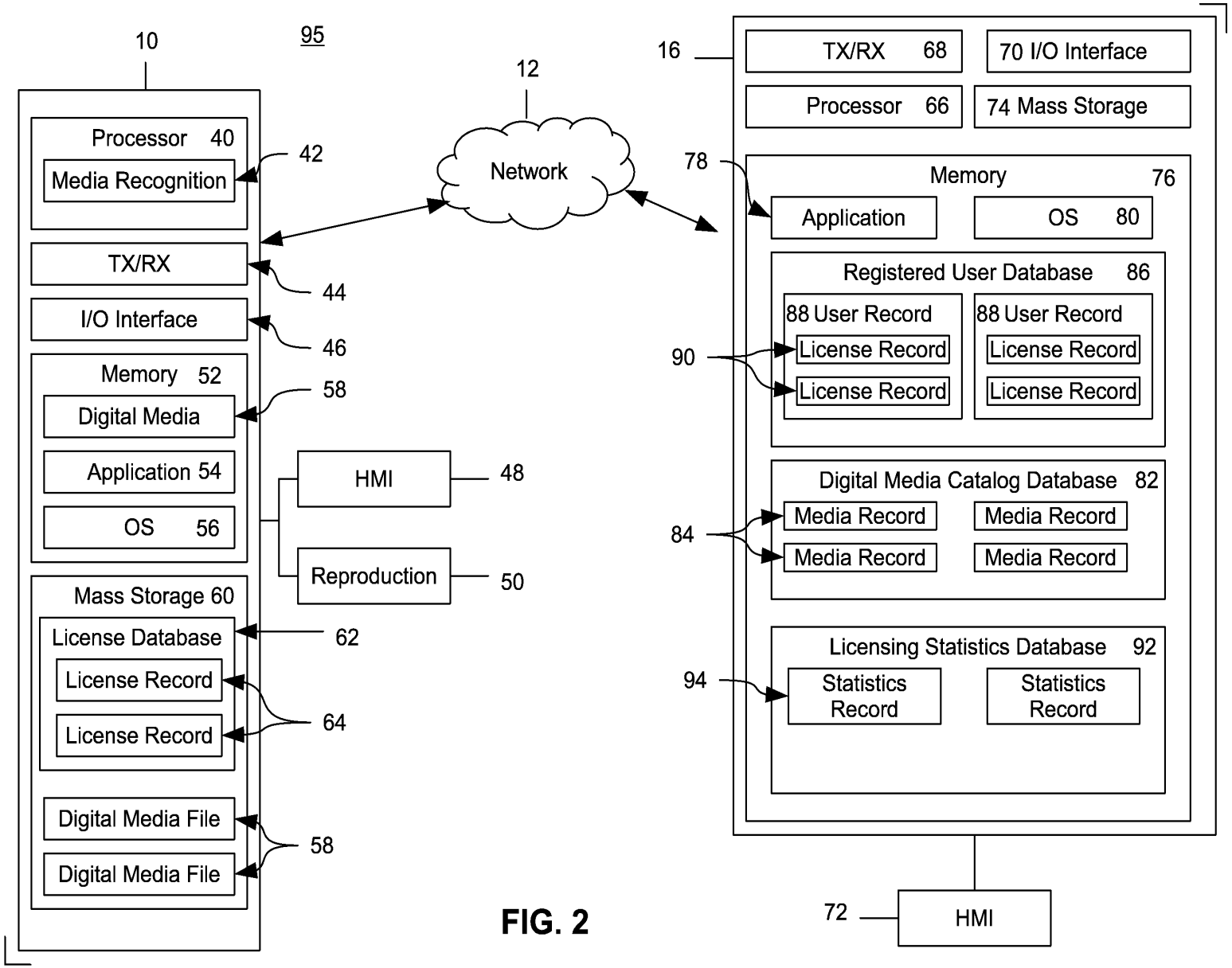

10
95
Processor 40
Media Recognition
42
TX/RX
44
I/O Interface
46
Memory 52
Digital Media
58
Application 54
OS 56
HMI
48
Reproduction
50
Mass Storage 60
License Database
62
License Record
License Record
64
Digital Media File
Digital Media File
58
12
Network
16
TX/RX 68
70 I/O Interface
Processor 66
74 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

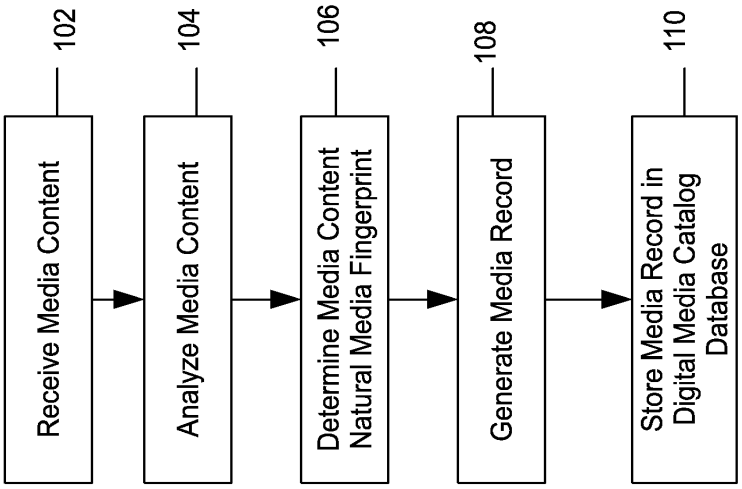

100
102
Receive Media Content
104
Analyze Media Content
106
Determine Media Content Natural Media Fingerprint
108
Generate Media Record
110
Store Media Record in Digital Media Catalog Database

FIG. 3

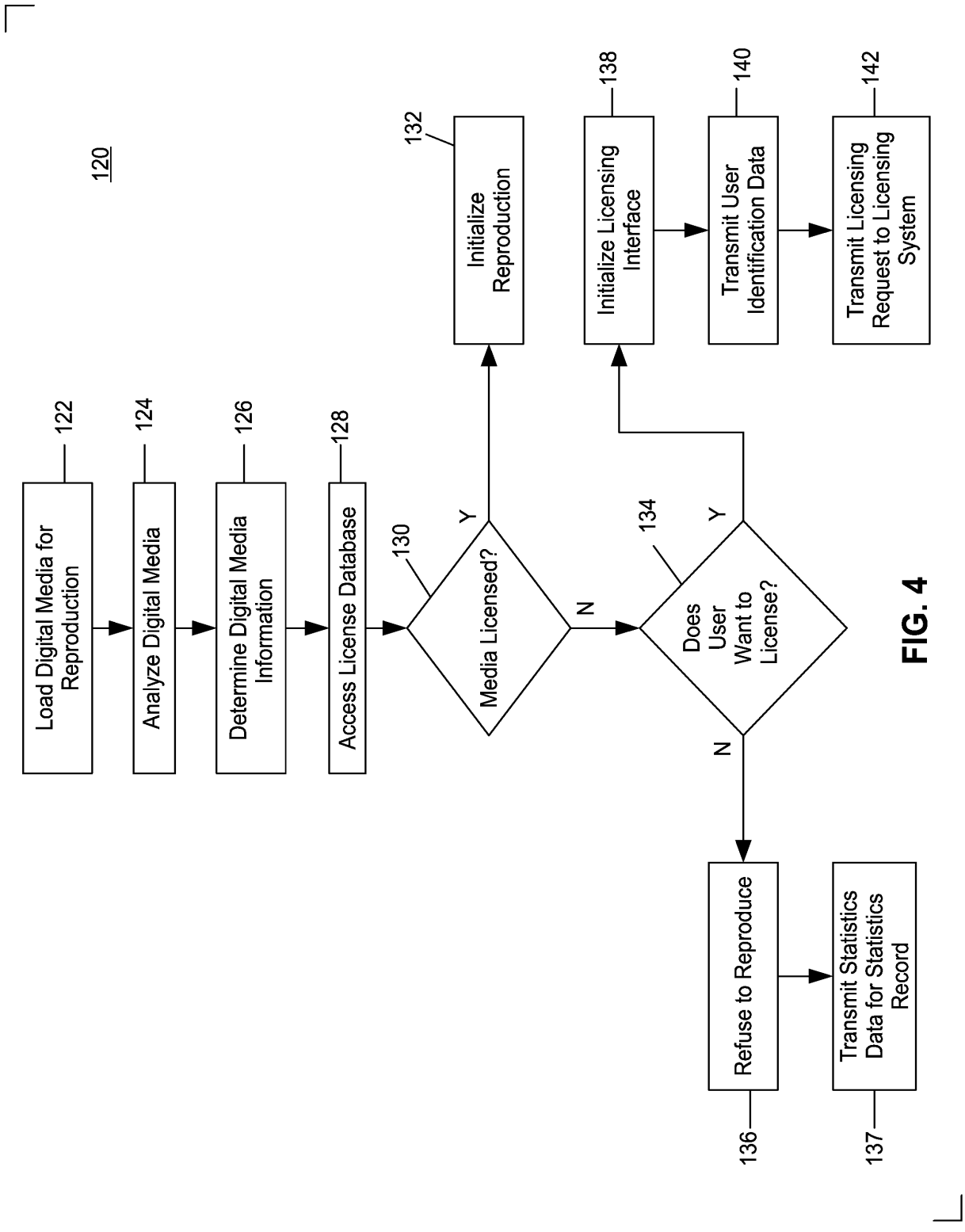

120
Load Digital Media for Reproduction
122
Analyze Digital Media
124
Determine Digital Media Information
126
Access License Database
128
Media Licensed?
130
Y
N
Initialize Reproduction
132
Does User Want to License?
134
Y
N
Initialize Licensing Interface
138
Transmit User Identification Data
140
Transmit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

FIG. 4

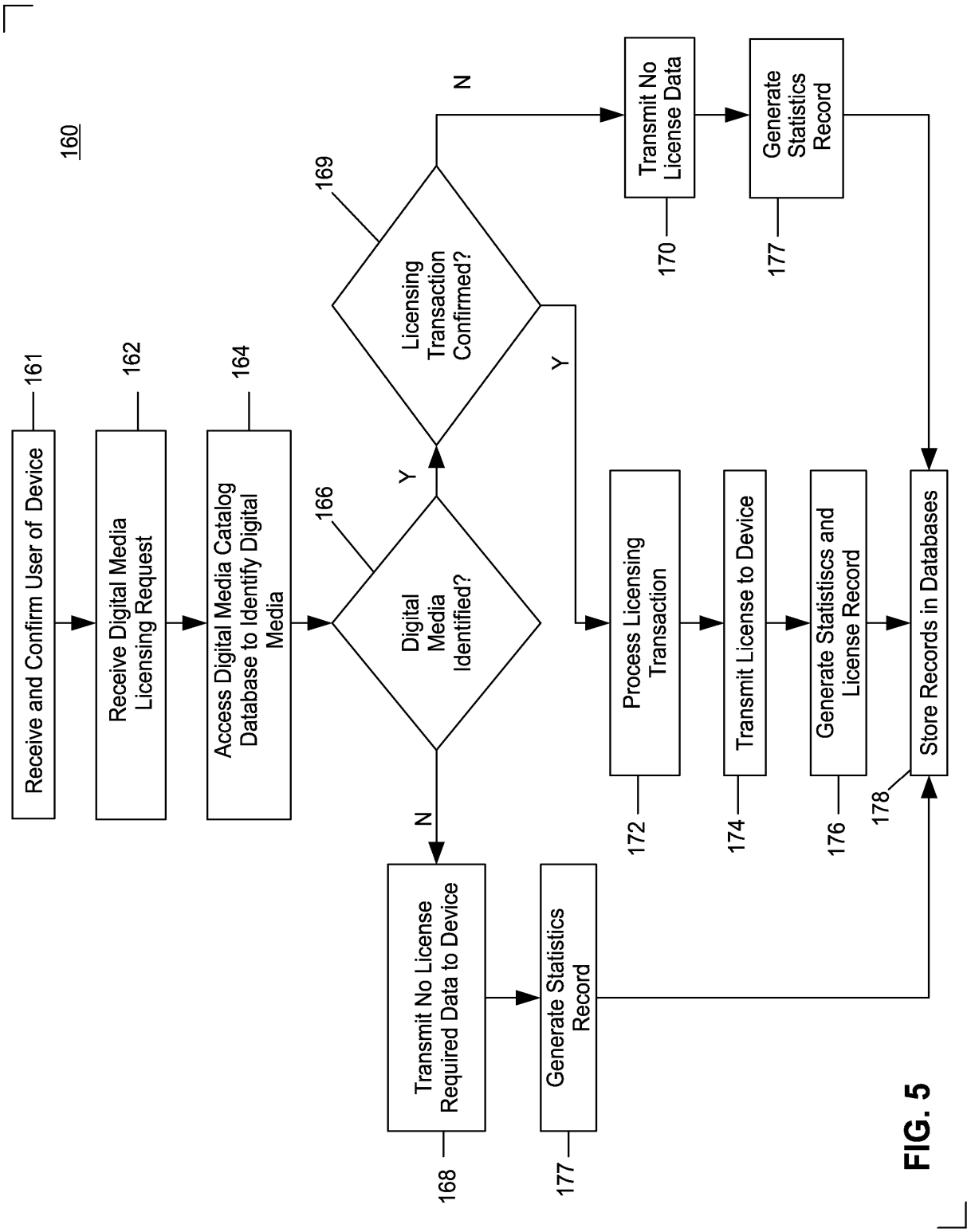

160
Receive and Confirm User of Device
161
Receive Digital Media Licensing Request
162
Access Digital Media Catalog Database to Identify Digital Media
164
Digital Media Identified?
166
Y
N
Licensing Transaction Confirmed?
169
Y
N
Transmit No License Data
170
Generate Statistics Record
177
Process Licensing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

FIG. 5

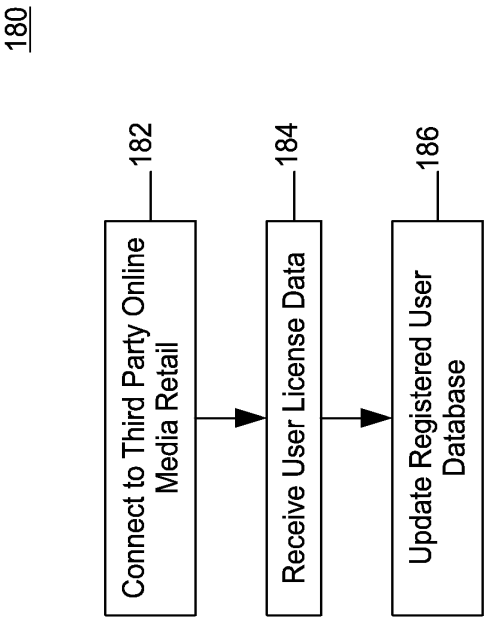

180
182
Connect to Third Party Online Media Retail
184
Receive User License Data
186
Update Registered User Database

FIG. 6

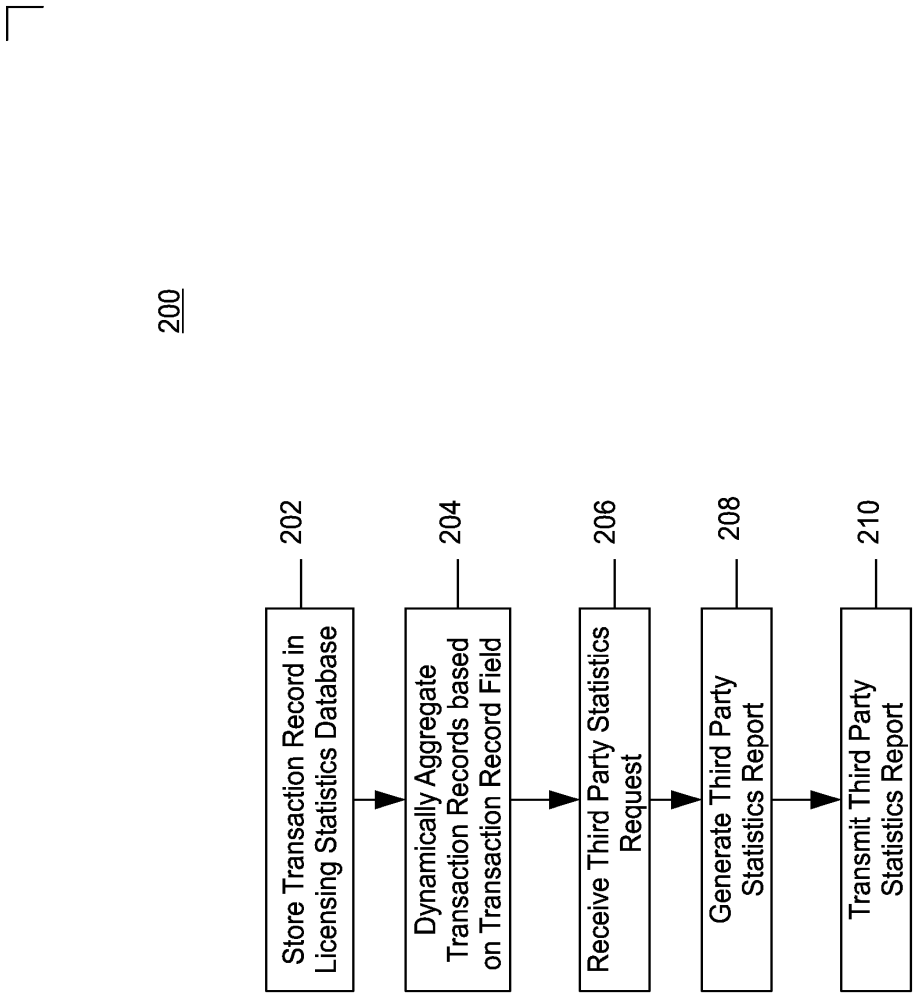

200
202
Store Transaction Record in Licensing Statistics Database
204
Dynamically Aggregate Transaction Records based on Transaction Record Field
206
Receive Third Party Statistics Request
208
Generate Third Party Statistics Report
210
Transmit Third Party Statistics Report

FIG. 7

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/667,629

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	98		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*	x 31 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	4 minus 3 =	* 1	x 125 =	125			
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	658		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 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	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($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	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
13/667,629	11/02/2012	3685	658	BESTES-7US	20	4

CONFIRMATION NO. 2832

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2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

FILING RECEIPT

OC000000057780532

Date Mailed: 11/30/2012

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 Estes, Nashville, TN;

Applicant(s)

Christopher Estes, Nashville, TN;

Power of Attorney: The patent practitioners associated with Customer Number 26875

Domestic Priority data as claimed by applicant

This appln 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 - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 11/26/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/667,629**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** **SMALL ENTITY** **

Title

Digital Media Reproduction and Licensing

Preliminary Class

705

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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 (1-866-999-4158).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/667,629	11/02/2012	Christopher Estes	BESTES-7US

CONFIRMATION NO. 2832

POA ACCEPTANCE LETTER

26875
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
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CINCINNATI, OH 45202

OC000000057780281

Date Mailed: 11/30/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/02/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/fpan/

Office of Data Management, 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.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 02/14/2014
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	
ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
02/14/2014	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):

usptodock@whe-law.com

Office Action Summary	Application No. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *11/2/2012*.

☐ 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) *1-20* 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) *1-20* is/are rejected.

8)☒ Claim(s) *11,13 and 18* 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 *11/2/2012* 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

Claims 1-20 are presented for examination.

Information Disclosure Statement

No IDS was submitted

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the steps disclosed in claims 7 and 17 and must be shown or the feature(s) canceled from the claim(s). **No new matter should be entered.**

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The specification filed on 11/2/2012 is accepted.

Claim Objections

Claim 11 is objected to because of the multiple uses of 'a media content item' rendering the claim indefinite.

Claim 13 is objected to because the phrase 'based on the licensing response from the user' and 'when the user selects to acquire the license' refer to the same event as described in claim 12 rendering the meaning of claim 13 unclear.

Claim 18 is objected to because the limitation of 'granting the media request' was introduced in parent claim 16 rendering the claim indefinite because it is unclear how it is possible to 'grant the media request' more than once at different in response to different criteria.

Appropriate corrections to all objections above are required.

Appropriate corrections to claims with similar language to those corresponding to the objections above are also required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1 – 5 and 11- 15** are rejected under 35 U.S.C. 102(b) as being anticipated by Doherty et al (US 6,920,567 hereafter referred as "Doherty").

As to claim 11, applicant claims a system comprising :

a. a multimedia hardware device to generate an authorized reproduction of a content item

In fig 1D, Doherty discloses user system 10B (**a multimedia hardware device**) shown having a media player (**to generate an reproduction of a content item)**

In C13 65-67, Doherty discloses if license checks are passes the user is permitted access to the contents(**to generate an authorized reproduction of a content item)**

In C5 32-35 Doherty discloses the content may include music or video data (**multimedia**)

b. a processor configured to:

i. load a media file for reproduction

In C10 49-51, Doherty discloses the data DCF(**media file**) including music video authorizes access and presents (**loads**) the DCF content to the media player (**for reproduction**)

ii. wherein the media file includes the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes DCF Content 10A (**content item**) {see also C10 24-28}

iii. analyze the media file to identify information associated with the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes FACM 12. In C10 29-32 , Doherty discloses FACM 12 controls access to the contents (**the content item**) of the file according to(**analyze**) the terms, provisions, and restrictions of the eLicense (**to identify information associated with the content item**) embodied in the FACM 12. (i.e. the media file. because FACM 12 is comprised by DCF 10)

iv. access a database to determine if a user is licensed to reproduce the content item based on the information

In C10 53-56 , Doherty discloses LMCM18 implements the terms and provisions(**determine if a user is licensed to reproduce the content**)of the eLicense (**based on the information**) by communicating with the DLDB 14 (**access a database**)

v. reproduce the content item when the user is determined to be licensed

In C10 55-61, Doherty discloses determining if the user satisfies the provisions of the license(**when the user is determined to be licensed**) and providing access to content 10A (**reproduce the content item**) to a media player accordingly

c. a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item or decline the license

In C13 65-67 through C14 0-5 , Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access and Purchase GUI 22 is presented(**a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item**). In fig 3A, Doherty discloses an embodiment of the Purchase GUI 22 having an Exit button **(or decline the license**)

As to claim 12, applicant further limits the system wherein :

a. the user interface is configured to receive a licensing response indicating the user has selected to acquire or decline the license

In fig 3A, Doherty discloses a "Buy Now" (**user selects to acquire the license**) button and an Exit button (**user selects to decline the license**)

As to claim 13, applicant further limits the system wherein the processor is further configure to:

a. provide a licensing request to a licensing system when the user selects to acquire the license

In C13 44-58, Doherty discloses requesting through GUI 22 (**when the user selects to acquire the license**) a license by providing information relating to the user and the user's system of payment (**provide a licensing request**) to the OLS 36 (**a licensing system**)

b. prevent reproduction of the content item when the user selects to decline the license

In fig 3A, Doherty discloses a "Buy Now" button and an Exit button (**when the user selects to decline the license**) In C13 65-67 through C14 0-5 , Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access (**prevent reproduction of the content item**) and Purchase GUI 22 is presented

As to claim 14, applicant further limits the system wherein the processor is further configure to:

a. receive a license from the licensing system to reproduce the content item when the request is granted

In C13 50-67, Doherty discloses the user receives an eLicense from the OLS (**receive a license from the licensing system when the request is granted**)….when the checks are passed the user is permitted access to the content (**to reproduce the content**)

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

In C13 40-67, Doherty discloses "upon doing so (i.e. upon carrying out actions to satisfy an electronic purchase such as providing information relating to the user and the user's system and payment) receives from the OLS a license. *This means that if invalid, improper, or incomplete information is supplied a license would not be provided by the OLS. (**when the request is declined by the licensing system**) It is also made clear that if there is not a valid license, access to the content is not permitted and the GUI will be presented to the user for acquiring a license. (**prevent reproduction of the content**) This is disclosed in C14 0-4 and 25-30*

As to claim 15, applicant further limits the system wherein the processor is further configure to:

a. reproduce the content based on a plurality of parameters included in the license

In C14 7-13, Doherty discloses the license checking functions (**reproduce the content based on**) system identifier, product identity, duration, execution count, etc. (**plurality of parameters in the license**)

Claims 1 – 5 are method claims respectively corresponding to system claims 11-15 and are therefore rejected on the respective basis previously presented in the above 102(b) rejections of claims 11-15

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived 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(a) are summarized as follows:

a. Determining the scope and contents of the prior art.
b. Ascertaining the differences between the prior art and the claims at issue.
c. Resolving the level of ordinary skill in the pertinent art.
d. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 6-10 and 16-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty.

As to claim 16, applicant claims a system for content licensing comprising :

a. a transceiver configured to receive a media licensing request from an external device associate with a user

In fig 1D, Doherty discloses user system 10B (**external device)** also shown in Fig 1A being connected with user 10D **(associated with a user).** Also shown in Fig 2 being connected to OLS 36 (a server having **a transceiver configured to receive a media license request)** As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**a transceiver configured to receive**) to database 34. Moreover in C30 15-25, Doherty discloses the user submits through GUI 22 License Request 86(**a media licensing request**) to OLS 36.Moreover, in C11 60-65 Doherty discloses that eLicense acquisition is typically via HTTP communications (OLS 36 (**a system for content licensing**) **comprises a transceiver**)

b. wherein the request includes information associated with a content item included in a media file

As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**the request includes information**) to database 34 Further in C13 45-50, Doherty provides additional detail about the information : "providing the OLS 36 information relating to the user, the user's system, and payment" Information relating to the user's system includes SID 66. In C24 35-65, Doherty discloses that AFSM 72 determines SID 66 based on a number of hardware and software elements of the user system. As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with a content item included in a media file**.

Moreover, Doherty discloses that "SID 66 is supplied to a template resulting in the generation of the eLicense specific to the user system. Since the eLicense is generated in OLS 36, SID 66 is required to be included in the information relating to the user system sent as part of the license request as described in C13 5-14. (**the request includes information**)

See also C30 45 through C31 30.

c. a processor configured to:

In Fig 4, Doherty discloses server OLS 36 (server having **a processor configured to**)

i. access a media catalog database that includes a plurality of content records

In Fig 4, Doherty discloses license server OLS 36 includes POLDB 34 (**media catalog database**). In C35 25-30, Doherty discloses the order ID 58 is written to database 34 (**processor configured to access**)

In Fig 4, Doherty discloses a plurality of license records 102 shown as a stack of LICRCD (**includes a plurality of content records**)

ii. wherein a record from the plurality is associated with the content item

In C36 50-67, Doherty discloses a LICRCD 102 (**a record from the plurality**) contains a corresponding ELDP 82 which is disclosed in C33 35-40 as being the container used for transmitting the eLicense from OLS 36 to user system 10B as shown in Fig 2. As disclosed in C31 0-5, the eLicense includes ProdID 80 which according to C26 40-45 identifies the content to be licensed (**associated with the content item**)

iii. determine if the media licensing request is to be granted based on the record

In C34 60-67, Doherty discloses DMUI 36 provides an interface to the POLDB 34 (includes **the record**) and in C35 5-10 Doherty discloses that data(includes **the record**) managed my DMUI 36 is used to enable licensing of products (**determine if the media licensing request is to be granted based**)

iv. grant the media licensing request when the record verifies the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

v. decline the media licensing request when the record does not verify the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing-which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

Doherty does not disclose what happens if the credit card processing does not pass validation.

One of ordinary skill in the art would understand that according to Doherty's disclosure, submitted credit card information can be determined to be valid (i.e. validation of credit card processing) or invalid because it is known that a validation process can have at least a valid or invalid outcome.
Moreover, as Doherty is disclosing receiving payment in exchange for the granting of a license, one of ordinary skill in the art would understand that if the outcome of the credit card processing was invalid (i.e. validation failed), eLicense generation would not be triggered (**decline the media licensing request when the record does not verify the granting**)
Moreover, Doherty discloses that media will be denied when certain criteria are not met suggesting that invalid credit card processing will result in the same denial. For example in C14 0-5 Doherty discloses that if license checks do not pass, the user is not permitted access to content. It would be obvious to one of ordinary skill in the art to consider credit card processing to be an embodiment of a license check because Doherty discloses that a valid credit card process triggers license creation.

As to claim 17, applicant further configures the processor to :

a. request payment information from the external device when the record verifies payment of the license for the content item

In C30 45 through C31 20, Doherty discloses SID 66 residing in the user system(**information from the external device**) is included in ReqId 88 and then put into LicReq86 which according to C30 20-25 is then transmitted to OLS 36.
In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing(**when the record verifies payment of the license for the content item**)- which is the trigger for eLicense generation

Further in C31 0-10, Doherty discloses that SID 66 is included in the eLicense. *Therefore, when license generation is triggered, the SID66 is read out from the LicReq88 and inserted into the eLicense (***request information from the external device***)* Further in C31 9-30, when the eLicense is received by the requesting system in the form of an ELDP 82 the SID66 is extracted and compared to the resident SID66 on the requesting system and if they are the same the process will continue. Since the SID 66 comparison is required for final license activation (i.e. writing the license into the DLDB 14), SID 66 is considered as **payment information** because *payment information is not specifically defined in the applicant spec, applicant is afforded the broadest reasonable interpretation of the term which includes 'information that verifies that the license was sent from the same system that received the LicReq86 and processed the payment' which is the SID 66*

As to claim 18, applicant further configures the processor to :

a. grant the licensing request when payment is completed

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing (**when payment is complete)** which is the trigger for eLicense generation (**grant the licensing request)**

As to claim 19, applicant further configures the processor to :

a. generate a license record that includes license granting information associated with the license granted

In C31 10-20, Doherty discloses the ELDP 82 (**license granting information associated with the license granted**) is written to DLdb 14 (**generate a license record that includes license granting information**)

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

In C31 10-20, Doherty discloses the ELDP 82 is written to DLdb 14 (**store the license record in a registered user database associated with the user**)

As to claim 20, applicant further limits the system wherein :

a. the information includes a fingerprint associated with the content item.

As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with the content item.**

In C24 43-45, Doherty discloses that the Fingerprint Security Mechanism performs a fingerprinting process to determine a unique SID 66 (**information includes a fingerprint**) *See also line 59*

Claims 6 – 10 are method claims respectively corresponding to system claims 16-20 and are therefore rejected on the respective basis previously presented in the above 103(a) rejections of claims 16-20

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on Monday-Friday; 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cordelia P Zecher can be reached on 571-272-7771. 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. M./
Examiner, Art Unit 2431

/CORDELIA ZECHER/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0039916 A1	02-2004	Aldis et al.	713/177
*	B	US-2005/0114265 A1	05-2005	Satkunanathan et al.	705/059
*	C	US-6,920,567 B1	07-2005	Doherty et al.	726/22
*	D	US-7,676,437 B2	03-2010	Satkunanathan et al.	705/56
*	E	US-2011/0213721 A1	09-2011	RALEY et al.	705/310
*	F	US-2012/0096339 A1	04-2012	Cohen et al.	715/221
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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BIB DATA SHEET

CONFIRMATION NO. 2832

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/667,629	11/02/2012 RULE	726	2431	BESTES-7US

APPLICANTS

INVENTORS

Christopher Estes, Nashville, TN;

**** CONTINUING DATA ***************************

This appln claims benefit of 61/555,810 11/04/2011

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **

11/26/2012

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /RICHARD ANTHONY MCCOY/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		TN	7	20	4

ADDRESS

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UNITED STATES

TITLE

Digital Media Reproduction and Licensing

FILING FEE RECEIVED		
658	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

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

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

CLAIM		DATE								
Final	Original	02/06/2014								
	1	✓								
	2	✓								
	3	✓								
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	17	✓								
	18	✓								
	19	✓								
	20	✓								

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02

		watermark id identifier serial guid uuid) same (credit pay$4)				
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29
S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25

2/6/2014 8:24:23 PM

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio August 13, 2014

AMENDMENT

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

Madam:

In response to the Office Action dated February 14, 2014, please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Amendments to the Drawings begin on page 9.

Remarks begin on page 10.

Attachment: Replacement Sheet Drawings.

Amendments of the Claims

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

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

loading a digital media file for reproduction, wherein the digital media file includes a media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

accessing a license database to determine whether a user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information; [[and]]

providing a licensing query 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; and

storing in the license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.

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

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

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

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

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

5. (Original) The method of claim 4, further comprising:

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

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

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

accessing a media catalog database [[the]] that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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; [[and]]

declining 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 to the external device; and

storing in a license database user data that is associated with the external device that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.

7. (Original) The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. (Original) The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. (Original) The method of claim 6, 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.

10. (Original) The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

load a digital media file for reproduction, wherein the digital media file includes [[a]] the media content item,

analyze the digital media file to identify digital ~~medical~~ media information associated with the media content item,

access a licensing database to determine whether a user is licensed to reproduce the media content based on the digital media information,

store in a license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item, and

a user interface configured to provide a licensing query 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 ~~medical~~ media content item or to decline the license to reproduce the media content item.

12. (Original) The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

provide a licensing request to a licensing system [[when]] after the user has completed the licensing response ~~selects to acquire the license to reproduce the media content item based on the licensing response from the user~~; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. (Original) The system of claim 13, wherein the processor is further configured to:

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

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

15. (Original) The system of claim 14, 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. (Currently Amended) A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

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

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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, [[and]]

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, and

store in the license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.

17. (Original) The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. (Currently Amended) The system of claim 17, wherein the processor is further configured to ~~grant~~ finalize the media licensing request for the external device when the payment of the license for the media item is received ~~completed~~.

19. (Original) The system of claim 16, 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.

20. (Original) The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

21. (New) The computer implemented method of claim 1, further comprising:

storing in the license database 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. (New) The computer implemented method of claim 1, further comprising:

storing in the license database 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. (New) The computer implemented method of claim 6, further comprising:

storing in the license database 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.

24. (New) The computer implemented method of claim 6, further comprising:

storing in the license database 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.

25. (New) The system of claim 11, wherein the processor is further configured to store in the license database 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.

26. (New) The system of claim 11, wherein the processor is further configured to store in the license database 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.

27. (New) The system of claim 18, wherein the processor is further configured to store in the license database 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.

28. (New) The system of claim 18, wherein the processor is further configured to store in the license database 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.

Amendments to the Drawings

Please kindly replace Drawing Sheet depicting Figure 5 with the Replacement sheet depicting Figure 5. The phrase included in Block 172 has been amended to state "Process Licensing Transaction Including Requesting Payment Information." This amendment does not add new matter.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 1-28 are pending in the application, with claims 1, 6, 11, and 16 being the independent claims. Claims 1, 6, 11, 13, 16, and 18 are sought to be amended. Claims 21-28 are sought to be added. No new matter is added by the amendments, therefore Applicant requests the amendments and the new claim be entered.

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

Objections to the Drawings

In the Office Action, the drawings were objected to as failing to show every feature of the invention specified in the claims. Specifically, the steps disclosed in claims 7 and 17 should allegedly be shown or the features cancelled from the claims. Applicant has amended Figure 5 so that the phrase in Block 172 now states "Process Licensing Transaction Including Requesting Payment Information." Reconsideration and withdrawal of the objections are respectfully requested.

Claim Objections

Claim 11 was objected to because of the multiple uses of "a media content item" rendering the claim indefinite. Applicant has amended claim 11 to remove the multiple uses of "a media content item."

Claim 13 was objected to because the phrase "based on the licensing response from the user" and "when the user selects to acquire the license" allegedly refer to the same event as described in claim 12 rendering the meaning of claim 13 unclear. Applicant has amended claim

13 to "provide a licensing request to a licensing system after the user has completed the licensing response" so that the event in claim 13 is contingent upon the completion of the event in claim 12.

Claim 18 was objected to because the limitation of "granting the media request" was allegedly introduced in parent claim 16 rendering the claim indefinite because it is unclear how it is possible to "grant the media request" more than once with different responses to different criteria. Applicant has amended claim 18 to clarify that the media licensing request is finalized when the payment of the license for the media item is received. Parent independent claim 1 states then the media request is to be granted. Dependent claim 18 then adds the additional limitation stating that payment is to be received before the media licensing request is finalized.

Reconsideration and withdrawal of the objections are respectfully requested.

Rejections under 35 U.S.C. § 102

On Page 4 of the Office Action, claims 1-5 and 11-15 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,920,567 to Doherty et al. ("Doherty"). Applicant respectfully traverses.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate the feature of "*storing in the license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.*" Applicant has amended independent claim 11 in a substantially similar manner.

Nowhere does Doherty teach or suggest the feature of "*storing in the license database user data that is associated with the user that is attempting to reproduce the media content item*

so that the user data is accessible to a copyright owner of the media content item" as recited in amended independent claim 1.

While Doherty does reference that the eLicense system 24 provides a Distribution Management User Interface (DMUI) 38 through which a Distributor 28, that may be a publisher, distributor, or reseller of a digital content file (DCF) 10, may have access to, the type of information that the Distributor 28 may access is not information associated with the intended users/licensees of the DCFs 10. (Doherty, 13:1-10.) Rather, the Distributor 28 may have access to a Product Configuration/Order/License Database (POLDb) 34 to enter a License Management database (LMDb) 32, obtain order and pricing information and so on. (Doherty, 13:1-10.) That is, the Distributor 28 engages different databases to obtain information necessary to generate appropriate licenses for DCFs 10. (Doherty, 13:1-10.) Doherty further discloses that the intended users/licensees of DCFs 10 may also access the POLDb 34 and the LMDb 32 to create, acquire, update and modify eLicenses. (Doherty, 13:9-15.)

The access to databases that have order and pricing information along with other information necessary to generate licenses by a publisher, distributor, or reseller of a digital content file is not the same as storing user data in such databases by the user attempting to reproduce the digital content file so that user data is accessible to a copyright owner of the digital content file. Doherty fails to disclose the access of user data to a copyright owner of the digital content file. That is, Doherty fails to disclose user data that may provide additional insight as to the user base that is attempting to replicate the digital content file is made accessible to the copyright owner of the digital content file. Therefore, Doherty, in disclosing that databases that have order and pricing information along with other information necessary to generate licenses is accessible to a publisher, distributor, or reseller of a digital content file, fails to teach or suggest

in amended independent claim 1, at least the feature of "*storing in the license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.*"

Therefore, the Office Action has failed to state a case of anticipation with respect to amended independent claim 1. Amended independent claim 11 recites substantially similar features that are likewise not taught by Doherty. Dependent claims 2-5 and 12-15 are likewise patentable over Doherty 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 1-5 and 11-15 under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 6-10 and 16-20 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty. Applicant respectfully traverses.

In order to expedite prosecution, Applicant has amended independent claim 6 to incorporate the feature of "*storing in the license database user data that is associated with the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item.*" Applicant has amended independent claim 16 in a substantially similar manner.

The aforementioned amendments are substantially similar to those amendments also made to amended independent claims 1 and 11. Because the Office Action is rejecting claims 6-10 and 16-20 as being unpatentable over Doherty, the above arguments presented regarding independent claims 1 and 11 also apply to amended independent claims 6 and 16. Therefore, the Office Action has failed to state a *prima facie* case of obviousness with respect to amended

independent claims 6 and 16. Dependent claims 7-10 and 17-20 are likewise patentable over Doherty 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 dependent claims 6-10 and 16-20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

Applicants respectfully submit that the foregoing is a full and complete response to the Office Action dated February 14, 2014. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response other than the fee for a three-month extension and an excess claim fee for six dependent claims. However, if any fees are necessary, the Commissioner may consider this to be a request to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/John Paul Davis/
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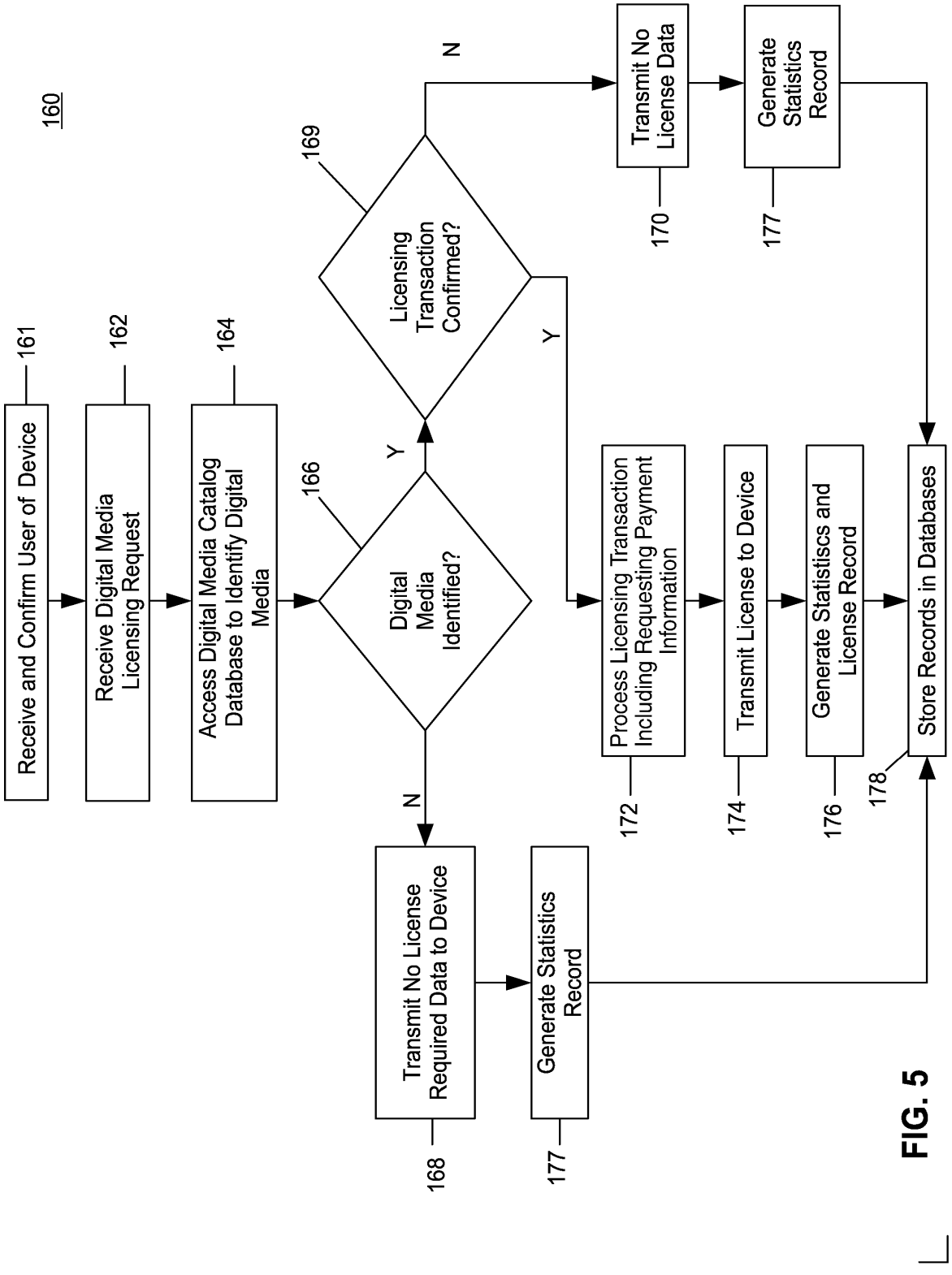

160
Receive and Confirm User of Device
161
Receive Digital Media Licensing Request
162
Access Digital Media Catalog Database to Identify Digital Media
164
Digital Media Identified?
166
Y
N
Licensing Transaction Confirmed?
169
Y
N
Transmit No License Data
170
Generate Statistics Record
177
Process Licensing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

FIG. 5

Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Mary Kunkel
Attorney Docket Number:	BESTES-7US

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	6	40	240
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
		Total in USD ($)		**940**

Electronic Acknowledgement Receipt	
EFS ID:	19856051
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Mary Kunkel
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	13-AUG-2014
Filing Date:	02-NOV-2012
Time Stamp:	15:19:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$940
RAM confirmation Number	1646
Deposit Account	233000
Authorized User	DAVIS, JOHN PAUL
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees) Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees) Charge any Additional Fees required under 37 C.F.R. Section 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		BESTES-7US_OA_Response.pdf	4272549 ac762ba5a0726c8c8c7b45d4304be816446b18a3	yes	14

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	8
	Drawings-only black and white line drawings	9	9
	Applicant Arguments/Remarks Made in an Amendment	10	14

Warnings:					
Information:					
2	Drawings-only black and white line drawings	BESTES-7US_Replacement_Drawing.pdf	165106 eae22f78408562a4c252228b7ac5b416f22583ce	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32131 6c838556f2a78e172f9bcfbbf01058732fe8f04a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	4469786		

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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.

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 = *		X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 = *		X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	08/13/2014	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 28	Minus	** 20	= 8	X $40 =	320
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**320**

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						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 number found in the appropriate box in column 1.

LIE
/FLORENCE PATTERSON/

This collection of information is required by 37 CFR 1.16. 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 12 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.**
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 10/02/2014

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EXAMINER	
MCCOY, RICHARD ANTHONY	
ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
10/02/2014	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):

usptodock@whe-law.com

Office Action Summary	Application No. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *8/13/2014*.

☐ 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) *1-28* 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) *1-28* 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 *8/13/2014* 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: _____.

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Drawings

The drawings filed 11/02/2012 as amended on 8/13/2014 are accepted in view of the amendment.

Claim Objections

The previous objection to claim 11 is withdrawn in view of applicant's amended claim language.

The previous objection to claim 13 is withdrawn in view of applicant's amended claim language.

The previous objection to claim 18 is withdrawn in view of applicant's amended claim language.

Claim 11 is objected to because 'a license database' occurs more than once which is confusing.

Claim 16 is objected to because 'the license database' has no antecedent basis.

Claims 21 - 28 are object to because it is unclear if the term 'user data' is referring to the 'user data' introduced in their respective parent claims or if the term is referring to different user data.

Claim Rejections - 35 USC § 112

Claim 18 is rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. The phrase, "finalize the media licensing request", is not disclosed in the specification.

Claims 27 and 28 are also rejected under 112 because they depend from claim 18.

Response to Arguments

Applicant's arguments with respect to claim 1-28 have been considered but are moot in view of the current rejection which has been changed in response to applicants amended claims which changed the scope of the claims by including new art and additional citation from the originally cited art

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived 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(a) are summarized as follows:

a. Determining the scope and contents of the prior art.
b. Ascertaining the differences between the prior art and the claims at issue.
c. Resolving the level of ordinary skill in the pertinent art.
d. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 6 - 10 and 16 - 20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty.

As to claim 16, applicant claims a system for content licensing comprising:

a. a transceiver configured to receive a media licensing request from an external device associate with a user

In fig 1D, Doherty discloses user system 10B **(external device)** also shown in Fig 1A being connected with user 10D **(associated with a user).** Also shown in Fig 2 being connected to OLS 36 (a server having **a transceiver configured to receive a media license request**) As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information**(a transceiver configured to receive**) to database 34. Moreover in C30 15-25, Doherty discloses the user submits through GUI 22 License Request 86(**a media licensing request**) to OLS 36.Moreover, in C11 60-65 Doherty discloses that eLicense acquisition is typically via HTTP communications (OLS 36 (**a system for content licensing**) **comprises a transceiver**)

b. wherein the request includes information associated with a content item included in a media file

As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**the request includes information**) to database 34 Further in C13 45-50, Doherty provides additional detail about the information : "providing the OLS 36 information relating to the user, the user's system, and payment" Information relating to the user's system includes SID 66. In C24 35-65, Doherty discloses that AFSM 72 determines SID 66 based on a number of hardware and software elements of the user system. As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with a content item included in a media file**.

Moreover, Doherty discloses that "SID 66 is supplied to a template resulting in the generation of the eLicense specific to the user system. Since the eLicense is generated in OLS 36, SID 66 is required to be included in the information relating to the user system sent as part of the license request as described in C13 5-14. (**the request includes information**)

See also C30 45 through C31 30.

c. a processor configured to:

In Fig 4, Doherty discloses server OLS 36 (server having **a processor configured to**)

i. access a media catalog database that includes a plurality of content records

In Fig 4, Doherty discloses license server OLS 36 includes POLDB 34 (**media catalog database**). In C35 25-30, Doherty discloses the order ID 58 is written to database 34 (**processor configured to access**)

In Fig 4, Doherty discloses a plurality of license records 102 shown as a stack of LICRCD (**includes a plurality of content records**)

ii. wherein a record from the plurality is associated with the content item

In C36 50-67, Doherty discloses a LICRCD 102 (**a record from the plurality**) contains a corresponding ELDP 82 which is disclosed in C33 35-40 as being the container used for transmitting the eLicense from OLS 36 to user system 10B as shown in Fig 2. As disclosed in C31 0-5, the eLicense includes ProdID 80 which according to C26 40-45 identifies the content to be licensed (**associated with the content item**)

iii. determine if the media licensing request is to be granted based on the record

In C34 60-67, Doherty discloses DMUI 36 provides an interface to the POLDB 34 (includes **the record**) and in C35 5-10 Doherty discloses that data(includes **the record**) managed my DMUI 36 is used to enable licensing of products (**determine if the media licensing request is to be granted based**)

iv. grant the media licensing request when the record verifies the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

v. decline the media licensing request when the record does not verify the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing- which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

Doherty does not disclose what happens if the credit card processing does not pass validation.

One of ordinary skill in the art would understand that according to Doherty's disclosure, submitted credit card information can be determined to be valid (i.e. validation of credit card processing) or invalid because it is known that a validation process can have at least a valid or invalid outcome.
Moreover, as Doherty is disclosing receiving payment in exchange for the granting of a license, one of ordinary skill in the art would understand that if the outcome of the credit card processing was invalid (i.e. validation failed), eLicense generation would not be triggered (**decline the media licensing request when the record does not verify the granting**)

Moreover, Doherty discloses that media will be denied when certain criteria are not met suggesting that invalid credit card processing will result in the same denial. For example in C14 0-5 Doherty discloses that if license checks do not pass, the user is not permitted access to content. It would be obvious to one of ordinary skill in the art to consider credit card processing to be an embodiment of a license check because Doherty discloses that a valid credit card process triggers license creation.

As to claim 17, applicant further configures the processor to:

a. request payment information from the external device when the record verifies payment of the license for the content item

In C30 45 through C31 20, Doherty discloses SID 66 residing in the user system (**information from the external device**) is included in ReqId 88 and then put into LicReq86 which according to C30 20-25 is then transmitted to OLS 36.

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing(**when the record verifies payment of the license for the content item**)- which is the trigger for eLicense generation

Further in C31 0-10, Doherty discloses that SID 66 is included in the eLicense.

*Therefore, when license generation is triggered, the SID66 is read out from the LicReq88 and inserted into the eLicense (***request information from the external device***)*

Further in C31 9-30, when the eLicense is received by the requesting system in the form of an ELDP 82 the SID66 is extracted and compared to the resident SID66 on the requesting system and if they are the same the process will continue. Since the SID 66 comparison is required for final license activation (i.e. writing the license into the DLDB 14), SID 66 is considered as **payment information** because *payment information is not specifically defined in the applicant spec, applicant is afforded the broadest reasonable interpretation of the term which includes 'information that verifies that the license was sent from the same system that received the LicReq86 and processed the payment' which is the SID 66*

As to claim 18, applicant further configures the processor to:

a. ~~grant~~ finalize the licensing request when payment is ~~completed~~ received

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing (**when payment is received)** which is the trigger for eLicense generation (**finalize the licensing request)** *In [0061] of the instant application, the applicant provides examples of processing which include "debiting a user account". Therefore, Doherty's disclosure of credit card processing encompasses the "payment is received" limitation because credit card processing includes "debiting a user account" according to the type of card and associating payment arrangements.*

As to claim 19, applicant further configures the processor to:

a. generate a license record that includes license granting information associated with the license granted

In C31 10-20, Doherty discloses the ELDP 82 (**license granting information associated with the license granted**) is written to DLdb 14 (**generate a license record that includes license granting information**)

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

In C31 10-20, Doherty discloses the ELDP 82 is written to DLdb 14 (**store the license record in a registered user database associated with the user)**

As to claim 20, applicant further limits the system wherein:

a. the information includes a fingerprint associated with the content item.

As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file)** therefore SID 66 (**information**) is **associated with the content item.**

In C24 43-45, Doherty discloses that the Fingerprint Security Mechanism performs a fingerprinting process to determine a unique SID 66 (**information includes a fingerprint**) See *also line 59*

Claims 6 – 10 are method claims respectively corresponding to system claims 16-20 and are therefore rejected on the respective basis previously presented in the above 103(a) rejections of claims 16-20

Claims **1 – 5, 11- 15, 21, 23**, **25** and **27** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang et al (US 2013/0047271 hereinafter referred as "Tang").

As to claim 11, applicant claims a system comprising:

a. a multimedia hardware device to generate an authorized reproduction of a content item

In fig 1D, Doherty discloses user system 10B (**a multimedia hardware device**) shown having a media player (**to generate an reproduction of a content item)**

In C13 65-67, Doherty discloses if license checks are passes the user is permitted access to the contents (**to generate an authorized reproduction of a content item)**

In C5 32-35 Doherty discloses the content may include music or video data (**multimedia**)

b. a processor configured to:

i. load a media file for reproduction

In C10 49-51, Doherty discloses the data DCF (**media file**) including music video authorizes access and presents (**loads**) the DCF content to the media player (**for reproduction**)

ii. wherein the media file includes the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes DCF Content 10A (**content item**) {see also C10 24-28}

iii. analyze the media file to identify information associated with the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes FACM 12. In C10 29-32 , Doherty discloses FACM 12 controls access to the contents (**the content item**) of the file according to(**analyze**) the terms, provisions, and restrictions of the eLicense (**to identify information associated with the content item**) embodied in the FACM 12. (i.e. the media file because FACM 12 is comprised by DCF 10)

iv. access a database to determine if a user is licensed to reproduce the content item based on the information

In C10 53-56, Doherty discloses LMCM18 implements the terms and provisions (**determine if a user is licensed to reproduce the content**) of the eLicense (**based on the information**) by communicating with the DLDB 14 (**access a database**)

v. store in the database, user data that is associated with the user so that user data is accessible to a copyright owner of the media content item

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

Further in C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible)**

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data within the Dldb which includes accessing the user data because configuring the Dldb includes accessing the data of the Dldb

vi. reproduce the content item when the user is determined to be licensed

In C10 55-61, Doherty discloses determining if the user satisfies the provisions of the license(**when the user is determined to be licensed**) and providing access to content 10A (**reproduce the content item**) to a media player accordingly

c. a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item or decline the license

In C13 65-67 through C14 0-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access and Purchase GUI 22 is presented (**a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item**). In fig 3A, Doherty discloses an embodiment of the Purchase GUI 22 having an Exit button **(or decline the license**)

Although Doherty discloses a publisher, distributor, and reseller; Doherty does not explicitly discloses that any of the publisher, distributor, or reseller is the copyright owner.

In [0002], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 (**user data is accessible to a copyright owner of the media content item)**

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [0004] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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.

As to claim 12, applicant further limits the system wherein:

a. the user interface is configured to receive a licensing response indicating the user has selected to acquire or decline the license

In fig 3A, Doherty discloses a "Buy Now" (**user selects to acquire the license**) button and an Exit button (**user selects to decline the license**)

As to claim 13, applicant further limits the system wherein the processor is further configured to:

a. provide a licensing request to a licensing system after the user has completed the licensing response

In C13 35-58, Doherty discloses requesting through a license GUI 22 (**after the user selects to acquire the license**) by also providing information relating to the user and the user's system of payment (**provide a licensing request**) to the OLS 36 (**a licensing system**)

b. prevent reproduction of the content item when the user selects to decline the license

In fig 3A, Doherty discloses a "Buy Now" button and an Exit button (**when the user selects to decline the license**) In C13 65-67 through C14 1-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access (**prevent reproduction of the content item**) and Purchase GUI 22 is presented

As to claim 14, applicant further limits the system wherein the processor is further configured to:

a. receive a license from the licensing system to reproduce the content item when the request is granted

In C13 50-67, Doherty discloses the user receives an eLicense from the OLS (**receive a license from the licensing system when the request is granted**)....when the checks are passed the user is permitted access to the content (**to reproduce the content)**

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

In C13 40-67, Doherty discloses "upon doing so (i.e. upon carrying out actions to satisfy an electronic purchase such as providing information relating to the user and the user's system and payment) receives from the OLS a license. *This means that if invalid, improper, or incomplete information is supplied a license would not be provided by the OLS. (**when the request is declined by the licensing system**) It is also made clear that if there is not a valid license, access to the content is not permitted and the GUI will be presented to the user for acquiring a license. (**prevent reproduction of the content**) This is disclosed in C14 0-4 and 25-30*

As to claim 15, applicant further limits the system wherein the processor is further configured to:

a. reproduce the content based on a plurality of parameters included in the license

In C14 7-13, Doherty discloses the license checking functions (**reproduce the content based on**) system identifier, product identity, duration, execution count, etc. (**plurality of parameters in the license**)

Claims 1 – 5 are method claims respectively corresponding to system claims 11-15 and are therefore rejected on the respective basis previously presented in the above 102(b) rejections of claims 11-15

As to claim 25, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a 3rd party online media retailer selected by the copyright owner to distributed the media content.

Further in C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb ((**so that the user data is accessible to a 3rd party media retailer**) Moreover, in C13 15-25 Doherty indicates that distributors and resellers may be embodied in a web site (**3rd party online media retailer**)

Doherty does not disclose that the 3rd party online media retailer is selected by the copyright owner.

In [0074], Tang teaches that authors have contracts with distributors and publishers (**3rd party online media retailer selected by the copyright owner to distribute the media content**)

As to claims 23 and 27, Doherty teaches all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively. **Claims 21, 23,** and **27** are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 25.

Claims **22** and **26** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view of Etchegoyen (US 2010/0324983 hereinafter referred as "Etchegoyen") in further view of Neuman et al (US 2011/0051914 hereinafter referred as "Neuman".

As to claim 26, Doherty and Tang teaches all the subject matter pointed out in the above 103 rejection of parent claim 11 respectively.

As to claim 26, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a hardware device manufacture of the multimedia hardware device

In C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb

Neither Doherty nor Tang does not disclose a hardware device manufacture.

In [0083], Etchegoyen teaches apparatus 700 and device 110 which together encompass the limitations of the claimed multimedia hardware device because fig 7 teaches that

apparatus 710 collects financial information from the user of the device (**user data is accessible**) and that the apparatus 710 determines a usage license (750) and enables use of the media on the device (775) **(multimedia hardware device)** {see also [0024]}
Further in fig 7 item 770, Etchegoyen teaches that apparatus 700 sends the financial information to a server (**user data is accessible** to a server)

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 Doherty and Tang with those of Etchegoyen with the motivation of increasing the security of Doherty's system by supplying additional information to Doherty's OLS server when a return is performed. In C34 25-45 and fig 4, Doherty discloses that orderID can be sent to the OLS server so that a real return is being performed. However, Etchegoyen teaches in fig 7, item 770 that financial information is sent to the server which is detailed in [0075] to includes multiple identifiers which can be used to verify the status of the user. Therefore, it would be obvious to include at least a portion of the additional financial information disclosed by Etchegoyen in the RetC 100 message of Doherty to augment the and further verify that the OrderID 58 of Doherty is real and not fraudulent as posed by Doherty in C34 line 29-30 because verification requires multiple pieces of information which is harder for a potential fraudulent actor to acquire.

Etchegoyen does not teach that the server is the manufacturer of the multimedia hardware device.

In [0086] Neuman teaches the Itunes store (server) built by Apple as well as the Iphone built by Apple (multimedia hardware device).

Therefore the combination of Doherty, Tang, Etchegoyen, and Newman teaches **user data accessible to a hardware device manufacturer of the multimedia device** because Doherty discloses that user information related to the multimedia is accessible, Etchegoyen teaches that accessible user data is transmitted to a server, and Newman teaches that the server may be the same entity as the manufacturer of the multimedia. 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 Doherty and Etchegoyen with the teachings of Neuman with motivation of providing a seamless ecosystem of device and backend services for media distribution and enjoyment as has been provided by Apple which has proven to be a historical commercial success based on the customer demand for such a seamless ecosystem of devices and backend services developed and designed to work together as can be done when the same entity implements the design of both the multimedia hardware device and the backend services.

As to claim 22, Doherty and Tang teach all the subject matter pointed out in the above 103 rejection of parent claim 1.

Claim 22 is rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

Claims 24 and **28** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Etchegoyen in further view of Neuman

As to claims 24 and 28, Doherty teaches all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively.

Claims 24, and **28** are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on Monday-Friday; 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cordelia P. Zecher can be reached on 571-272-7771. 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. M./
Examiner, Art Unit 2431

/MICHAEL R VAUGHAN/

Primary Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0039916 A1	02-2004	Aldis et al.	713/177
*	B	US-2005/0114265 A1	05-2005	Satkunanathan et al.	705/059
*	C	US-6,920,567 B1	07-2005	Doherty et al.	726/22
*	D	US-7,676,437 B2	03-2010	Satkunanathan et al.	705/56
*	E	US-2010/0324983 A1	12-2010	Etchegoyen, Craig S.	705/14.23
*	F	US-2011/0051914 A1	03-2011	Neuman et al.	379/93.17
*	G	US-2011/0213721 A1	09-2011	RALEY et al.	705/310
*	H	US-2012/0096339 A1	04-2012	Cohen et al.	715/221
*	I	US-2013/0047271 A1	02-2013	Tang, Ding-Yuan	726/30
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
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	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02

		watermark id identifier serial guid uuid) same (credit pay$4)				
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29
S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25
S26	88	(media content movie song video) with copyright adj2 (holder owner) with (online	US-PGPUB;	OR	ON	2014/09/08 18:59

		web$5 server) near4 (retail$3 distribut$3)	USPAT			
S27	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) with license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:00
S28	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) same2 license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:01
S29	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S30	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S31	2	(media content movie song video) with copyright adj2 (holder owner) with (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:03
S32	4	publisher with (copyright near4 (own owner ownership holder)) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2014/09/08 21:35
S33	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	2014/09/08 21:36
S34	177	(artist author 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	2014/09/08 21:39
S35	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:39
S36	111	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 and publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S37	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 with publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S38	17	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 S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S39	16066	apple.as.	US-PGPUB; USPAT	OR	ON	2014/09/09 13:05
S40	0	license with user adj3 data with itunes with (media music song mp3)	US-PGPUB;	OR	ON	2014/09/09 13:06

			USPAT			
S41	28	license with user adj3 data with (media music song mp3) with server	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S42	0	S39 and S41	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S43	9	license with (media music song mp3) with server with device with manufactur$3	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S44	0	S41 and S43	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S45	24	iphone with itunes and S39	US-PGPUB; USPAT	OR	ON	2014/09/09 13:56

EAST Search History (Interference)

<This search history is empty>

9/9/2014 6:07:43 PM
C:\Users\rmccoy1\Documents\EAST\Workspaces\13667629.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy
updated search according to claim amendments. see attached east file.	9/9/14	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

/R.M./ Examiner.Art Unit 2431	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

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

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

CLAIM		DATE								
Final	Original	02/06/2014	09/09/2014							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
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	25		✓							
	26		✓							
	27		✓							
	28		✓							

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 12/26/2014

WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
12/26/2014	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):

usptodock@whe-law.com

Applicant-Initiated Interview Summary	**Application No.** 13/667,629	**Applicant(s)** ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	**Art Unit** 2431	

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

(1) *RICHARD MCCOY*.

(2) *John Davis*.

(3) *Patrick Palascak*.

(4) *Christopher Estes*.

Date of Interview: *12/19/2014*.

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: *1,6,11 and 16*.

Identification of prior art discussed: *Doherty, Tang*.

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...)

Applicant explained the problem being addressed by the invention and the associated inventive concept Applicant refrenced [0025] for support for the amendment relating to "user specific data". Examiner suggested that applicant add dependent claims to cover each of the embodiments of [0025]. No agreements on patentability 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

/R. M./ 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 examiner's 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 applicant's 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 applicant's 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 examiner's 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 examiner's initials.

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)
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.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	13667629	Filing Date	2012-11-02	Docket Number (if applicable)	BESTES-7US	Art Unit	2431
First Named Inventor	Christopher Estes			Examiner Name	Richard Anthony McCoy		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 23-3000

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

PTO/SB/30EFS (07-09)
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.

Signature of Registered U.S. Patent Practitioner			
Signature	/John Paul Davis/	Date (YYYY-MM-DD)	2015-01-02
Name	John Paul Davis	Registration Number	52798

This collection of information is required by 37 CFR 1.114. 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 12 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.

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

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 records.

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:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Mary Kunkel
Attorney Docket Number:	BESTES-7US

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:				
Claims in excess of 20	2202	5	40	200
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
		Total in USD ($)		**800**

Electronic Acknowledgement Receipt	
EFS ID:	21107930
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Mary Kunkel
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Attorney Docket Number:	BESTES-7US
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Payment was successfully received in RAM	$800
RAM confirmation Number	666
Deposit Account	233000
Authorized User	DAVIS, JOHN PAUL
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment Submitted/Entered with Filing of CPA/RCE	BESTES-7US_OAResponse.pdf	81093 b76cc38b21087a4b01f0b9289efb512bde0010ff	no	19
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	BESTES-07US_RCE.pdf	833190 14775ed029b1af29a6fdddcf12759b9009410538	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32283 9b462353c29d9923a31c5d03402ff51c68d6ba11	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	946566		

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<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.

Certificate of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on January 2, 2014.

/John Paul Davis/ January 2, 2014
John Paul Davis Date
Reg. No. 52,798

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio January 2, 2014

AMENDMENT AFTER FINAL

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

Sir:

In response to the Final Office Action dated October 2, 2014, please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Remarks begin on page 10.

Attachments: Request for Continued Examination.

Amendments of the Claims

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

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

loading a digital media file for reproduction, wherein the digital media file includes a media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

accessing a license database to determine whether a user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information;

providing a licensing query 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; and

storing in the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future licensing agreements.

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

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

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

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

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

5. (Original) The method of claim 4, further comprising:

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

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

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

accessing a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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;

declining 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 to the external device; and

storing in a license database user data that is associated with the external device and provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future licensing agreements.

7. (Original) The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. (Original) The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. (Original) The method of claim 6, 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.

10. (Original) The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

load a digital media file for reproduction, wherein the digital media file includes the media content item,

analyze the digital media file to identify digital media information associated with the media content item,

access a licensing database to determine whether a user is licensed to reproduce the media content based on the digital media information,

store in [[a]] the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future licensing agreements, and

a user interface configured to provide a licensing query 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.

12. (Original) The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

13. (Previously Presented) The system of claim 12, wherein the processor is further configured to:

provide a licensing request to a licensing system after the user has completed the licensing response; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. (Original) The system of claim 13, wherein the processor is further configured to:

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

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

15. (Original) The system of claim 14, 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. (Currently Amended) A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

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

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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,

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, and

store in [[the]] a license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content

item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future licensing agreements.

17. (Original) The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. (Currently Amended) The system of claim 17, wherein the processor is further configured to ~~finalize~~ process the media licensing request for the external device when the payment of the license for the media item is received.

19. (Original) The system of claim 16, 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.

20. (Original) The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

21. (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 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. (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 the media content item that is accessible to a hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

23. (Currently Amended) The computer implemented method of claim 6, 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.

24. (Currently Amended) The computer implemented method of claim 6, 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.

25. (Currently Amended) The system of claim 11, 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.

26. (Currently Amended) The system of claim 11, 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.

27. (Currently Amended) 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.

28. (Currently Amended) 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 hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

29. (New) The computer implemented method of claim 1, wherein the user data includes a geographic location of the user who is accessing the media content item.

30. (New) The computer implemented method of claim 1, wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

31. (New) The computer implemented method of claim 6, wherein the user data includes additional media content items that the user has previously accessed.

32. (New) The system of claim 11, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

33. (New) The system of claim 16, 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 amendments, claims 1-33 are pending in the application, with claims 1, 6, 11, and 16 being the independent claims. Claims 1, 6, 11, 16, 18, and 21-28 are sought to be amended. Claims 29-33 are sought to be added. No new matter is added by the amendments and the new claims, therefore Applicant requests the amendments and the new claims be entered.

Based on the above amendments and following remarks, 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 is thanked for extending an Interview to Applicant's Representative on December 19, 2014. The Examiner requested further clarification of Applicant's invention. Applicant's Representative provided several proposed amendments to further distinguish "user data" as implemented in Applicant's invention. The Examiner agreed that the combination of claimed features with the proposed amendments would require an additional search and proposed that Applicant file a Request for Continued Examination (RCE) to have the claim amendments formally entered so that the Examiner could execute the additional search.

Claim Objections

Claim 11 was objected to because "a license database" occurs more than once which is confusing. Applicant has amended claim 11 to replace the second recitation of "a license database" with "the license database."

Claim 16 was objected to because the phrase "the license database" has no antecedent basis. Applicant has amended claim 16 to replace "the license database" with "a license database."

Claims 21-28 were objected to because the term "user data" is unclear. Applicant has amended claims 21-28 to recite "the user data."

Reconsideration and withdrawal of the objections are respectfully requested.

Rejections under 35 U.S.C. § 112

On Page 2 of the Office Action, claim 18 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the claim contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Without acquiescing to the merits of this allegation, Applicant has amended dependent claim 18 to accommodate the Examiner's rejection. Applicant has amended dependent claim 18 to replace "finalize" with "process." Support in the originally filed specification for such an amendment can be found at page 15, lines 3-6 of paragraph [0061], page 16, lines 1-3 of paragraph [0061], and page 16, lines 1-8 of paragraph [0062]. Reference is made to the example supporting embodiments disclosed above in the specification, although it is understood that the claims should not be limited to the specific embodiments in which the above reference is made. Accordingly, Applicant respectfully requests the rejection to claim 18 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 6-10 and 16-20

On Page 3 of the Office Action, claims 6-10 and 16-20 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over U.S. Patent No. 6,920,567 to Doherty et al. ("Doherty"). Applicant respectfully traverses.

In order to expedite prosecution, Applicant has amended independent claim 6 to incorporate the feature of "*storing in a license database user data that is associated with external device and provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements*." Applicant has amended independent claim 16 in a substantially similar manner.

Nowhere does Doherty teach or suggest the feature of "*storing in a license database user data that is associated with external device and provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements*" as recited in amended independent claim 6.

While Doherty does reference that the Dynamic License Database (Dldb) does contain information associated with the purchase of the digital content file (DCF) 10, Doherty discloses that this information is associated with the File Access Control Mechanhism (FACM) 12. (Doherty, 10:26-41.) Specifically, this information is associated with controlling the access of the digital content file 10 via the FACM 12 as well as the use of the digital content file 10 via the eLicense. (Doherty, 10:38-41.) For example, this information includes information specific to the eLicense granted to the individual to access the digital content file 10, such as the terms,

provisions, and conditions of the license as well as product, user, and user system identifications. (Doherty, 10:42-45.)

The storing of information that is limited to the eLicense granted to the individual to access the digital content file 10 is not the same as storing user data that provides information specific to the user that is accessible to a copyright owner of the digital content file 10 to aid the copyright owner in developing future licensing agreements. Doherty fails to disclose that its stored information includes additional information specific to the user that goes beyond the terms of the eLicense granted to the individual. That is, Doherty fails to disclose user data that may provide additional insight as to the user base that is attempting to replicate the digital content file is made accessible to the copyright owner of the digital content file. Information specific to the terms of the eLicense, such as the terms, provisions, and conditions of the license is not sufficient in providing additional insight of the user base.

Therefore, Doherty, in disclosing that the stored information is limited to the terms of the eLicense, fails to teach or suggest in amended independent claim 6, at least the feature of "*storing in a license database user data that is associated with external device and provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements*."

Therefore, the Office Action has failed to state a case of obviousness with respect to amended independent claim 6. Amended independent claim 16 recites substantially similar features that are likewise not taught by Doherty. Dependent claims 7-10 and 17-20 are likewise patentable over Doherty 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 6-10 and 16-20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 1-5, 11-15, 21, 23, 25, and 27

On Page 10 of the Office Action, claims 1-5, 11-15, 21, 23, 25, and 27 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang U.S. Publication No. 2013/0047271 ("Tang"). Applicant respectfully traverses.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate the feature of "*storing in the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements.*" Applicant has amended independent claim 11 in a substantially similar manner.

Nowhere does Doherty teach or suggest the feature of "*storing in the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements*" as recited in amended independent claim 1.

As mentioned in detail above, while Doherty does reference that the Dynamic License Database (Dldb) does contain information associated with the purchase of the digital content file (DCF) 10, Doherty discloses that this information is associated with the File Access Control Mechanism (FACM) 12. (Doherty, 10:26-41.) Specifically, this information is associated with controlling the access of the digital content file 10 via the FACM 12 as well as the use of the digital content file 10 via the eLicense. (Doherty, 10:38-41.) For example, this information

includes information specific to the eLicense granted to the individual to access the digital content file 10, such as the terms, provisions, and conditions of the license as well as product, user, and user system identifications. (Doherty, 10:42-45.)

The storing of information that is limited to the eLicense granted to the individual to access the digital content file 10 is not the same as storing user data that provides information specific to the user that is accessible to a copyright owner of the digital content file 10 to aid the copyright owner in developing future licensing agreements. Doherty fails to disclose that its stored information includes additional information specific to the user that goes beyond the terms of the eLicense granted to the individual. That is, Doherty fails to disclose user data that may provide additional insight as to the user base that is attempting to replicate the digital content file is made accessible to the copyright owner of the digital content file. Information specific to the terms of the eLicense, such as the terms, provisions, and conditions of the license is not sufficient in providing additional insight of the user base.

Therefore, Doherty, in disclosing that the stored information is limited to the terms of the eLicense, fails to teach or suggest in amended independent claim 1, at least the feature of "*storing in the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements.*"

Tang does not cure the deficiencies of Doherty, 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 that provides information specific to the user to aid the copyright owner in developing future licensing agreements.

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 "*storing in the license database user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item so that the user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements.*"

Therefore, the Office Action has failed to state a case of obviousness with respect to amended independent claim 1. Amended independent claim 11 recites substantially similar features that are likewise not taught by the combination of Doherty and Tang. Dependent claims 2-5, 12-15, 23, 25, and 27 are likewise patentable over the combination of Doherty and Tang 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 1-5, 11-15, 23, 25, and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 22 and 26

On Page 17 of the Office Action, claims 22 and 26 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang and further in view of U.S. Publication No. 2012/0324983 to Etchegoyan ("Etchegoyan") in further view of U.S. Publication No. 2011/051914 to Neuman et al. ("Neuman"). Applicant respectfully traverses.

As discussed above, the combination of Doherty and Tang does not teach or suggest each and every feature of amended independent claims 1 and 11. Etchegoyan and Neuman, alone or

any combination thereof, do not provide the missing teachings or suggestions with respect to amended independent claims 1 and 11 nor does the Office Action so allege. Therefore, the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman does not render amended independent claims 1 and 11 obvious. Dependent claims 22 and 26 are likewise not rendered obvious by the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman 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 22 and 26 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 24 and 28

On Page 20 of the Office Action, claims 24 and 28 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Etchegoyan in further view of Neuman. Applicant respectfully traverses.

As discussed above, the combination of Doherty and Tang does not teach or suggest each and every feature of amended independent claims 6 and 16. Etchegoyan and Neuman, alone or any combination thereof, do not provide the missing teachings or suggestions with respect to amended independent claims 6 and 16 nor does the Office Action so allege. Therefore, the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman does not render amended independent claims 6 and 16 obvious. Dependent claims 24 and 28 are likewise not rendered obvious by the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman 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 24 and 28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

New Claims

New dependent claims 29 and 30 are added and are allowable for at least the same reasons as amended independent claim 1 from which they respectively depend and further in view of their own respective features. New dependent claim 31 is added and is allowable for at least the same reasons as amended independent claim 6 from which it respectively depends and further in view of its own respective features. New dependent claim 32 is added and is allowable for at least the same reasons as amended independent claim 11 from which it respectively depends and further in view of its own respective features. New dependent claim 33 is added and is allowable for at least the same reasons as amended independent claim 16 from which it respectively depends and further in view of its own respective features. Accordingly, Applicants request that new dependent claims 29-33 be passed into allowance.

Conclusion

Applicants respectfully submit that the foregoing is a full and complete response to the Office Action dated October 2, 2014. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response other than the fee for a Request of Continued Examination and an excess claim fee for five dependent claims. However, if any fees are necessary, the Commissioner may consider this to be a request to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/John Paul Davis/
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	01/02/2015	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 33	Minus	** 28	= 5	X $40 =	200
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**200**

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						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 number found in the appropriate box in column 1.

LIE
/DONNA 1. SMALLS LOGAN/

This collection of information is required by 37 CFR 1.16. 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 12 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.**
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ART UNIT	PAPER NUMBER
2431	

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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):

usptodock@whe-law.com

Office Action Summary	Application No. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *1/2/2015*.

☐ 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) *1-33* 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) *1-33* 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 _____ 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: _____.

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Claim Objections

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

Claim Rejections - 35 USC § 112

The previous 112 rejections are withdrawn in view of applicant's amended language.

Response to Arguments

Applicant's arguments have been considered but are not persuasive in view of the instant rejection included herein necessitated by applicants amended claim scope.

The argument made by applicant in the instant response is consistent throughout the remarks section and asserts that Doherty does not disclose (1) including user specific information in the license database and (2) that the user data aids the copyright owner in developing future license agreements.

With respect to (1) C10 38- 45, states that the Dldb 14 (**license database)** contains information such as user identification *which corresponds to* **user specific information in the license database.**

With respect to (2) in C12 40-45, Doherty discloses the Dldb contains information necessary to enable a user (**user data)** to subsequently acquire an eLicense *which corresponds to* **aid the copyright owner in developing future license agreements.**

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived 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(a) are summarized as follows:

a. Determining the scope and contents of the prior art.
b. Ascertaining the differences between the prior art and the claims at issue.
c. Resolving the level of ordinary skill in the pertinent art.
d. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 21, 21, 23, 25, 27, and **32** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang et al (US 2013/0047271 hereinafter referred as "Tang").

As to claim 16, applicant claims a system for content licensing comprising:

a. a transceiver configured to receive a media licensing request from an external device associate with a user

In fig 1D, Doherty discloses user system 10B (**external device)** also shown in Fig 1A being connected with user 10D **(associated with a user).** Also shown in Fig 2 being connected to OLS 36 (a server having **a transceiver configured to receive a media license request**) As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**a transceiver configured to receive**) to database 34. Moreover in C30 15-25, Doherty discloses the user submits through GUI 22 License Request 86(**a media licensing request**) to OLS 36.Moreover, in C11 60-65 Doherty discloses that eLicense acquisition is typically via HTTP communications (OLS 36 (**a system for content licensing**) **comprises a transceiver**)

b. wherein the request includes information associated with a content item included in a media file

As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**the request includes information**) to database 34 Further in C13 45-50, Doherty provides additional detail about the information: "providing the OLS 36 information relating to the user, the user's system, and payment" Information relating to the user's system includes SID 66. In C24 35-65, Doherty discloses that AFSM 72 determines SID 66 based on a number of hardware and software elements of the user system. As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with a content item included in a media file**.

Moreover, Doherty discloses that "SID 66 is supplied to a template resulting in the generation of the eLicense specific to the user system. Since the eLicense is generated in OLS 36, SID 66 is required to be included in the information relating to the user system sent as part of the license request as described in C13 5-14. (**the request includes information**)

See also C30 45 through C31 30.

c. a processor configured to:

In Fig 4, Doherty discloses server OLS 36 (server having **a processor configured to**)

i. access a media catalog database that includes a plurality of content records

In Fig 4, Doherty discloses license server OLS 36 includes POLDB 34 (**media catalog database**). In C35 25-30, Doherty discloses the order ID 58 is written to database 34 (**processor configured to access**)

In Fig 4, Doherty discloses a plurality of license records 102 shown as a stack of LICRCD (**includes a plurality of content records**)

ii. wherein a record from the plurality is associated with the content item

In C36 50-67, Doherty discloses a LICRCD 102 (**a record from the plurality**) contains a corresponding ELDP 82 which is disclosed in C33 35-40 as being the container used for transmitting the eLicense from OLS 36 to user system 10B as shown in Fig 2. As disclosed in C31 0-5, the eLicense includes ProdID 80 which according to C26 40-45 identifies the content to be licensed (**associated with the content item**)

iii. determine if the media licensing request is to be granted based on the record

In C34 60-67, Doherty discloses DMUI 36 provides an interface to the POLDB 34 (includes **the record**) and in C35 5-10 Doherty discloses that data(includes **the record**) managed my DMUI 36 is used to enable licensing of products (**determine if the media licensing request is to be granted based**)

iv. grant the media licensing request when the record verifies the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

v. decline the media licensing request when the record does not verify the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing- which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

Doherty does not disclose what happens if the credit card processing does not pass validation.

One of ordinary skill in the art would understand that according to Doherty's disclosure, submitted credit card information can be determined to be valid (i.e. validation of credit card processing) or invalid because it is known that a validation process can have at least a valid or invalid outcome.

Moreover, as Doherty is disclosing receiving payment in exchange for the granting of a license, one of ordinary skill in the art would understand that if the outcome of the credit card processing was invalid (i.e. validation failed), eLicense generation would not be triggered (**decline the media licensing request when the record does not verify the granting**)

Moreover, Doherty discloses that media will be denied when certain criteria are not met suggesting that invalid credit card processing will result in the same denial. For example in C14 0-5 Doherty discloses that if license checks do not pass, the user is not permitted access to content. It would be obvious to one of ordinary skill in the art to consider credit card processing to be an embodiment of a license check because Doherty discloses that a valid credit card process triggers license creation.

vi. store in a license database, user data that is associated with the user and specific to the user that is attempting to reproduce the content item so that user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements.

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user identifications. (**store in the database, user data that is associated with the user and specific to the user**) *i.e. user identification corresponds to data associated with and specific to a user*

Further in C12 35-45, Doherty discloses that a publisher (**of the media content item**), distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover, in C12 40-45, Doherty discloses the Dldb contains information necessary to enable a user to subsequently acquire an eLicense *which corresponds to* **aid the copyright owner in developing future license agreements.**

In C10 55-61, Doherty discloses determining if the user satisfies the provisions of the license and providing access to content 10A (**user attempting to reproduce the content item**) to a media player accordingly

Although Doherty discloses a publisher, distributor, and reseller; **Doherty does not explicitly disclose** that any of the publisher, distributor, or reseller is the copyright owner.

In [0002], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 (**user data is accessible to a copyright owner of the media content item)**

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [0004] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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.

As to claim 17, applicant further configures the processor to:

a. request payment information from the external device when the record verifies payment of the license for the content item

In C30 45 through C31 20, Doherty discloses SID 66 residing in the user system (**information from the external device**) is included in ReqId 88 and then put into LicReq86 which according to C30 20-25 is then transmitted to OLS 36.

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing(**when the record verifies payment of the license for the content item**)- which is the trigger for eLicense generation

Further in C31 0-10, Doherty discloses that SID 66 is included in the eLicense.

*Therefore, when license generation is triggered, the SID66 is read out from the LicReq88 and inserted into the eLicense (***request information from the external device***)*

Further in C31 9-30, when the eLicense is received by the requesting system in the form of an ELDP 82 the SID66 is extracted and compared to the resident SID66 on the requesting system and if they are the same the process will continue. Since the SID 66 comparison is required for final license activation (i.e. writing the license into the DLDB 14), SID 66 is considered as **payment information** because *payment information is not specifically defined in the applicant spec, applicant is afforded the broadest reasonable interpretation of the term which includes 'information that verifies that the license was sent from the same system that received the LicReq86 and processed the payment' which is the SID 66*

As to claim 18, applicant further configures the processor to:

a. process the licensing request when payment is received

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing (**when payment is received)** which is the trigger for eLicense generation (**process the licensing request)** *In [0061] of the instant application, the applicant provides examples of processing which include "debiting a user account". Therefore, Doherty's disclosure of credit card processing encompasses the "payment is received" limitation because credit card processing includes "debiting a user account" according to the type of card and associating payment arrangements.*

As to claim 19, applicant further configures the processor to:

a. generate a license record that includes license granting information associated with the license granted

In C31 10-20, Doherty discloses the ELDP 82 (**license granting information associated with the license granted**) is written to DLdb 14 (**generate a license record that includes license granting information**)

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

In C31 10-20, Doherty discloses the ELDP 82 is written to DLdb 14 (**store the license record in a registered user database associated with the user)**

As to claim 20, applicant further limits the system wherein:

a. the information includes a fingerprint associated with the content item.

As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with the content item.**

In C24 43-45, Doherty discloses that the Fingerprint Security Mechanism performs a fingerprinting process to determine a unique SID 66 (**information includes a fingerprint**) See *also line 59*

Claims 6 – 10 are method claims respectively corresponding to system claims 16-20 and are therefore rejected on the respective basis previously presented in the above 103(a) rejections of claims 16-20

As to claim 11, applicant claims a system comprising:

a. a multimedia hardware device to generate an authorized reproduction of a content item

In fig 1D, Doherty discloses user system 10B (**a multimedia hardware device**) shown having a media player (**to generate an reproduction of a content item)**

In C13 65-67, Doherty discloses if license checks are passes the user is permitted access to the contents (**to generate an authorized reproduction of a content item)**

In C5 32-35 Doherty discloses the content may include music or video data (**multimedia**)

b. a processor configured to:

i. load a media file for reproduction

In C10 49-51, Doherty discloses the data DCF (**media file**) including music video authorizes access and presents (**loads**) the DCF content to the media player (**for reproduction**)

ii. wherein the media file includes the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes DCF Content 10A (**content item**) {see also C10 24-28}

iii. analyze the media file to identify information associated with the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes FACM 12. In C10 29-32 , Doherty discloses FACM 12 controls access to the contents (**the content item**) of the file according to(**analyze**) the terms, provisions, and restrictions of the eLicense (**to identify information associated with the content item**) embodied in the FACM 12. (i.e. the media file because FACM 12 is comprised by DCF 10)

iv. access a database to determine if a user is licensed to reproduce the content item based on the information

In C10 53-56, Doherty discloses LMCM18 implements the terms and provisions (**determine if a user is licensed to reproduce the content**) of the eLicense (**based on the information**) by communicating with the DLDB 14 (**access a database**)

v. store in a license database, user data that is associated with the user and specific to the user that is attempting to reproduce the content item so that user data is accessible to a copyright owner of the media content item to aid the copyright owner in developing future license agreements.

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user identifications. (**store in the database, user data that is associated with the user and specific to the user**) *i.e. user identification corresponds to data associated with and specific to a user*

Further in C12 35-45, Doherty discloses that a publisher (**of the media content item**), distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover, in C12 40-45, Doherty discloses the Dldb contains information necessary to enable a user to subsequently acquire an eLicense *which corresponds to* **aid the copyright owner in developing future license agreements.**

In C10 55-61, Doherty discloses determining if the user satisfies the provisions of the license and providing access to content 10A (**user attempting to reproduce the content item**) to a media player accordingly

c. a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item or decline the license

In C13 65-67 through C14 0-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access and Purchase GUI 22 is presented (**a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item**). In fig 3A, Doherty discloses an embodiment of the Purchase GUI 22 having an Exit button **(or decline the license)**

Although Doherty discloses a publisher, distributor, and reseller; **Doherty does not explicitly disclose** that any of the publisher, distributor, or reseller is the copyright owner.

In [0002], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 (**user data is accessible to a copyright owner of the media content item)**

As to claim 12, applicant further limits the system wherein:

a. the user interface is configured to receive a licensing response indicating the user has selected to acquire or decline the license

In fig 3A, Doherty discloses a "Buy Now" (**user selects to acquire the license**) button and an Exit button (**user selects to decline the license**)

As to claim 13, applicant further limits the system wherein the processor is further configured to:

a. provide a licensing request to a licensing system after the user has completed the licensing response

In C13 35-58, Doherty discloses requesting through a license GUI 22 (**after the user selects to acquire the license**) by also providing information relating to the user and the user's system of payment (**provide a licensing request**) to the OLS 36 (**a licensing system**)

b. prevent reproduction of the content item when the user selects to decline the license

In fig 3A, Doherty discloses a "Buy Now" button and an Exit button (**when the user selects to decline the license**) In C13 65-67 through C14 1-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access (**prevent reproduction of the content item**) and Purchase GUI 22 is presented

As to claim 14, applicant further limits the system wherein the processor is further configured to:

a. receive a license from the licensing system to reproduce the content item when the request is granted

In C13 50-67, Doherty discloses the user receives an eLicense from the OLS (**receive a license from the licensing system when the request is granted**)....when the checks are passed the user is permitted access to the content (**to reproduce the content**)

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

In C13 40-67, Doherty discloses "upon doing so (i.e. upon carrying out actions to satisfy an electronic purchase such as providing information relating to the user and the user's system and payment) receives from the OLS a license. *This means that if invalid, improper, or incomplete information is supplied a license would not be provided by the OLS. (**when the request is declined by the licensing system**) It is also made clear that if there is not a valid license, access to the content is not permitted and the GUI will be presented to the user for acquiring a license. (**prevent reproduction of the content**) This is disclosed in C14 0-4 and 25-30*

As to claim 15, applicant further limits the system wherein the processor is further configured to:

a. reproduce the content based on a plurality of parameters included in the license

In C14 7-13, Doherty discloses the license checking functions (**reproduce the content based on**) system identifier, product identity, duration, execution count, etc. (**plurality of parameters in the license**)

Claims 1 – 5 are method claims respectively corresponding to system claims 11-15 and are therefore rejected on the respective basis previously presented in the above 103 rejections of claims 11-15

As to claim 25, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a 3rd party online media retailer selected by the copyright owner to distributed the media content.

Further in C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb ((**so that the user data is accessible to a 3rd party media retailer**) Moreover, in C13 15-25 Doherty indicates that distributors and resellers may be embodied in a web site (**3rd party online media retailer**)

Doherty does not disclose that the 3rd party online media retailer is selected by the copyright owner.

In [0074], Tang teaches that authors have contracts with distributors and publishers (**3rd party online media retailer selected by the copyright owner to distribute the media content**)

As to claims 23 and 27, Doherty teaches all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively.

Claims 21, 23, and 27 are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 25.

As to claim 32, applicant further limits claim 11wherein :

a. the user data includes a quantity of times that the user has previously access the media content and additional media content items

In C21 30-65, Doherty discloses the types of information that may reside in the Dldb 14 *which corresponds to* **the user data.** Specifically in line 63, Doherty discloses 'Execution used' which corresponds to **quantity of times that the user has previously access the media content**

Moreover, Doherty's inventive concept is for there to be a DCF 10 / FACM 12 for each instance of distributable content 10A as shown in fig 1A *which corresponds to* **and additional media content items**

Claims **22, 24, 26, and 28** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view of Etchegoyen (US 2010/0324983 hereinafter referred as "Etchegoyen") in further view of Neuman et al (US 2011/0051914 hereinafter referred as "Neuman".

As to claim 26, Doherty and Tang teaches all the subject matter pointed out in the above 103 rejection of parent claim 11 respectively.

As to claim 26, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a hardware device manufacture of the multimedia hardware device

In C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb

Neither Doherty nor Tang does not disclose a hardware device manufacture.

In [0083], Etchegoyen teaches apparatus 700 and device 110 which together encompass the limitations of the claimed multimedia hardware device because fig 7 teaches that apparatus 710 collects financial information from the user of the device (**user data is accessible**) and that the apparatus 710 determines a usage license (750) and enables use of the media on the device (775) **(multimedia hardware device)** {see also [0024]} Further in fig 7 item 770, Etchegoyen teaches that apparatus 700 sends the financial information to a server (**user data is accessible** to a server)

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 Doherty and Tang with those of Etchegoyen with the motivation of increasing the security of Doherty's system by supplying additional information to Doherty's OLS server when a return is performed. In C34 25-45 and fig 4, Doherty discloses that orderID can be sent to the OLS server so that a real return is being performed. However, Etchegoyen teaches in fig 7, item 770 that financial information is sent to the server which is detailed in [0075] to include multiple identifiers which can be used to verify the status of the user. Therefore, it would be obvious to include at least a portion of the additional financial information disclosed by Etchegoyen in the RetC 100 message of Doherty to augment the and further verify that the OrderID 58 of Doherty is real and not fraudulent as posed by Doherty in C34 line 29-30 because verification requires multiple pieces of information which is harder for a potential fraudulent actor to acquire.

Etchegoyen does not teach that the server is the manufacturer of the multimedia hardware device.

In [0086] Neuman teaches the Itunes store (server) built by Apple as well as the Iphone built by Apple (multimedia hardware device).

Therefore the combination of Doherty, Tang, Etchegoyen, and Newman teaches **user data accessible to a hardware device manufacturer of the multimedia device** because Doherty discloses that user information related to the multimedia is accessible, Etchegoyen teaches that accessible user data is transmitted to a server, and Newman teaches that the server may be the same entity as the manufacturer of the multimedia. 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 Doherty and Etchegoyen with the teachings of Neuman with motivation of providing a seamless ecosystem of device and backend services for media distribution and enjoyment as has been provided by Apple which has proven to be a historical commercial success based on the customer demand for such a seamless ecosystem of devices and backend services developed and designed to work together as can be done when the same entity implements the design of both the multimedia hardware device and the backend services.

As to claim 22, Doherty and Tang teach all the subject matter pointed out in the above 103 rejection of parent claim 1.

Claim 22 is rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

As to claims 24 and 28, Doherty teaches all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively.

Claims 24 and **28** are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

Claims 29, 30, 31, and 33 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view of Sherr et al (US2002/0154157 hereinafter "Sherr")

As to claims 29-31 and 33, Doherty and Tang teach all the subject matter pointed out in the above 103 rejection of parent claims 1, 6, and 16 respectively.

As to **claims 29 and 33**,

Neither Doherty or Tang teach

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.

Sherr teaches

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.

In fig 1b, Sherr teaches database 28 *which corresponds to a* **license database** because in [0111] Sherr teaches that the license database may provide recommendations to users. Therefore, it would be obvious for database 28 to be the license database because it is connected to recommendation engine 20 as shown in fig 1b. Also in [0111], Sherr teaches a database of licensing information for various regions (countries and geographic zones) *which corresponds to* **the user data includes geographic location of the user who is accessing the media content** *because* Doherty discloses the Dldb having the user information and therefore Doherty modified by Sherr would include geographic location information of the user in the database. Moreover also in [0111], Sherr discloses that the license information *i.e. which includes the geographic information* is used to determine what content items are available for a particular place to provide a basis for recommendations for to users *which corresponds to* **enables the copyright owner to gauge the geographic locations where the media content item is being accessed.**

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 Doherty and Tang with those of Sherr with the motivation of including more details about the license user in order to inform the marketing engine of Doherty disclosed in C12 4-10 and C39 35-43 so that better recommendations can be made to users as suggested by Sherr in [0111] to accommodate for geographical restrictions when offering the trial versions of content licenses to other users as disclosed by Doherty in C12 5-10.

As to **claim 30**,

Neither Doherty or Tang teach

wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

Sherr teaches

wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

In [0111], Sherr discloses demographic information may be used to compile a database of licensing information for various reasons ..for example countries or zones. In other words, Sherr discloses that geographic information is an embodiment of demographic information ; therefore, claim 30 is rejected on the basis provide in the above rejection of claims 29 and 33.

As to **claim 31**,

Neither Doherty or Tang teach

wherein the user data includes additional media content items that the user has previously accessed.

Sherr teaches

wherein the user data includes additional media content items that the user has previously accessed.

In [0113] Sherr teaches marketing information may be obtained to determine other websites visited by the user *which corresponds to* **user data includes additional media content items that the user has previously accessed**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on Monday-Friday; 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cordelia P. Zecher can be reached on 571-272-7771. 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. M./
Examiner, Art Unit 2431

/CORDELIA ZECHER/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 1 of 2

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0032905 A1	03-2002	Sherr et al.	725/38
*	B	US-2002/0154157 A1	10-2002	Sherr et al.	345/716
*	C	US-2004/0039916 A1	02-2004	Aldis et al.	713/177
*	D	US-2005/0004873 A1	01-2005	Pou et al.	705/051
*	E	US-2005/0114265 A1	05-2005	Satkunanathan et al.	705/059
*	F	US-6,920,567 B1	07-2005	Doherty et al.	726/22
*	G	US-2005/0177844 A1	08-2005	Levi et al.	725/030
*	H	US-2005/0223415 A1	10-2005	Oho et al.	726/027
*	I	US-2006/0031785 A1	02-2006	Raciborski, Nathan F.	715/859
*	J	US-2007/0055439 A1	03-2007	Denker et al.	701/200
*	K	US-2007/0241176 A1	10-2007	Epstein et al.	235/375
*	L	US-2008/0027742 A1	01-2008	Maeda, Kenji	705/1
*	M	US-2008/0243694 A1	10-2008	Johnson et al.	705/52

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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	Examiner RICHARD MCCOY	Art Unit 2431	Page 2 of 2

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2009/0210245 A1	08-2009	Wold, Edwin Leonard	705/1
*	B	US-7,676,437 B2	03-2010	Satkunanathan et al.	705/56
*	C	US-2010/0324983 A1	12-2010	Etchegoyen, Craig S.	705/14.23
*	D	US-2011/0051914 A1	03-2011	Neuman et al.	379/93.17
*	E	US-2011/0213721 A1	09-2011	RALEY et al.	705/310
*	F	US-2012/0010931 A1	01-2012	Mehra et al.	705/14.16
*	G	US-2012/0096339 A1	04-2012	Cohen et al.	715/221
*	H	US-2012/0109834 A1	05-2012	Bongiovanni et al.	705/317
*	I	US-2013/0051772 A1	02-2013	Ramaswamy et al.	386/291
*	J	US-2013/0047271 A1	02-2013	Tang, Ding-Yuan	726/30
*	K	US-2014/0108029 A1	04-2014	Kim, John Sung	705/2
*	L	US-2015/0040002 A1	02-2015	Kannan et al.	715/246
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
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	R					
	S					
	T					

NON-PATENT DOCUMENTS

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Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

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

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

CLAIM		DATE								
Final	Original	02/06/2014	09/09/2014	04/24/2015						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	✓						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
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	14	✓	✓	✓						
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	25		✓	✓						
	26		✓	✓						
	27		✓	✓						
	28		✓	✓						
	29			✓						
	30			✓						
	31			✓						
	32			✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02

		watermark id identifier serial guid uuid) same (credit pay$4)				
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29
S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25
S26	88	(media content movie song video) with copyright adj2 (holder owner) with (online	US-PGPUB;	OR	ON	2014/09/08 18:59

		web$5 server) near4 (retail$3 distribut$3)	USPAT			
S27	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) with license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:00
S28	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) same2 license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:01
S29	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S30	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S31	2	(media content movie song video) with copyright adj2 (holder owner) with (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:03
S32	4	publisher with (copyright near4 (own owner ownership holder)) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2014/09/08 21:35
S33	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	2014/09/08 21:36
S34	177	(artist author 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	2014/09/08 21:39
S35	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:39
S36	111	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 and publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S37	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 with publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S38	17	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 S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S39	16066	apple.as.	US-PGPUB; USPAT	OR	ON	2014/09/09 13:05
S40	0	license with user adj3 data with itunes with (media music song mp3)	US-PGPUB;	OR	ON	2014/09/09 13:06

			USPAT			
S41	28	license with user adj3 data with (media music song mp3) with server	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S42	0	S39 and S41	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S43	9	license with (media music song mp3) with server with device with manufactur$3	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S44	0	S41 and S43	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S45	24	iphone with itunes and S39	US-PGPUB; USPAT	OR	ON	2014/09/09 13:56
S46	0	license near4 (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S47	7	license with (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S48	7	license with (validat$3) with (age birthday) with (address)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S49	5	license with (validat$3) with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:20
S50	10	license adj2 database with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:23
S51	0	(media content video audio song movie) with license adj2 database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:25
S52	4	(media content video audio song movie) with license with database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:26
S53	84	(media content video audio song movie) adj2 license adj2 database	US-PGPUB; USPAT	OR	ON	2015/04/23 13:27
S54	2973	h04l2463/101.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:29
S58	2198	g06f21/00.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:30
S59	11353	g06f21/10.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S60	943	g06f21/105.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S61	15263	S54 S58 S59 S60	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31

S62	0	S61 and (license adj2 database with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S63	0	S61 and (license adj2 (database store) with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S64	891	S61 and ((license adj2 (database store)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S65	0	S61 and ((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:34
S66	0	((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:35
S67	43	((license adj2 (database store)) with (customer user) near4 (data information) with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S68	1	((license adj2 (database store)) with (customer user) near4 (data information) with ((new additional) adj2 (market$3 customer sale)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S69	269	(license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:40
S70	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S71	0	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information) with validation	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S72	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S73	345	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:10
S74	102	(media content video audio song movie) with (license adj2 (database db store)) same ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:13
S75	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:14
S76	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region	US-PGPUB; USPAT	OR	ON	2015/04/23 16:00

		country state location geographic))				
S77	71	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic demographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 16:14

EAST Search History (Interference)

<This search history is empty>

4/24/2015 1:42:22 PM
C:\Users\rmccoy1\Documents\EAST\Workspaces\13667629.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy
updated search according to claim amendments. see attached east file.	9/9/14	mccoy
updated search according to the claim amendments. see attached east file	4/24/2015	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

/R.M./ Examiner.Art Unit 2431	

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 10/16/2015

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EXAMINER	
MCCOY, RICHARD ANTHONY	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
10/16/2015	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):

usptodock@whe-law.com

Applicant-Initiated Interview Summary	**Application No.**	**Applicant(s)**	
	13/667,629	ESTES, CHRISTOPHER	
	Examiner	**Art Unit**	
	RICHARD MCCOY	2431	

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

(1) *RICHARD MCCOY*.

(2) *Christopher Estes*.

(3) *John Davis*.

(4) *Patrick Palascak*.

Date of Interview: *10/13/2015*.

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: *Doherty, Sherr*.

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...)

Mr Estes provided an overview of the inventive concept. Mr Palascak and the examiner covered the agenda points as well as the salient portions of the references. The discussion included the possibility of narrowing the current language to avoid the Doherty and Sherr references as well as adding additional steps of extracting, aggregating, analyzing, and verifying to better align with the inventive concept which the examiner understands to include collecting demographic data accociated with users who downloads content, collecting data on the downloaded content, aggregating and analyzing the data so that the revenue streams (i.e. payments from content distributors) of the individual content owners can be verified against the data so that distributors are encouraged to provide accurate payments to the content owners. Moreover, the data can be used to promote additional future licensing agreements for the content. No agreement concerning patentability 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 MCCOY/ Examiner, Art Unit 2431	/CORDELIA ZECHER/ 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 examiner's 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 applicant's 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 applicant's 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 examiner's 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 examiner's initials.

Certificate of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on October _, 2015.

/John Paul Davis/ October 30, 2015
John Paul Davis Date
Reg. No. 52,798

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio October 30, 2015

AMENDMENT

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

Sir:

In response to the Office Action dated April 30, 2015 ("Non-Final Action"), please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Remarks begin on page 11.

Amendments of the Claims

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

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

loading a digital media file for reproduction, wherein the digital media file includes a media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

receiving a license request from a user requesting to engage in a license transaction to reproduce the media content item;

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

accessing a license database to determine whether [[a]] the user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information;

providing a licensing query 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; [[and]]

after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license;

aggregating the user data into a statistics record for the license request, wherein the statistics record summarizes the user data associated with the license request;

storing in the license database the statistics record ~~user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media~~

~~content item~~ so that the user data is accessible to a copyright owner of the media content item ~~to aid the copyright owner developing future licensing agreements~~; and

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

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

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

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

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

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

5. (Original) The method of claim 4, further comprising:

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

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

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

accessing a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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;

declining 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 to the external device; [[and]]

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user is granted or declined the license;

aggregating the user data into a statistics record for the media licensing request, wherein the statistics record summarizes the user data associated with the media licensing request;

storing in a license database the statistics record ~~user data that is associated with the external device and provides information specific to the user that is attempting to reproduce the media content item~~ so that the user data is accessible to a copyright owner of the media content item ~~to aid the copyright owner in developing future licensing agreements~~; and

analyzing a plurality of statistics records aggregated from each media licensing request for at least one media content item owned by the copyright owner to provide the

copyright owner with user data accumulated from each media licensing request of the at least one media content item.

7. (Original) The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. (Original) The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. (Original) The method of claim 6, 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.

10. (Original) The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

receive a license request from a user requesting to engage in a license transaction to reproduce a media content item;

load a digital media file for reproduction, wherein the digital media file includes the media content item requested by the user to reproduce,

analyze the digital media file to identify digital media information associated with the media content item,

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

access a licensing database to determine whether [[a]] the user is licensed to reproduce the media content based on the digital media information,

after the evaluation of the license transaction, extract from the license transaction user data that is specific to the user that attempting to reproduce the media content item when the user acquires or declines the license,

aggregating the user data into a statistics record for the license request, wherein the statistics record summarizes the user data associated with the license request,

store in the license database the statistics record ~~user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item~~ so that the user data is accessible to a copyright owner of the media content item ~~to aid the copyright owner in developing future licensing agreements~~, and

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

a user interface configured to provide a licensing query 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.

12. (Original) The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

13. (Previously Presented) The system of claim 12, wherein the processor is further configured to:

provide a licensing request to a licensing system after the user has completed the licensing response; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. (Original) The system of claim 13, wherein the processor is further configured to:

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

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

15. (Original) The system of claim 14, 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. (Currently Amended) A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

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

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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,

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, [[and]]

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license,

aggregate the user data into a statistics record for the media licensing request, wherein the statistics record summarizes the user data associated with the media licensing request, and

store in a license database the statistics record ~~user data that is associated with the user that provides information specific to the user that is attempting to reproduce the media content item~~ so that the user data is accessible to a copyright owner of the media content item ~~to aid the copyright owner in developing future licensing agreements~~, and

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

17. (Original) The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. (Previously Presented) The system of claim 17, wherein the processor is further configured to process the media licensing request for the external device when the payment of the license for the media item is received.

19. (Original) The system of claim 16, 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.

20. (Original) The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

21. (Previously Presented) 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.

22. (Previously Presented) 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.

23. (Previously Presented) The computer implemented method of claim 6, 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.

24. (Previously Presented) The computer implemented method of claim 6, 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.

25. (Previously Presented) The system of claim 11, 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.

26. (Previously Presented) The system of claim 11, 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.

27. (Previously Presented) 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.

28. (Previously Presented) 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 hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

29. (Previously Presented) The computer implemented method of claim 1, wherein the user data includes a geographic location of the user who is accessing the media content item.

30. (Previously Presented) The computer implemented method of claim 1, wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

31. (Previously Presented) The computer implemented method of claim 6, wherein the user data includes additional media content items that the user has previously accessed.

32. (Previously Presented) The system of claim 11, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

33. (Previously Presented) The system of claim 16, 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 amendments, claims 1-33 are pending in the application, with claims 1, 6, 11, and 16 being the independent claims. Claims 1, 6, 11, and 16 are sought to be amended. No new matter is added by the amendments, therefore Applicant requests the amendments and the new claims be entered.

Based on the above amendments and following remarks, 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 is thanked for extending an in-person Interview to Applicant's Representative on October 13, 2015. The Examiner and Applicant's Representative discussed adding additional features that incorporate how data associated with a licensing request is extracted after the licensing request has been granted and/or denied and then how that data is aggregated and analyzed for the benefit of the copyright owner to better align with the inventive concept. The Examiner and Applicant's Representative further discussed how such additional amendments may overcome the Doherty and Sherr references. There was no discussion as to specific claim amendments and thus no agreement was reached in that regard.

Rejections under 35 U.S.C. § 103(a)

Claims 1-21, 23, 25, 27 and 32

On Page 3 of the Office Action, claims 1-5, 11-15, 21, 23, 25, 27, and 32 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over U.S. Patent No. 6,920,567 to Doherty et al. ("Doherty") in view of U.S. Publication No. 2013/0047271 to Tang ("Tang"). Applicant respectfully traverses. Applicants incorporate the arguments regarding this rejection previously disclosed in the Response to the Final Action filed on January 2, 2014, and provide the following arguments to support patentability.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate at least the features of "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license*," "*aggregating the user data into a statistics record for the licensing request, wherein the statistics record summarizes the user data associated with the license request*" and "*analyzing a plurality of statistics records aggregated from each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.*" Applicant has amended independent claims 6, 11, and 16 in a substantially similar manner.

While Doherty does reference that the Dynamic License Database (Dldb) 14 does contain information associated with the purchase of the digital content file (DCF) 10, Doherty discloses that this information is associated with the File Access Control Mechanhism (FACM) 12. (Doherty, 10:26-41.) Specifically, this information is associated with controlling the access of the digital content file 10 via the FACM 12 as well as the use of the digital content file 10 via the

eLicense. (Doherty, 10:38-41.) For example, this information includes information specific to the eLicense granted to the individual to access the digital content file 10, such as the terms, provisions, and conditions of the license as well as product, user, and user system identifications. (Doherty, 10:42-45.)

Doherty further discloses that a Distributor 28 that may be a publisher, distributor, or reseller of a DCF 10 prepares a DCF 10 for distribution. (Doherty, 12:35-39.) Doherty discloses that Distributor 28 initially embeds an initial License Monitor/Control Mechanism (LMCM) with an initial Dldb on the DCF 10 where the initial Dldb "contains terms, provisions, and information necessary to enable a user to subsequently acquire an eLicense." (Doherty, 12:40-44). Doherty discloses the Distributor 28 also configures a License Management Dldb (LMDb) 32 for the DCF 10 that stores complete licensing information for the DCF 10 and "other information that may be necessary to monitor or control transactions involving the DCF 10, such as distribution channel and methods, pricing and so on." (Doherty, 12:47-56.)

The storing of information that is limited to the eLicense granted to the individual to access the DCF 10 is not the same as extracting individual data that is specific to the individual and then aggregating the individual data into a statistics record for the individual's inquiry to replicate the DCF 10. Further, the storing of eLicense information is not the same as then analyzing a plurality of statistics records for at least one DCF 10 owned by a copyright owner to provide the copyright owner with the individual data for each inquiry by any individual that inquired to replicate the at least one DCF 10.

Further, the embedding of initial eLicense information into the DCF 10 to subsequently enable a user to acquire an eLicense and the maintaining of a LMDb 32 of licensing information to monitor transactions of the DCF 10 by a Distributor 28 is not the same as extracting individual

data that is specific to the individual and then aggregating the individual data into a statistics record for the individual's inquiry to replicate the DCF 10. Further, the Distributor 28 implementing eLicense information for future eLicense agreements as well as to monitor transactions of the DCF 10 is not the same as then analyzing a plurality of statistics records for at least one DCF 10 owned by a copyright owner to provide the copyright owner with the individual data for each inquiry by any individual that inquired to replicate the at least one DCF 10.

Doherty fails to disclose that its stored eLicense information includes additional information specific to the individual. Doherty also fails to disclose that this additional information is extracted and then aggregated into a statistics record so that a copyright owner has access to the additional information for each inquiry any individual has made to replicate the DCF 10. That is, Doherty fails to disclose individual data that may not only provide additional insight to the copyright owner as to the individual that has acquired an eLicense for the DCF 10 but such information for each attempt that any individual has made to replicate the DCF 10 to the copyright owner. Information specific to the terms of the eLicense granted to the individual, such as the terms, provisions, and conditions of the license is not sufficient in providing information to the copyright owner as to each individual that has attempted to replicate the DCF 10.

Therefore, Doherty, in disclosing that the stored information is limited to the terms of the eLicense and is implemented by the Distributor to monitor transactions of the DCF, fails to teach or suggest in amended independent claim 1, at least the feature of "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the*

license," "*aggregating the user data into a statistics record for the licensing request, wherein the statistics record summarizes the user data associated with the license request*" and "*analyzing a plurality of statistics records aggregated from each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.*"

Tang does not cure the deficiencies of Doherty, 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 that provides information specific to the user to aid the copyright owner in developing future licensing agreements.

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 "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license*," "*aggregating the user data into a statistics record for the licensing request, wherein the statistics record summarizes the user data associated with the license request*" and "*analyzing a plurality of statistics records aggregated from each licensing request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.*"

Therefore, the Office Action has failed to state a case of obviousness with respect to amended independent claim 1. Amended independent claims 6, 11, and 16 recite substantially

similar features that are likewise not taught by the combination of Doherty and Tang. Dependent claims 2-21,23, 25, 27, and 32 are likewise patentable over the combination of Doherty and Tang 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 1-21, 23, 25, 27, and 32 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 22, 24, 26, and 28

On Page 19 of the Office Action, claims 22, 24, 26, and 28 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang and further in view of U.S. Publication No. 2010/0324983 to Etchegoyan ("Etchegoyan") in further view of U.S. Publication No. 2011/0051914 to Neuman et al. ("Neuman"). Applicant respectfully traverses.

As discussed above, the combination of Doherty and Tang does not teach or suggest each and every feature of amended independent claims 1 and 11. Etchegoyan and Neuman, alone or any combination thereof, do not provide the missing teachings or suggestions with respect to amended independent claims 1 and 11 nor does the Office Action so allege. Therefore, the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman does not render amended independent claims 1 and 11 obvious. Dependent claims 22, 24, 26, and 28 are likewise not rendered obvious by the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman 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 22, 24, 26, and 28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 29-31, and 33

On Page 22 of the Office Action, claims 29-31, and 33 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang in further view of U.S. Patent Publication No. 2002/0154157 to Sherr et al. ("Sherr"). Applicant respectfully traverses.

On Pages 22 and 23 of the Non-Final Action, the Examiner admits and Applicant agrees that Doherty and Tang fail to teach or suggest "*the user data includes a geographic location of the user who is accessing the media content item*," "*the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner,*" "*the user data includes additional media content items that the user has previously accessed*," and "*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*" as recited by dependent claims 29-31 and 33. However, the Examiner alleges that Sherr cures the deficiencies of Doherty and Tang.

Sherr does reference that the website may identify the demographic information of the user that has obtained a license for a content item, such as the geographic zones, and compile that information into a database of licensing information for various regions. (Sherr, ¶ [0111]). However, Sherr discloses that the geographic zones are used by the website for the website to determine the parameters available for available licenses of the content item. (Sherr, ¶ [0111].)

Sherr also discloses that the license database may include schedules of releases of content items, rules for controlling licenses based on releases of content items so that the website uses the license information to determine which content items are available for licensing. (Sherr, ¶ [0111].) Sherr further discloses that if the content items are not available for licensing due to

schedules, geographic constraints and so on, that the web sites suggests potential alternatives to the content items that are available for licensing. (Sherr, ¶ [0111].)

Sherr also discloses that marketing information obtained from user registration may be used to determine other websites visited by the user when the user is not satisfied with the content items offered by the main website. (Sherr, ¶ [0113].) Sherr discloses that the main website then provides links to the other websites for the user to access through the main website when searching for content items not offered by the main website. (Sherr, ¶ [0113].) Sherr further discloses that the providing of links to the other websites may be an opportunity for the main website to share in with the other websites when a user accesses the other websites via links provided by the main website. (Sherr, ¶ [0113])

Sherr fails to disclose that the website extracts the geographic zone of each user that has accessed the content item to be provided to a copyright holder of the content item. Rather, Sherr discloses that website accumulates the geographic zones of each user granted a license to the content item and uses those geographic zones to generate parameters for future licenses requested by users in similar geographic zones. Different geographic zones have different parameters associated with the licensing of content items within those geographic zones. Thus, Sherr records the geographic zones of previously granted licenses and implements those parameters specific to individual geographic zones when generating future licenses of the content item. The recording of geographic zones of previous licenses of a content item to generate parameters of future license agreements within those geographic zones is not the same as extracting the geographic zone of each user that has accessed the content item to be provided to a copyright holder of the content item.

Sherr also fails to disclose that the website extracts demographic information of each user that has accessed the content item that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner. Rather, Sherr discloses that the demographic information may be used as licensing information for various regions as well as schedules of releases of content items, and rules for controlling licenses based on releases of content items. Sherr discloses that the website implements this type of demographic information to determine which content items are available for licensing and if the content items are not available for licensing, the website provides potential alternatives to the content items that are available for licensing.

There is no mention in Sherr that the demographic information enables the copyright owner to gauge a demographic that is accessing the content item but rather the demographic information in Sherr is directed to the types of content items that are available for licensing and potential alternatives for content items when the content items are not available for licensing. The extraction of demographic information directed to the types of content items that are available for licensing is not the same as extracting demographic information that enables the copyright owner to gauge a demographic that is accessing the content item.

Sherr fails to disclose that main website extracts a quantity of times that the user has previously accessed the content item and additional content items. Rather, Sherr discloses that the main website tracks other websites visited by the user and then attempts to capitalize on the user's interest in the other websites by providing links to the other websites in an attempt to share revenue with the other websites that the user accesses via the links provided by the main website. The tracking of other websites accessed by the user to provide links to the those other

websites in an attempt to share revenue is not the same as extracting the quantity of times that the user has previously accessed the content item and additional content items.

Therefore, Sherr fails to teach or suggest in amended dependent claims 29-31 and 33, at least the features of "*the user data includes a geographic location of the user who is accessing the media content item,*" "*the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner,*" "*the user data includes additional media content items that the user has previously accessed,*" and "*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.*"

Therefore, the Office Action has failed to state a case of obviousness with respect to dependent claims 29-31 and 33. Accordingly, Applicant respectfully requests that the rejection of claims 29-31 and 33 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

Applicants respectfully submit that the foregoing is a full and complete response to the Office Action dated April 30, 2014. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response other than the fee for a three-month extension of time. However, if any fees are necessary, the Commissioner may consider this to be a request to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
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Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Mary Kunkel
Attorney Docket Number:	BESTES-7US

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:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
		Total in USD ($)		**700**

Electronic Acknowledgement Receipt	
EFS ID:	23947248
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Mary Kunkel
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	30-OCT-2015
Filing Date:	02-NOV-2012
Time Stamp:	16:00:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$700
RAM confirmation Number	2848
Deposit Account	233000
Authorized User	DAVIS, JOHN PAUL
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 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		BESTES-7US_OAResponse.pdf	92548 b4a1e99c6ed4e18fa61ae73abeead7ead80ae404	yes	21

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Amendment Copy Claims/Response to Suggested Claims	1	10
Applicant Arguments/Remarks Made in an Amendment	11	21

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30510 a02023681bacec252c577e24bc14aea949392470	no	2

Warnings:

Information:

Total Files Size (in bytes):	123058

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.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT **10/30/2015**

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 33	Minus	** 33	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					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 number found in the appropriate box in column 1.

LIE
/BRENDA TURNER/

This collection of information is required by 37 CFR 1.16. 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 12 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.**
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 12/10/2015

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CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
12/10/2015	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):

usptodock@whe-law.com

Office Action Summary	Application No. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *10/30/2015*.

☐ 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) *1-33* 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) *1-33* 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 _____ 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: _____.

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Claim Objections

Claims 1, 6, 11, and 16 are objected to for the following reasons:

- because "user that attempting" is incorrect grammar.

- because it is unclear if "at least one media content item" includes or refers to: "the media content item"

- because it is unclear if "user data accumulated" refers to "the user data"

Response to Arguments

With respect to the remarks on page 12 relating to evaluation and aggregating,

In C10 30-45, Doherty discloses Dldb 14, user identification *see line 44*) (**user data that is specific to a user)**

In C27 9-11 Doherty discloses that SID 66 contains a user identifier (**user data that is specific to a user)**

In C25 16-18 Doherty discloses that the SID 66 is included in the Dldb 14.

Moreover, in C25 5-30, Doherty discloses upon each subsequent accessing (**after the evaluation of the license transaction)** as part of the license validation process **(when the user acquires or declines the license)** read the SID 66 from the DLdb 14 (**extract from the license transaction, user data specific to the user**)

In C14 7- 25 Doherty discloses Dldb 14 is written to for example to decrement the execution counts (**aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request**) see *also applicant spec [0068] wherein aggregation includes tracking license purchases which is similar to tracking execution counts*

With respect to the remarks relating to the analyzing limitation, this remark is moot based on the new grounds of rejection necessitated by applicants amended claim scope.

With respect to the remark on page 14 that Doherty fails to disclose eLicense information includes information specific to the individual, In C1035-45 Doherty discloses eLicense information includes information specific to the individual (i.e. the Dldb 14 includes user identification)

With respect to the remark on page 14 -19 that Sherr fails to disclose the website extracts geographic zones and demographic information, this remark is moot based on the new grounds of rejection necessitated by applicants amended claim scope.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived 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(a) are summarized as follows:

a. Determining the scope and contents of the prior art.
b. Ascertaining the differences between the prior art and the claims at issue.
c. Resolving the level of ordinary skill in the pertinent art.
d. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 21, 23, 25, 27, 29, 30, 32, and **33** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang et al (US 2013/0047271 hereinafter referred as

"Tang") in further view of NPL: "Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2000 hereinafter referred as "Habermann".

Claims 1 – 5 are method claims respectively corresponding to system claims 11-15 and are therefore rejected on the respective basis previously presented in the 103 rejections of claims 11-15

Claims 6 – 10 are method claims respectively corresponding to system claims 16-20 and are therefore rejected on the respective basis previously presented in the 103(a) rejections of claims 16-20

As to claim 11, applicant claims a system comprising:

a. a multimedia hardware device to generate an authorized reproduction of a content item

In fig 1D, Doherty discloses user system 10B (**a multimedia hardware device**) shown having a media player (**to generate an reproduction of a content item**)

In C13 65-67, Doherty discloses if license checks are passes the user is permitted access to the contents (**to generate an authorized reproduction of a content item**)

In C5 32-35 Doherty discloses the content may include music or video data (**multimedia**)

b. a processor configured to:

i. receive a license request from a user requesting to engage in a license transaction to reproduce a media content item

In C30 15-16, Doherty discloses the remote eLicense acquisition method of fig 2 (**a license transaction to reproduce a media content item**)

In C30 18-19, Doherty discloses LicReq 86 (**a license request from a user**)

ii. load a media file for reproduction

In C10 49-51, Doherty discloses the data DCF (**media file**) including music video authorizes access and presents (**loads**) the DCF content to the media player (**for reproduction**)

iii. wherein the media file includes the content item requested by the user to reproduce

In fig 1A, Doherty discloses DCF 10 (**media file**) includes DCF Content 10A (**content item requested by the user to reproduce**) {see also C10 24-28}

iv. analyze the media file to identify information associated with the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes FACM 12. In C10 29-32 , Doherty discloses FACM 12 controls access to the contents (**the content item**) of the file according to(**analyze**) the terms, provisions, and restrictions of the eLicense (**to identify information associated with the content item**) embodied in the FACM 12. (i.e. the media file because FACM 12 is comprised by DCF 10)

v. evaluate the license transaction to determine whether the user has acquired a license to reproduce the media content item

In C13 59-65, Doherty discloses Step 26g which includes a license validation for each runtime access of DCF 10 to affirm that the condition of the license are met (**evaluate the license transaction to determine whether the user has acquired a license to reproduce the media content item**)

vi. access a database to determine if the user is licensed to reproduce the content item based on the information

In C10 53-56, Doherty discloses LMCM18 implements the terms and provisions (**determine if a user is licensed to reproduce the content**) of the eLicense

(**based on the information**) by communicating with the DLDB 14 (**access a database**)

vii. after the evaluation of the license transaction, extract from the license transaction, user data that is specific to the user when the user acquires or declines the license

In C10 30-45, Doherty discloses Dldb 14, user identification *see line 44*) (**user data that is specific to a user**)

In C27 9-11 Doherty discloses that SID 66 contains a user identifier (**user data that is specific to a user**)

In C25 16-18 Doherty discloses that the SID 66 is included in the Dldb 14. Moreover, in C25 5-30, Doherty discloses upon each subsequent accessing (**after the evaluation of the license transaction**) as part of the license validation process (**when the user acquires or declines the license**) read the SID 66 from the DLdb 14 (**extract from the license transaction, user data specific to the user**)

viii. aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request

In C14 7- 25 Doherty discloses Dldb 14 is written to for example to decrement the execution counts (**aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request**) see *also applicant spec [0068] wherein aggregation includes tracking license purchases which is similar to tracking execution counts*

ix. store in a license database, the statistics record ~~user data that is associated with the user and specific to the user that is attempting to reproduce the content item~~ so that user data is accessible ~~to aid the copyright owner in developing future license agreements.~~

In C14 7- 25 Doherty discloses Dldb 14 is written to (**store in the license database**) for example to decrement the execution counts (**the statistics record**)

b. a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item or decline the license

In C13 65-67 through C14 0-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access and Purchase GUI 22 is presented (**a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item**). In fig 3A, Doherty discloses an embodiment of the Purchase GUI 22 having an Exit button **(or decline the license**)

Doherty does not explicitly disclose that the statistics record is accessible to a copyright owner.

Doherty does not disclose analyzing a plurality of statistics records aggregated from each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.

In [**0002**], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 (**user data is accessible to a copyright owner 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 each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item**.

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [**0004**] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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 Doherty and Tang with those of Habermann to extend the teaching of Tang of "authors could require the distributor /publisher provide access to data derived from the sale and interaction with a consumer through an authorized service" because Habermann teaches a comprehensive system implemented by one of the world's leading media companies (i.e. Google via YouTube) for providing copyright owners data analytics coving the use of their works of authorship by other users which Tang suggests in [**0074**] but does not go into detail. Therefore, Habermann teaches a fundamental piece of the puzzle with respect to the syndication of licensable content which is how the copyright owners may audit the usage of their content provided by the associated 3rd party publisher and gain insights into the types of consumers downloading or streaming their material. It would be obvious to modify the combination of Doherty and Tang with Habermann to provide both the distribution auditing and the marketing demographics to the copyright owners as both are essential to their business success.

As to claim 12, applicant further limits the system wherein:

a. the user interface is configured to receive a licensing response indicating the user has selected to acquire or decline the license

In fig 3A, Doherty discloses a "Buy Now" (**user selects to acquire the license**) button and an Exit button (**user selects to decline the license**)

As to claim 13, applicant further limits the system wherein the processor is further configured to:

a. provide a licensing request to a licensing system after the user has completed the licensing response

In C13 35-58, Doherty discloses requesting through a license GUI 22 (**after the user selects to acquire the license**) by also providing information relating to the user and the user's system of payment (**provide a licensing request**) to the OLS 36 (**a licensing system**)

b. prevent reproduction of the content item when the user selects to decline the license

In fig 3A, Doherty discloses a "Buy Now" button and an Exit button (**when the user selects to decline the license**) In C13 65-67 through C14 1-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access (**prevent reproduction of the content item**) and Purchase GUI 22 is presented

As to claim 14, applicant further limits the system wherein the processor is further configured to:

a. receive a license from the licensing system to reproduce the content item when the request is granted

In C13 50-67, Doherty discloses the user receives an eLicense from the OLS (**receive a license from the licensing system when the request is granted**)....when the checks are passed the user is permitted access to the content (**to reproduce the content**)

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

In C13 40-67, Doherty discloses "upon doing so (i.e. upon carrying out actions to satisfy an electronic purchase such as providing information relating to the user and the user's system and payment) receives from the OLS a license. *This means that if invalid, improper, or incomplete information is supplied a license would not be provided by the*

*OLS. (**when the request is declined by the licensing system**) It is also made clear that if there is not a valid license, access to the content is not permitted and the GUI will be presented to the user for acquiring a license. (**prevent reproduction of the content**) This is disclosed in C14 0-4 and 25-30*

As to claim 15, applicant further limits the system wherein the processor is further configured to:

a. reproduce the content based on a plurality of parameters included in the license

In C14 7-13, Doherty discloses the license checking functions (**reproduce the content based on**) system identifier, product identity, duration, execution count, etc. (**plurality of parameters in the license**)

As to claim 16, applicant claims a system for content licensing comprising:

a. a transceiver configured to receive a media licensing request from an external device associate with a user

In fig 1D, Doherty discloses user system 10B (**external device)** also shown in Fig 1A being connected with user 10D **(associated with a user).** Also shown in Fig 2 being connected to OLS 36 (a server having **a transceiver configured to receive a media license request**) As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**a transceiver configured to receive**) to database 34. Moreover in C30 15-25, Doherty discloses the user submits through GUI 22 License Request 86(**a media licensing request**) to OLS 36.Moreover, in C11 60-65 Doherty discloses that eLicense acquisition is typically via HTTP communications (OLS 36 (**a system for content licensing**) **comprises a transceiver**)

b. wherein the request includes information associated with a content item included in a media file

As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**the request includes information**) to database 34

Further in C13 45-50, Doherty provides additional detail about the information: "providing the OLS 36 information relating to the user, the user's system, and payment" Information relating to the user's system includes SID 66. In C24 35-65, Doherty discloses that AFSM 72 determines SID 66 based on a number of hardware and software elements of the user system. As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with a content item included in a media file**. Moreover, Doherty discloses that "SID 66 is supplied to a template resulting in the generation of the eLicense specific to the user system. Since the eLicense is generated in OLS 36, SID 66 is required to be included in the information relating to the user system sent as part of the license request as described in C13 5-14. (**the request includes information**)

See also C30 45 through C31 30.

c. a processor configured to:

In Fig 4, Doherty discloses server OLS 36 (server having **a processor configured to**)

i. access a media catalog database that includes a plurality of content records

In Fig 4, Doherty discloses license server OLS 36 includes POLDB 34 (**media catalog database**). In C35 25-30, Doherty discloses the order ID 58 is written to database 34 (**processor configured to access**)

In Fig 4, Doherty discloses a plurality of license records 102 shown as a stack of LICRCD (**includes a plurality of content records**)

ii. wherein a record from the plurality is associated with the content item

In C36 50-67, Doherty discloses a LICRCD 102 (**a record from the plurality**) contains a corresponding ELDP 82 which is disclosed in C33 35-40 as being the container used for transmitting the eLicense from OLS 36 to user system 10B as shown in Fig 2. As disclosed in C31 0-5, the eLicense includes ProdID 80

which according to C26 40-45 identifies the content to be licensed (**associated with the content item**)

iii. determine if the media licensing request is to be granted based on the record

In C34 60-67, Doherty discloses DMUI 36 provides an interface to the POLDB 34 (includes **the record**) and in C35 5-10 Doherty discloses that data(includes **the record**) managed my DMUI 36 is used to enable licensing of products (**determine if the media licensing request is to be granted based**)

iv. grant the media licensing request when the record verifies the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

v. decline the media licensing request when the record does not verify the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing-which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

Doherty does not disclose what happens if the credit card processing does not pass validation.

One of ordinary skill in the art would understand that according to Doherty's disclosure, submitted credit card information can be determined to be valid (i.e. validation of credit card processing) or invalid because it is known that a validation process can have at least a valid or invalid outcome.

Moreover, as Doherty is disclosing receiving payment in exchange for the granting of a license, one of ordinary skill in the art would understand that if the outcome of the credit card processing was invalid (i.e. validation failed),

eLicense generation would not be triggered (**decline the media licensing request when the record does not verify the granting**)

Moreover, Doherty discloses that media will be denied when certain criteria are not met suggesting that invalid credit card processing will result in the same denial. For example in C14 0-5 Doherty discloses that if license checks do not pass, the user is not permitted access to content. It would be obvious to one of ordinary skill in the art to consider credit card processing to be an embodiment of a license check because Doherty discloses that a valid credit card process triggers license creation.

vi. after the evaluation of the license transaction, extract from the license transaction, user data that is specific to the user when the user acquires or declines the license

In C10 30-45, Doherty discloses Dldb 14 (**user data that is specific to a user**) Moreover, in C25 5-30, Doherty discloses upon each subsequent accessing (**after the evaluation of the license transaction**) as part of the license validation process (**when the user acquires or declines the license**) read the SID 66 from the DLdb 14 (**extract from the license transaction, user data specific to the user**)

vii. aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request

In C14 7- 25 Doherty discloses Dldb 14 is written to for example to decrement the execution counts (**aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request**) see *also applicant spec [0068] wherein aggregation includes tracking license purchases which is similar to tracking execution counts*

viii. store in a license database, the statistics record ~~user data that is associated with the user and specific to the user that is attempting to reproduce the content item~~ so that user data is accessible ~~to aid the copyright owner in developing future license agreements.~~

In C14 7- 25 Doherty discloses Dldb 14 is written to **(store in the license database)** for example to decrement the execution counts **(the statistics record)**

Doherty does not explicitly disclose that the statistics record is accessible to a copyright owner.

Doherty does not disclose analyzing a plurality of statistics records aggregated from each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.

In [**0002**], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 (**user data is accessible to a copyright owner 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 each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item**.

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [**0004**] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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 Doherty and Tang with those of Habermann to extend the teaching of Tang of "authors could require the distributor /publisher provide access to data derived from the sale and interaction with a consumer through an authorized service" because Habermann teaches a comprehensive system implemented by one of the world's leading media companies (i.e. Google via YouTube) for providing copyright owners data analytics coving the use of their works of authorship by other users which Tang suggests in [**0074**] but does not go into detail. Therefore, Habermann teaches a fundamental piece of the puzzle with respect to the syndication of licensable content which is how the copyright owners may audit the usage of their content provided by the associated 3rd party publisher and gain insights into the types of consumers downloading or streaming their material. It would be obvious to modify the combination of Doherty and Tang with Habermann to provide both the distribution auditing and the marketing demographics to the copyright owners as both are essential to their business success.

As to claim 17, applicant further configures the processor to:

a. request payment information from the external device when the record verifies payment of the license for the content item

In C30 45 through C31 20, Doherty discloses SID 66 residing in the user system (**information from the external device**) is included in ReqId 88 and then put into LicReq86 which according to C30 20-25 is then transmitted to OLS 36.

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing(**when the record verifies payment of the license for the content item**)- which is the trigger for eLicense generation

Further in C31 0-10, Doherty discloses that SID 66 is included in the eLicense.

*Therefore, when license generation is triggered, the SID66 is read out from the LicReq88 and inserted into the eLicense (***request information from the external device***)*

Further in C31 9-30, when the eLicense is received by the requesting system in the form of an ELDP 82 the SID66 is extracted and compared to the resident SID66 on the

requesting system and if they are the same the process will continue. Since the SID 66 comparison is required for final license activation (i.e. writing the license into the DLDB 14), SID 66 is considered as **payment information** because *payment information is not specifically defined in the applicant spec, applicant is afforded the broadest reasonable interpretation of the term which includes 'information that verifies that the license was sent from the same system that received the LicReq86 and processed the payment' which is the SID 66*

As to claim 18, applicant further configures the processor to:

a. process the licensing request when payment is received

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing (**when payment is received)** which is the trigger for eLicense generation (**process the licensing request)** *In [0061] of the instant application, the applicant provides examples of processing which include "debiting a user account". Therefore, Doherty's disclosure of credit card processing encompasses the "payment is received" limitation because credit card processing includes "debiting a user account" according to the type of card and associating payment arrangements.*

As to claim 19, applicant further configures the processor to:

a. generate a license record that includes license granting information associated with the license granted

In C31 10-20, Doherty discloses the ELDP 82 (**license granting information associated with the license granted**) is written to DLdb 14 (**generate a license record that includes license granting information**)

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

In C31 10-20, Doherty discloses the ELDP 82 is written to DLdb 14 (**store the license record in a registered user database associated with the user)**

As to claim 20, applicant further limits the system wherein:

a. the information includes a fingerprint associated with the content item.

As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with the content item.**

In C24 43-45, Doherty discloses that the Fingerprint Security Mechanism performs a fingerprinting process to determine a unique SID 66 (**information includes a fingerprint**) See *also line 59*

Claims 21, 23, and 27 are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 25.

As to claim 25, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a 3rd party online media retailer selected by the copyright owner to distributed the media content.

Further in C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb ((**so that the user data is accessible to a 3rd party media retailer**) Moreover, in C13 15-25

Doherty indicates that distributors and resellers may be embodied in a web site (**3rd party online media retailer)**

Doherty does not disclose that the 3rd party online media retailer is selected by the copyright owner.

In [0074], Tang teaches that authors have contracts with distributors and publishers (**3rd party online media retailer selected by the copyright owner to distribute the media content)**

As to **claims 29 and 33**,

Neither Doherty or Tang teach

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.

Habermann teaches

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. (the world views report on page 3 includes "the country the view was in" *which corresponds to* **the geographic location of the user accessing the media content…..)** "the country the view was in" *which corresponds to* **the geographic location of the user accessing the media content…..)**

As to **claim 30**,

Neither Doherty or Tang teach

wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

Habermann teaches

wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner. (the demographics report on page 3 includes "gender and age group" *which corresponds to* **the user data includes demographic data…..)**

As to claim 32, applicant further limits claim 11wherein:

a. the user data includes a quantity of times that the user has previously access the media content and additional media content items

In C21 30-65, Doherty discloses the types of information that may reside in the Dldb 14 *which corresponds to* **the user data.** Specifically in line 63, Doherty discloses 'Execution used' which corresponds to **quantity of times that the user has previously access the media content**

Moreover, Doherty's inventive concept is for there to be a DCF 10 / FACM 12 for each instance of distributable content 10A as shown in fig 1A *which corresponds to* **and additional media content items**

Claims **22, 24, 26, and 28** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view Habermann in further view of Etchegoyen (US 2010/0324983 hereinafter referred as "Etchegoyen") in further view of Neuman et al (US 2011/0051914 hereinafter referred as "Neuman".

As to claim 22, Doherty Tang and Habermann teach all the subject matter pointed out in the above 103 rejection of parent claim 1.

Claim 22 is rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

As to claims 24 and 28, Doherty Tang and Habermann teach all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively.

Claims 24 and **28** are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

As to claim 26, Doherty Tang and Habermann teach all the subject matter pointed out in the above 103 rejection of parent claim 11 respectively.

As to claim 26, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a hardware device manufacture of the multimedia hardware device

In C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb

Neither Doherty nor Tang disclose a hardware device manufacture.

In [0083], Etchegoyen teaches apparatus 700 and device 110 which together encompass the limitations of the claimed multimedia hardware device because fig 7 teaches that apparatus 710 collects financial information from the user of the device (**user data is accessible**) and that the apparatus 710 determines a usage license (750) and enables use of the media on the device (775) **(multimedia hardware device)** {see also [0024]}

Further in fig 7 item 770, Etchegoyen teaches that apparatus 700 sends the financial information to a server (**user data is accessible** to a server)

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 Doherty and Tang with those of Etchegoyen with the motivation of increasing the security of Doherty's system by supplying additional information to Doherty's OLS server when a return is performed. In C34 25-45 and fig 4, Doherty discloses that orderID can be sent to the OLS server so that a real return is being performed. However, Etchegoyen teaches in fig 7, item 770 that financial information is sent to the server which is detailed in [0075] to include multiple identifiers which can be used to verify the status of the user. Therefore, it would be obvious to include at least a portion of the additional financial information disclosed by Etchegoyen in the RetC 100 message of Doherty to augment the and further verify that the OrderID 58 of Doherty is real and not fraudulent as posed by Doherty in C34 line 29-30 because verification requires multiple pieces of information which is harder for a potential fraudulent actor to acquire.

Etchegoyen does not teach that the server is the manufacturer of the multimedia hardware device.

In [0086] Neuman teaches the Itunes store (server) built by Apple as well as the Iphone built by Apple (multimedia hardware device).

Therefore the combination of Doherty, Tang, Etchegoyen, and Newman teaches **user data accessible to a hardware device manufacturer of the multimedia device** because Doherty discloses that user information related

to the multimedia is accessible, Etchegoyen teaches that accessible user data is transmitted to a server, and Newman teaches that the server may be the same entity as the manufacturer of the multimedia.

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 Doherty and Etchegoyen with the teachings of Neuman with motivation of providing a seamless ecosystem of device and backend services for media distribution and enjoyment as has been provided by Apple which has proven to be a historical commercial success based on the customer demand for such a seamless ecosystem of devices and backend services developed and designed to work together as can be done when the same entity implements the design of both the multimedia hardware device and the backend services.

Claim 31 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view Habermann in further view of Sherr et al (US2002/0154157 hereinafter "Sherr")

As to claim 31, Doherty Tang and Habermann teach all the subject matter pointed out in the above 103 rejection of parent claim 6.

As to **claim 31**,

Neither Doherty or Tang teach

wherein the user data includes additional media content items that the user has previously accessed.

Sherr teaches

wherein the user data includes additional media content items that the user has previously accessed.

In [0113] Sherr teaches marketing information may be obtained to determine other websites visited by the user *which corresponds to* **user data includes additional media content items that the user has previously accessed**

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on Monday-Friday; 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cordelia P. Zecher can be reached on 571-272-7771. 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. M./
Examiner, Art Unit 2431

/CORDELIA ZECHER/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 1 of 3

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	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	"Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2000 retrieved from http://searchenginewatch.com/sew/news/2067016/online-video-analytics-youtube-insight-advanced-techniques
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 2 of 3

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
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*	B	US-7,676,437 B2	03-2010	Satkunanathan; Lingan	G06F21/10	705/56
*	C	US-2010/0324983 A1	12-2010	Etchegoyen; Craig S.	G06F21/10	705/14.23
*	D	US-2011/0051914 A1	03-2011	Neuman; Michael	H04M19/04	379/93.17
*	E	US-2011/0213721 A1	09-2011	RALEY; Michael Charles	G06F21/10	705/310
*	F	US-2012/0010931 A1	01-2012	Mehra; Krishna Kumar	G06Q10/107	705/14.16
*	G	US-8,151,194 B1	04-2012	Chan; Tracy Patrick	G06F17/30817	709/224
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*	J	US-2012/0123831 A1	05-2012	King; David G.	G06Q30/0274	705/14.7
*	K	US-2012/0109834 A1	05-2012	Bongiovanni; Michele	G06Q30/018	705/317
*	L	US-2013/0051772 A1	02-2013	Ramaswamy; Arun	H04N21/25875	386/291
*	M	US-2013/0047271 A1	02-2013	Tang; Ding-Yuan	G06F21/10	726/30

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	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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Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 3 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2014/0108029 A1	04-2014	Kim; John Sung	G06Q50/22	705/2
*	B	US-8,745,647 B1	06-2014	Shin; Brian J.	H04N21/442	725/10
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*	D	US-9,148,706 B1	09-2015	Shin; Brian J.	H04N21/812	1/1
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy
updated search according to claim amendments. see attached east file.	9/9/14	mccoy
updated search according to the claim amendments. see attached east file	4/24/2015	mccoy
updated search (see attached east file)	12/1/2015	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

/R.M./ Examiner.Art Unit 2431	

Online Video Analytics: YouTube Insight - Advanced Techniques



By Greg Habermann, May 17, 2010

4 Comments

Video

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.

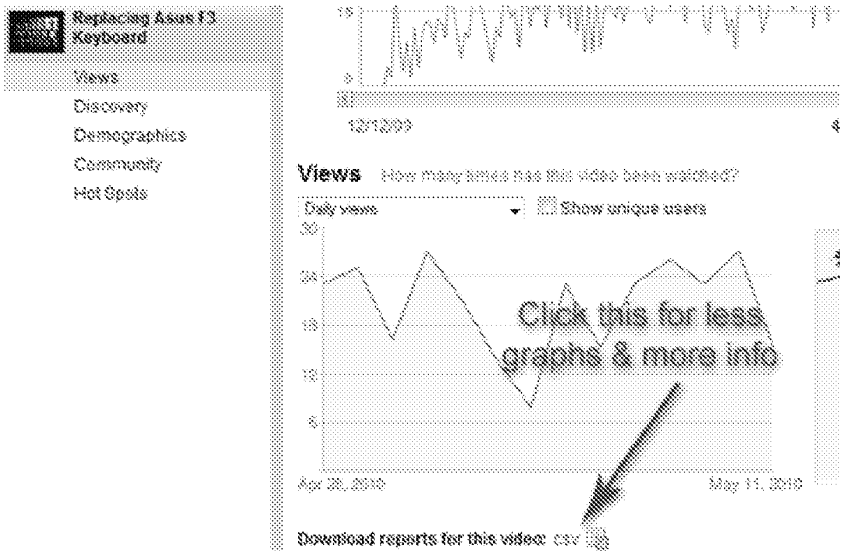
Google tends to reward those who are more curious than others. I don't mean black hat techniques or anything of the sort. It just seems that, for the most part, the reports that are given to someone through many Google properties are aimed at the layperson or meant as an executive summary of sorts.

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".



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:

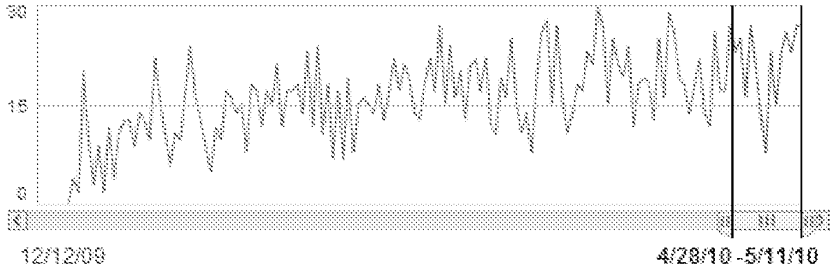
1. gBpFE3u0WPc_2010-04-28-2010-05-11_world_views_1.csv
2. gBpFE3u0WPc_2010-04-28-2010-05-11_world_referrers_1.csv
3. gBpFE3u0WPc_demographics_1.csv

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

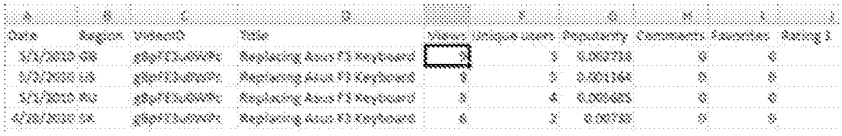
The second set is the reporting dates: 2010-04-28-2010-05-11 You can change the reporting dates by adjusting the date range on the graph in the Views tab.



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

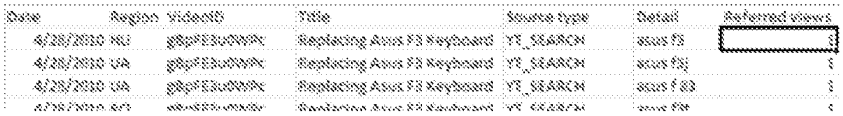
Armed with these three reports, let's look at what info is given.

World Views Report from YouTube Insight



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



Date	Region	VideoID	Title	Source type	Detail	Referred views
4/28/2010	RU	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f3	1
4/28/2010	UA	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f3j	1
4/28/2010	UA	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f 83	1

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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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02

		watermark id identifier serial guid uuid) same (credit pay$4)				
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29
S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25
S26	88	(media content movie song video) with copyright adj2 (holder owner) with (online	US-PGPUB;	OR	ON	2014/09/08 18:59

		web$5 server) near4 (retail$3 distribut$3)	USPAT			
S27	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) with license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:00
S28	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) same2 license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:01
S29	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S30	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S31	2	(media content movie song video) with copyright adj2 (holder owner) with (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:03
S32	4	publisher with (copyright near4 (own owner ownership holder)) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2014/09/08 21:35
S33	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	2014/09/08 21:36
S34	177	(artist author 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	2014/09/08 21:39
S35	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:39
S36	111	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 and publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S37	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 with publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S38	17	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 S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S39	16066	apple.as.	US-PGPUB;	OR	ON	2014/09/09 13:05

			USPAT			
S40	0	license with user adj3 data with itunes with (media music song mp3)	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S41	28	license with user adj3 data with (media music song mp3) with server	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S42	0	S39 and S41	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S43	9	license with (media music song mp3) with server with device with manufactur$3	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S44	0	S41 and S43	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S45	24	iphone with itunes and S39	US-PGPUB; USPAT	OR	ON	2014/09/09 13:56
S46	0	license near4 (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S47	7	license with (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S48	7	license with (validat$3) with (age birthday) with (address)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S49	5	license with (validat$3) with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:20
S50	10	license adj2 database with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:23
S51	0	(media content video audio song movie) with license adj2 database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:25
S52	4	(media content video audio song movie) with license with database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:26
S53	84	(media content video audio song movie) adj2 license adj2 database	US-PGPUB; USPAT	OR	ON	2015/04/23 13:27
S54	2973	h04l2463/101.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:29
S58	2198	g06f21/00.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:30
S59	11353	g06f21/10.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S60	943	g06f21/105.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31

S61	15263	S54 S58 S59 S60	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S62	0	S61 and (license adj2 database with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S63	0	S61 and (license adj2 (database store) with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S64	891	S61 and ((license adj2 (database store)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S65	0	S61 and ((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:34
S66	0	((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:35
S67	43	((license adj2 (database store)) with (customer user) near4 (data information) with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S68	1	((license adj2 (database store)) with (customer user) near4 (data information) with ((new additional) adj2 (market$3 customer sale)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S69	269	(license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:40
S70	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S71	0	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information) with validation	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S72	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S73	345	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:10
S74	102	(media content video audio song movie) with (license adj2 (database db store)) same ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:13
S75	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:14
S76	63	(media content video audio song movie)	US-	OR	ON	2015/04/23

		with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	PGPUB; USPAT			16:00
S77	71	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic demographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 16:14
S78	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 13:51
S79	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S80	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S81	4	S78 S79 S80	US-PGPUB; USPAT	OR	ON	2015/11/30 13:51
S82	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary) and S81	US-PGPUB; USPAT	OR	ON	2015/11/30 13:53
S83	23	youtube with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:09
S84	181	(author owner) with content with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:12
S85	0	((author owner) with content with analytic).ti.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S86	2	((author owner) with content with analytic).ab.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S87	3	((author owner) with content with analytic).clm.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S88	5	S86 S87	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S89	0	(author owner) with content with analytic with monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S90	0	(author owner) with content with analytic same monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S91	0	(author owner) with content with analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S92	0	(author owner) with content with analytic same youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S93	13	(author owner) with content with analytic and youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14

S94	0	(author owner) with content same analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S95	20	(author owner) with content with analytic with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S96	49	(author owner) with (video song content) with (statistic analytic) with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S97	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S98	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) and monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S99	4	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S100	10	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S101	6	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic not S99	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S102	0	youtube.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S103	14879	google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S104	274	google.as. and insight	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S105	5	google.as. and insight and metrics and statistics and demographic and analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:25
S106	1	(US-8151194-$).did.	USPAT	OR	ON	2015/11/30 16:29
S107	15	(author owner publisher distributor) with (video song content) with (statistic analytic demographic geographic) with (views downloads) and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:31
S108	0	(author owner publisher distributor) with (video song content) with (statistic analytic demographic geographic) with (views downloads) same monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:32
S109	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S110	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S111	41	video with syndication and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:55
S112	0	video with syndication with channel and google.as.	US-PGPUB;	OR	ON	2015/11/30 16:55

			USPAT			
S113	2	video with syndication and analytics and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:57
S114	0	video with syndication and analytics and demographic and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:58
S115	0	video with syndication same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S116	0	video with (monitization syndication) same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S117	17	video with (monitization syndication) and analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S118	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 17:17
S119	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S120	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S121	4	S118 S119 S120	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17
S122	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary report) and S121	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17

EAST Search History (Interference)

<This search history is empty>

12/1/2015 3:43:38 PM
C:\Users\rmccoy1\Documents\EAST\Workspaces\13667629.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

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

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

CLAIM		DATE								
Final	Original	02/06/2014	09/09/2014	04/24/2015	12/01/2015					
	1	✓	✓	✓	✓					
	2	✓	✓	✓	✓					
	3	✓	✓	✓	✓					
	4	✓	✓	✓	✓					
	5	✓	✓	✓	✓					
	6	✓	✓	✓	✓					
	7	✓	✓	✓	✓					
	8	✓	✓	✓	✓					
	9	✓	✓	✓	✓					
	10	✓	✓	✓	✓					
	11	✓	✓	✓	✓					
	12	✓	✓	✓	✓					
	13	✓	✓	✓	✓					
	14	✓	✓	✓	✓					
	15	✓	✓	✓	✓					
	16	✓	✓	✓	✓					
	17	✓	✓	✓	✓					
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	25		✓	✓	✓					
	26		✓	✓	✓					
	27		✓	✓	✓					
	28		✓	✓	✓					
	29			✓	✓					
	30			✓	✓					
	31			✓	✓					
	32			✓	✓					
	33			✓	✓					

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 03/24/2016
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
03/24/2016	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):

usptodock@whe-law.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	13/667,629	ESTES, CHRISTOPHER	
	Examiner	Art Unit	
	RICHARD MCCOY	2431	

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

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

(2) *Patrick J. Palascak*. (4)_____.

Date of Interview: *15 March 2016*.

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: *Doherty, Tang, and Haberman*.

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...)

Applicant explained that Doherty does not read on the proposed claim limitation. Examiner pointed to Haberman as teaching the proposed claim limitation. Applicant disagreed. Examiner suggested that applicant make the amendment and provide arguments as to why Haberman does not modify Doherty to reach the proposed claim limiation in the interest of compact prosecution. Applicant ask if examiner would enter the amendment under the AFCP 2.0 program. Examiner did not agree, but agreed to consider entering the amendment under AFCP 2.0 if the arguments were concise.

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 MCCOY/ 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 examiner's 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 applicant's 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 applicant's 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 examiner's 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 examiner's initials.

Certificate of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on April 11, 2016.

/John Paul Davis/ April 11, 2016
John Paul Davis Date
Reg. No. 52,798

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio April 11, 2016

AMENDMENT

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

Sir:

In response to the Final Office Action dated December 10, 2015 ("Final Action"), please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Remarks begin on page 11.

Amendments of the Claims

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

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

loading a digital media file for reproduction, wherein the digital media file includes a media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

receiving a license request from a user requesting to engage in a license transaction to reproduce the media content item;

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

accessing a license database to determine whether the user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information;

providing a licensing query 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;

after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or 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 a demographic that is accessing the media content item of the copyright owner;

aggregating the user data into a statistics record for the license request, wherein the statistics record summarizes the user data associated with the license request;

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

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

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

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

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

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

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

5. (Original) The method of claim 4, further comprising:

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

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

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

accessing a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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;

declining 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 to the external device;

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user is granted or declined the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner;

aggregating the user data into a statistics record for the media licensing request, wherein the statistics record summarizes the user data associated with the media licensing request;

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

analyzing a plurality of statistics records aggregated from each media licensing request for at least one media content item owned by the copyright owner to provide the

copyright owner with user data ~~accumulated~~ aggregated from each media licensing request of the at least one media content item.

7. (Original) The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. (Original) The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. (Original) The method of claim 6, 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.

10. (Original) The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

receive a license request from a user requesting to engage in a license transaction to reproduce a media content item;

load a digital media file for reproduction, wherein the digital media file includes the media content item requested by the user to reproduce,

analyze the digital media file to identify digital media information associated with the media content item,

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

access a licensing database to determine whether the user is licensed to reproduce the media content based on the digital media information,

after the evaluation of the license transaction, extract from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner,

aggregating the user data into a statistics record for the license request, wherein the statistics record summarizes the user data associated with the license request,

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

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

a user interface configured to provide a licensing query 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.

12. (Original) The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

13. (Previously Presented) The system of claim 12, wherein the processor is further configured to:

provide a licensing request to a licensing system after the user has completed the licensing response; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. (Original) The system of claim 13, wherein the processor is further configured to:

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

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

15. (Original) The system of claim 14, 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. (Currently Amended) A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

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

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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,

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,

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner,

aggregate the user data into a statistics record for the media licensing request, 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 [[a]] the copyright owner of the media content item, and

analyze a plurality of statistics records aggregated from each media licensing request for at least one media content item owned by the copyright owner to provide the copyright owner with user data ~~accumulated~~ aggregated from each license request of the at least one media content item.

17. (Original) The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. (Previously Presented) The system of claim 17, wherein the processor is further configured to process the media licensing request for the external device when the payment of the license for the media item is received.

19. (Original) The system of claim 16, 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.

20. (Original) The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

21. (Previously Presented) 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.

22. (Previously Presented) 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.

23. (Previously Presented) The computer implemented method of claim 6, 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.

24. (Previously Presented) The computer implemented method of claim 6, 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.

25. (Previously Presented) The system of claim 11, 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.

26. (Previously Presented) The system of claim 11, 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.

27. (Previously Presented) 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.

28. (Previously Presented) 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 hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

29. (Previously Presented) The computer implemented method of claim 1, wherein the user data includes a geographic location of the user who is accessing the media content item.

30. Cancelled.

31. (Previously Presented) The computer implemented method of claim 6, wherein the user data includes additional media content items that the user has previously accessed.

32. (Previously Presented) The system of claim 11, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

33. (Previously Presented) The system of claim 16, 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.

A Certification and Request for Consideration under the After Final Consideration Pilot Program 2.0 is submitted herewith.

Upon entry of the foregoing amendments, claims 1-29, and 31-33 are pending in the application, with claims 1, 6, 11, and 16 being the independent claims. Claims 1, 6, 11, and 16 are sought to be amended. Claim 30 is sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Applicant reserves 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, 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 is thanked for extending a telephonic Interview to Applicant's Representative on March 15, 2016. The Examiner and Applicant's Representative discussed further clarifying that user data includes but is not limited to demographic data that is associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner. The Examiner and Applicant's Representative discussed how Doherty fails to disclose user data as including demographic data and although Haberman does disclose demographic data with regards to YouTube postings, such demographic data is not associated with a license transaction. The Examiner requested that the Applicant's

Representative formally present the claim amendments and remarks with regards to the claim amendments in light of Doherty and Haberman and that the Examiner would likely have to perform an additional search.

Claim Objections

Claims 1, 6, 11, and 16 are objected to due to an informality.

Applicants have amended independent claim 11 to replace "user that attempting" with "user that is attempting."

Applicants have amended independent claims 1, 6, 11, and 16 to replace "user data accumulated from each license request of the at least one media content item" with "user data aggregated from each license request of the at least one media content item" to make it clear that user data is user data that is aggregated into a plurality of statistics records. The plurality of statistics records "is aggregated from each license request for at least one media content item owned by the copyright owner" as recited in each of independent claims 1, 6, 11, and 16.

Reconsideration and withdrawal of the objections are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 1-21, 23, 25, 27, 29, 30, 32 and 33

On Page 3 of the Office Action, claims 1-21, 23, 25, 27, 29, 30, 32, and 33 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over U.S. Patent No. 6,920,567 to Doherty et al. ("Doherty") in view of U.S. Publication No. 2013/0047271 to Tang ("Tang") in further view of "On-Line Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2010 ("Habermann"). Applicant respectfully traverses. Applicants

incorporate the arguments regarding this rejection previously disclosed in the Response to the Final Action filed on January 2, 2014 and in the Response to the Non-Final Action filed on October 30, 2015, and provide the following arguments to support patentability.

Without acquiescing to the merits of this allegation, Applicant has cancelled claim 30, without prejudice or disclaimer, thereby rendering moot the rejections of the same. Applicant contends the cancelling of claim 30 does not give rise to any implication regarding whether Applicant agrees with or acquiesces to this rejection.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate at least the features of "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.*" Applicant has amended independent claims 6, 11, and 16 in a substantially similar manner.

While Doherty does reference that the Dynamic License Database (Dldb) 14 does contain information associated with the purchase of the digital content file (DCF) 10, Doherty discloses that this information is associated with the File Access Control Mechanhism (FACM) 12. (Doherty, 10:26-41.) Specifically, this information is associated with controlling the access of the digital content file 10 via the FACM 12 as well as the use of the digital content file 10 via the eLicense. (Doherty, 10:38-41.) For example, this information includes information specific to the eLicense granted to the individual to access the digital content file 10, such as the terms, provisions, and conditions of the license as well as product, user, and user system identifications. (Doherty, 10:42-45.)

Doherty further discloses that the authorization of an eLicense is a dynamic process in which the Dldb 14 and the License Management Database (LMDb) 32 that contain complete licensing information for the DCF 10 are updated to ensure that each access of the DCF 10 by the user is within the terms of the eLicense. (Doherty, 14:7-16.) For example, upon each access of the DCF 10 by the user, the execution counts for the DCF 10 are decremented, the adaptive fingerprint system ID is adjusted, and the time of access of the DCF 10 are updated within the Dldb 14 and the LMDb 32. (Doherty, 14:16-30.)

The dynamic updating of information associated with an eLicense each time the user accesses the DCF 10, such as decrementing the count of the DCF 10 that is available to the user, is not the same as extracting demographic data associated with the user. Further, such updating of eLicense information is not the same as then aggregating that demographic data into a statistics record so that the copyright owner of the DCF 10 may gauge a demographic that is accessing the DCF 10. Doherty fails to disclose that the updated eLicense information includes additional information, and in particular, demographic data of the user that is attempting to access the DCF 10. Doherty also fails to disclose that any demographic data is extracted but also then aggregated into a statistics record so that the copyright owner has access to the demographic information of each inquiry any user has made to replicate the DCF 10.

Therefore, Doherty, in disclosing that the updated information that is stored is limited to the decrementing of the count of the DCF 10 that is available to the user fails to teach or suggest in amended independent claim 1, at least the feature of "*the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.*"

Tang does not cure the deficiencies of Doherty, 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 demographic data that provides a demographic specific to the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner.

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 "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license, wherein the user data includes demographic data associated with the user that enables a copyright owner to gauge a demographic that is accessing the media content item of the copyright owner*."

Habermann does not cure the deficiencies of Doherty 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 this 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 from a license transaction in which a user attempts to acquire a license to reproduce the YouTube video.

There is no mention in Habermann of any procedure to obtain a license to reproduce the YouTube video. 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 demographic information from a license transaction in which a user attempts to acquire a license to reproduce the YouTube video.

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 "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires or declines the license, wherein the user data includes demographic data associated with the user that enables the copyright owner to gauge a demographic that is accessing the media content item of the copyright owner*."

Therefore, the Office Action has failed to state a case of obviousness with respect to amended independent claim 1. Amended independent claims 6, 11, and 16 recite substantially similar features that are likewise not taught by the combination of Doherty, Tang, and Habermann. Dependent claims 2-21, 23, 25, 27, 29, 32, and 33 are likewise patentable over the combination of Doherty, 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 1-21, 23, 25, 27, 29, 32, and 33 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 22, 24, 26, and 28

On Page 19 of the Office Action, claims 22, 24, 26, and 28 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang further in view of Habermann further in view of U.S. Publication No. 2010/0324983 to Etchegoyan ("Etchegoyan") in further view of U.S. Publication No. 2011/0051914 to Neuman et al. ("Neuman"). Applicant respectfully traverses.

As discussed above, the combination of Doherty, Tang, and Habermann does not teach or suggest each and every feature of amended independent claims 1, 6, 11, and 16. Etchegoyan and Neuman, alone or any combination thereof, do not provide the missing teachings or suggestions with respect to amended independent claims 1, 6, 11, and 16 nor does the Office Action so allege. Therefore, the combination of Doherty, Tang, and one or more of Etchegoyan and Neuman does not render amended independent claims 1, 6, 11, and 16 obvious. Dependent claims 22, 24, 26, and 28 are likewise not rendered obvious by the combination of Doherty, Tang, Habermann and one or more of Etchegoyan and Neuman 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 22, 24, 26, and 28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

Applicants respectfully submit that the foregoing is a full and complete response to the Office Action dated December 10, 2015. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response other than the fee for a one-month extension of time. However, if any fees are necessary, the Commissioner may consider this to be a request to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/John Paul Davis/
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Doc Code: A.NE.AFCP
Document Description: After Final Consideration Pilot Program Request

PTO/SB/434 (05-13)

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0

Practitioner Docket No.:	Application No.:	Filing Date:
BESTES-7US	13/667,629	November 2, 2012

First Named Inventor:	Title:
Christopher Estes	Digital Media Reproduction and Licensing

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116.

1. The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (*e.g.*, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).

2. The above-identified application contains an outstanding final rejection.

3. Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect.

4. This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection.

5. Applicant is willing and available to participate in any interview requested by the examiner concerning the present response.

6. This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web).

7. Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.]

8. By filing this certification and request, applicant acknowledges the following:

- Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0.
- The examiner will verify that the AFCP 2.0 submission is compliant, *i.e.*, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions:
  - The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, by mailing an advisory action.
  - If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview.
    - The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate.
    - If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.

Signature	/John Paul Davis/	Date	April 11, 2016
Name (Print/Typed)	John Paul Davis	Practitioner Registration No.	52,798

***Note**: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

☐ * Total of 1 forms are submitted.

Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Tricia Piening
Attorney Docket Number:	BESTES-7US

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:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
		Total in USD ($)		**100**

Electronic Acknowledgement Receipt	
EFS ID:	25455300
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Tricia Piening
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	11-APR-2016
Filing Date:	02-NOV-2012
Time Stamp:	15:58:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$100
RAM confirmation Number	2735
Deposit Account	233000
Authorized User	DAVIS, JOHN PAUL
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 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	Response After Final Action	BESTES-7US_Response_FOA_12-10-2015.pdf	157079 5f3fad63b2e8ab1fc6c7280d7f46f7b6750ccc29	no	18
Warnings:					
Information:					
2	After Final Consideration Program Request	BESTES-7US_AFCP.pdf	84019 a3ffd7f398a9bf1e633fc60042d4e0e4e2b11256	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30364 8fb4fad4765f26007c5f59a92f963ca407a64d98	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	271462		

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/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	04/11/2016	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 33	Minus	** 33	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						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 number found in the appropriate box in column 1.

LIE
/PEARLIE A. FENNELL/

This collection of information is required by 37 CFR 1.16. 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 12 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.

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 04/29/2016
WOOD, HERRON & EVANS, LLP
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441 VINE STREET
CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
04/29/2016	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):

usptodock@whe-law.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 13/667,629	**Applicant(s)** ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	**Art Unit** 2431	**AIA (First Inventor to File) Status** No

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

THE REPLY FILED 11 April 2016 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance;
(2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☒ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☒ Other: see attached PTO-2323.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: .
Claim(s) objected to: .
Claim(s) rejected: 1-29 and 31-33.
Claim(s) withdrawn from consideration: 30.

/CORDELIA ZECHER/ Supervisory Patent Examiner, Art Unit 2431	/R. M./ Examiner, Art Unit 2431

Continuation of 12. does NOT place the application in condition for allowance because: Applicant's request for entry into AFCP is acknowledged, but is denied because the response cannot be reviewed and a search conducted in the limited time authorized for the program. Therefore, the response is being reviewed under pre-pilot practice. As such, the scope of the independent claims has changed resulting in changes to the scope of the dependent claims and therefore the amendment will not be entered Moreover, it is the examiners opinion that the Habermann reference teaches the amended limtiation. Further, the examiner did not identify any compelling argument to prevent the combination of Doherty, Tang, and Habermann nor the obviousness rendered by the combination with respect the the independent claims..

DO NOT ENTER: /R.M./

Certificate of Electronic Transmission 04/22/2016

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on April 11, 2016.

/John Paul Davis/ April 11, 2016
John Paul Davis Date
Reg. No. 52,798

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio April 11, 2016

AMENDMENT

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

Sir:

In response to the Final Office Action dated December 10, 2015 ("Final Action"), please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Remarks begin on page 11.

AFCP 2.0 Decision	Application No.	Applicant(s)
	13/667,629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

This is in response to the After Final Consideration Pilot request filed 11 April 2016.

1. **Improper Request** – The AFCP 2.0 request is improper for the following reason(s) and the after final amendment submitted with the request will be treated under pre-pilot procedure.

   ☐ An AFCP 2.0 request form PTO/SB/434 (or equivalent document) was not submitted.

   ☐ A non-broadening amendment to at least one independent claim was not submitted.

   ☐ A proper AFCP 2.0 request was submitted in response to the most recent final rejection.

   ☐ Other:

2. **Proper Request**

   A. After final amendment submitted with the request will not be treated under AFCP 2.0.
   The after final amendment cannot be reviewed and a search conducted within the guidelines of the pilot program.

   ☒ The after final amendment will be treated under pre-pilot procedure.

   B. Updated search and/or completed additional consideration.
   The examiner performed an updated search and/or completed additional consideration of the after final amendment within the time authorized for the pilot program. The result(s) of the updated search and/or completed additional consideration are:

   ☐ 1. All of the rejections in the most recent final Office action are overcome and a Notice of Allowance is issued herewith.

   ☐ 2. The after final amendment would not overcome all of the rejections in the most recent final Office action. See attached interview summary for further details.

   ☐ 3. The after final amendment was reviewed, and it raises a new issue(s). See attached interview summary for further details.

   ☐ 4. The after final amendment raises new issues, but would overcome all of the rejections in the most recent final Office action. A decision on determining allowability could not be made within the guidelines of the pilot. See attached interview summary for further details, including any newly discovered prior art.

   ☐ 5. Other:

   Examiner Note: Please attach an interview summary when necessary as described above.

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. 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.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	13667629	Filing Date	2012-11-02	Docket Number (if applicable)	BESTES-07US	Art Unit	2431
First Named Inventor	Christopher A. Estes			Examiner Name	Richard Anthony McCoy		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☒ Other Amendment submitted on April 11, 2016

☐ Enclosed

☐ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 23-3000

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. 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.

Signature of Registered U.S. Patent Practitioner			
Signature	/John Paul Davis/	Date (YYYY-MM-DD)	2016-05-10
Name	John Paul Davis	Registration Number	52798

This collection of information is required by 37 CFR 1.114. 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 12 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.

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

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 records.

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:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Jane Walker
Attorney Docket Number:	BESTES-7US

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:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 5 months with $0 paid	2255	1	1500	1500
Miscellaneous:				
RCE- 2nd and Subsequent Request	2820	1	850	850
		Total in USD ($)		**2350**

Electronic Acknowledgement Receipt	
EFS ID:	25736997
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/jane walker
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	10-MAY-2016
Filing Date:	02-NOV-2012
Time Stamp:	16:43:18
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$2350
RAM confirmation Number	3511
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	BESTES_07US_-_Request_for_Continued_Examination_Fillable_PDF-Request_for_Continued_Exami.pdf	1475651 9bc0cb7ee75b35430fe5edfc6624f095fc95b7ab	no	3
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	32489 05bbb306f0f1aeb6baa45cf80554e632db048854	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1508140		

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.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. 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 displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT	05/10/2016	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 32	Minus	** 33	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						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 number found in the appropriate box in column 1.

LIE
/SUSAN FORD/

This collection of information is required by 37 CFR 1.16. 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 12 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 06/23/2016
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
06/23/2016	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):

usptodock@whe-law.com

Office Action Summary	Application No. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *5/10/2016*.

☐ 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) *1-29 and 31-33* 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) *1-29 and 31-33* 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 _____ 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: _____.

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Claim Objections

Claims 1, 6, 11, and 16 are objected to for the following reasons:

- "user data aggregated" should be "the aggregated user data"

-"a media content item" is introduced twice

- "the media content item" is not distinguished from "at least one media content item"

Response to Arguments

Arguments presented are moot in view of the new grounds of rejection necessitated by applicants amended claim scope.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived 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(a) are summarized as follows:

a. Determining the scope and contents of the prior art.
b. Ascertaining the differences between the prior art and the claims at issue.
c. Resolving the level of ordinary skill in the pertinent art.
d. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 21, 23, 25, 27, 29, 32, and **33** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang et al (US 2013/0047271 hereinafter referred as "Tang") in further view of NPL: "Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2000 hereinafter referred as "Habermann" in further view of Hernandez et al (US 2003/0149984 hereinafter "Hernandez")

Claims 1 – 5 are method claims respectively corresponding to system claims 11-15 and are therefore rejected on the respective basis previously presented in the 103 rejections of claims 11-15

Claims 6 – 10 are method claims respectively corresponding to system claims 16-20 and are therefore rejected on the respective basis previously presented in the 103(a) rejections of claims 16-20

As to claim 11, applicant claims a system comprising:

a. a multimedia hardware device to generate an authorized reproduction of a content item

In fig 1D, Doherty discloses user system 10B (**a multimedia hardware device**) shown having a media player (**to generate an reproduction of a content item)**

In C13 65-67, Doherty discloses if license checks are passes the user is permitted access to the contents (**to generate an authorized reproduction of a content item)**

In C5 32-35 Doherty discloses the content may include music or video data (**multimedia**)

b. a processor configured to:

i. receive a license request from a user requesting to engage in a license transaction to reproduce a media content item

In C30 15-16, Doherty discloses the remote eLicense acquisition method of fig 2 **(a license transaction to reproduce a media content item)**

In C30 18-19, Doherty discloses LicReq 86 (**a license request from a user**)

ii. load a media file for reproduction

In C10 49-51, Doherty discloses the data DCF (**media file**) including music video authorizes access and presents (**loads**) the DCF content to the media player (**for reproduction**)

iii. wherein the media file includes the content item requested by the user to reproduce

In fig 1A, Doherty discloses DCF 10 (**media file**) includes DCF Content 10A (**content item requested by the user to reproduce**) {see also C10 24-28}

iv. analyze the media file to identify information associated with the content item

In fig 1A, Doherty discloses DCF 10 (**media file**) includes FACM 12. In C10 29-32 , Doherty discloses FACM 12 controls access to the contents (**the content item**) of the file according to(**analyze**) the terms, provisions, and restrictions of the eLicense (**to identify information associated with the content item**) embodied in the FACM 12. (i.e. the media file because FACM 12 is comprised by DCF 10)

v. evaluate the license transaction to determine whether the user has acquired a license to reproduce the media content item

In C13 59-65, Doherty discloses Step 26g which includes a license validation for each runtime access of DCF 10 to affirm that the condition of the license are met (**evaluate the license transaction to determine whether the user has acquired a license to reproduce the media content item**)

vi. access a database to determine if the user is licensed to reproduce the content item based on the information

In C10 53-56, Doherty discloses LMCM18 implements the terms and provisions (**determine if a user is licensed to reproduce the content**) of the eLicense (**based on the information**) by communicating with the DLDB 14 (**access a database**)

vii. after the evaluation of the license transaction, extract from the license transaction, user data that is specific to the user when the user acquires or declines the license

In C10 30-45, Doherty discloses Dldb 14, user identification *see line 44*) (**user data that is specific to a user**)

In C27 9-11 Doherty discloses that SID 66 contains a user identifier (**user data that is specific to a user**)

In C25 16-18 Doherty discloses that the SID 66 is included in the Dldb 14. Moreover, in C25 5-30, Doherty discloses upon each subsequent accessing (**after the evaluation of the license transaction**) as part of the license validation process (**when the user acquires or declines the license**) read the SID 66 from the DLdb 14 (**extract from the license transaction, user data specific to the user**)

viii. aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request

In C14 7- 25 Doherty discloses Dldb 14 is written to for example to decrement the execution counts (**aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request**) see *also applicant spec [0068] wherein aggregation includes tracking license purchases which is similar to tracking execution counts*

ix. store in a license database, the statistics record so that user data is

In C14 7- 25 Doherty discloses Dldb 14 is written to (**store in the license database**) for example to decrement the execution counts (**the statistics record**)

b. a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item or decline the license

In C13 65-67 through C14 0-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access and Purchase GUI 22 is presented (**a user interface configure to provide a licensing query when the user is not licensed for prompting the user to select to either acquire a license to reproduce the content item**). In fig 3A, Doherty discloses an embodiment of the Purchase GUI 22 having an Exit button **(or decline the license**)

Doherty does not explicitly disclose

that the statistics record is accessible to a copyright owner.

Tang teaches

that the statistics record is accessible to a copyright owner.

In [**0002**], Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright (**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 (**user data is accessible to a copyright owner of the media content item**)

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [**0004**] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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.

Neither Doherty or Tang teach

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

Habermann teaches

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

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 Doherty and Tang with those of Habermann to extend the teaching of Tang of "authors could require the distributor /publisher provide access to data derived from the sale and interaction with a consumer through an authorized service" because Habermann teaches a comprehensive system implemented by one of the world's leading media companies (i.e. Google via YouTube) for providing copyright owners data analytics coving the use of their works of authorship by other users which Tang suggests in [**0074**] but does not go into detail. Therefore, Habermann teaches a fundamental piece of the puzzle with respect to the syndication of licensable content which is how the copyright owners may audit the usage of their content provided by the associated 3rd party

publisher and gain insights into the types of consumers downloading or streaming their material. It would be obvious to modify the combination of Doherty and Tang with Habermann to provide both the distribution auditing and the marketing demographics to the copyright owners as both are essential to their business success.

Neither Doherty, Tang, or Habermann teach

> wherein the user data includes demographic data associated with the user that enables a copyright owner of the media content item to gauge a demographic that is accessing the media content item of the copyright owner;

Hernandez teaches

> wherein the user data includes demographic data associated with the user that enables a copyright owner of the media content item([**0012**] last 5 lines) to gauge a demographic that is accessing the media content item of the copyright owner; ([**0115 - 0119**])

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 Doherty, Tang, and Habermann with those of Hernandez 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 all of the embodiments for collecting the information to be aggregated. Hernandez provides the needed solution for Habermann in [**0012**] wherein users must provide demographic information as part of the acceptance of the licensing terms required for content access. Further, Hernandez suggest that this data could drive the targeted advertising as taught by Habermann in [**0117**]

As to claim 12, applicant further limits the system wherein:

> a. the user interface is configured to receive a licensing response indicating the user has selected to acquire or decline the license

In fig 3A, Doherty discloses a "Buy Now" (**user selects to acquire the license**) button and an Exit button (**user selects to decline the license**)

As to claim 13, applicant further limits the system wherein the processor is further configured to:

a. provide a licensing request to a licensing system after the user has completed the licensing response

In C13 35-58, Doherty discloses requesting through a license GUI 22 (**after the user selects to acquire the license**) by also providing information relating to the user and the user's system of payment (**provide a licensing request**) to the OLS 36 (**a licensing system**)

b. prevent reproduction of the content item when the user selects to decline the license

In fig 3A, Doherty discloses a "Buy Now" button and an Exit button (**when the user selects to decline the license**) In C13 65-67 through C14 1-5, Doherty discloses if license checks are passed, the user is permitted access to the contents of DCF 10 in the normal fashion; but if they do not pass, the user is not permitted access (**prevent reproduction of the content item**) and Purchase GUI 22 is presented

As to claim 14, applicant further limits the system wherein the processor is further configured to:

a. receive a license from the licensing system to reproduce the content item when the request is granted

In C13 50-67, Doherty discloses the user receives an eLicense from the OLS (**receive a license from the licensing system when the request is granted**)....when the checks are passed the user is permitted access to the content (**to reproduce the content**)

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

In C13 40-67, Doherty discloses "upon doing so (i.e. upon carrying out actions to satisfy an electronic purchase such as providing information relating to the user and the user's system and payment) receives from the OLS a license. *This means that if invalid, improper, or incomplete information is supplied a license would not be provided by the OLS. (**when the request is declined by the licensing system**) It is also made clear that if there is not a valid license, access to the content is not permitted and the GUI will be presented to the user for acquiring a license. (**prevent reproduction of the content**) This is disclosed in C14 0-4 and 25-30*

As to claim 15, applicant further limits the system wherein the processor is further configured to:

a. reproduce the content based on a plurality of parameters included in the license

In C14 7-13, Doherty discloses the license checking functions (**reproduce the content based on**) system identifier, product identity, duration, execution count, etc. (**plurality of parameters in the license**)

As to claim 16, applicant claims a system for content licensing comprising:

a. a transceiver configured to receive a media licensing request from an external device associate with a user

In fig 1D, Doherty discloses user system 10B (**external device)** also shown in Fig 1A being connected with user 10D **(associated with a user).** Also shown in Fig 2 being connected to OLS 36 (a server having **a transceiver configured to receive a media license request**) As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**a transceiver configured to receive**) to database 34. Moreover in C30 15-25, Doherty discloses the user submits through GUI 22 License Request 86(**a media licensing request**) to OLS 36.Moreover, in C11 60-65 Doherty discloses that eLicense acquisition is typically via HTTP communications (OLS 36 (**a system for content licensing**) **comprises a transceiver**)

b. wherein the request includes information associated with a content item included in a media file

As described in C13 5-14, intended users may access database 34 of OLS 36 to acquire eLicenses by providing information(**the request includes information**) to database 34 Further in C13 45-50, Doherty provides additional detail about the information: "providing the OLS 36 information relating to the user, the user's system, and payment" Information relating to the user's system includes SID 66. In C24 35-65, Doherty discloses that AFSM 72 determines SID 66 based on a number of hardware and software elements of the user system. As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with a content item included in a media file**. Moreover, Doherty discloses that "SID 66 is supplied to a template resulting in the generation of the eLicense specific to the user system. Since the eLicense is generated in OLS 36, SID 66 is required to be included in the information relating to the user system sent as part of the license request as described in C13 5-14. (**the request includes information**)

See also C30 45 through C31 30.

c. a processor configured to:

In Fig 4, Doherty discloses server OLS 36 (server having **a processor configured to**)

i. access a media catalog database that includes a plurality of content records

In Fig 4, Doherty discloses license server OLS 36 includes POLDB 34 (**media catalog database**). In C35 25-30, Doherty discloses the order ID 58 is written to database 34 (**processor configured to access**)

In Fig 4, Doherty discloses a plurality of license records 102 shown as a stack of LICRCD (**includes a plurality of content records**)

ii. wherein a record from the plurality is associated with the content item

In C36 50-67, Doherty discloses a LICRCD 102 (**a record from the plurality**) contains a corresponding ELDP 82 which is disclosed in C33 35-40 as being the container used for transmitting the eLicense from OLS 36 to user system 10B as shown in Fig 2. As disclosed in C31 0-5, the eLicense includes ProdID 80 which according to C26 40-45 identifies the content to be licensed (**associated with the content item**)

iii. determine if the media licensing request is to be granted based on the record

In C34 60-67, Doherty discloses DMUI 36 provides an interface to the POLDB 34 (includes **the record**) and in C35 5-10 Doherty discloses that data(includes **the record**) managed my DMUI 36 is used to enable licensing of products (**determine if the media licensing request is to be granted based**)

iv. grant the media licensing request when the record verifies the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

v. decline the media licensing request when the record does not verify the granting

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing-which is the trigger (**when the record verifies the granting**) for eLicense generation (**grant the media licensing request**)

Doherty does not disclose what happens if the credit card processing does not pass validation.

One of ordinary skill in the art would understand that according to Doherty's disclosure, submitted credit card information can be determined to be valid (i.e. validation of credit card processing) or invalid because it is known that a validation process can have at least a valid or invalid outcome.

Moreover, as Doherty is disclosing receiving payment in exchange for the granting of a license, one of ordinary skill in the art would understand that if the outcome of the credit card processing was invalid (i.e. validation failed), eLicense generation would not be triggered (**decline the media licensing request when the record does not verify the granting**)

Moreover, Doherty discloses that media will be denied when certain criteria are not met suggesting that invalid credit card processing will result in the same denial. For example in C14 0-5 Doherty discloses that if license checks do not pass, the user is not permitted access to content. It would be obvious to one of ordinary skill in the art to consider credit card processing to be an embodiment of a license check because Doherty discloses that a valid credit card process triggers license creation.

vi. <u>after the evaluation of the license transaction, extract from the license transaction, user data that is specific to the user when the user acquires or declines the license</u>

In C10 30-45, Doherty discloses Dldb 14 (**user data that is specific to a user**) Moreover, in C25 5-30, Doherty discloses upon each subsequent accessing (**after the evaluation of the license transaction**) as part of the license validation process (**when the user acquires or declines the license**) read the SID 66 from the DLdb 14 (**extract from the license transaction, user data specific to the user**)

vii. aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request

In C14 7- 25 Doherty discloses Dldb 14 is written to for example to decrement the execution counts **(aggregate the user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request)** see *also applicant spec [0068] wherein aggregation includes tracking license purchases which is similar to tracking execution counts*

viii. store in a license database, the statistics record so that user data is accessible

In C14 7- 25 Doherty discloses Dldb 14 is written to **(store in the license database)** for example to decrement the execution counts **(the statistics record)**

Doherty does not explicitly disclose that the statistics record is accessible to a copyright owner.

Doherty does not disclose analyzing a plurality of statistics records aggregated from each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item.

In **[0002]**, Tang teaches that "original works of authorship" (i.e. created by authors) are protected by copyright **(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 **(user data is accessible to a copyright owner 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 each license request for at least one media content item owned by the copyright owner to provide the copyright owner with user data accumulated from each license request of the at least one media content item**.

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 Doherty and Tang with the motivation of adding the protections taught by Tang for the copyright holder and purchasers of media licenses to Doherty's invention with the motivation taught by Tang in [**0004**] wherein a seller such as the publisher, distributor, and reseller disclosed by Doherty 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 Doherty and Tang with those of Habermann to extend the teaching of Tang of "authors could require the distributor /publisher provide access to data derived from the sale and interaction with a consumer through an authorized service" because Habermann teaches a comprehensive system implemented by one of the world's leading media companies (i.e. Google via YouTube) for providing copyright owners data analytics coving the use of their works of authorship by other users which Tang suggests in [**0074**] but does not go into detail. Therefore, Habermann teaches a fundamental piece of the puzzle with respect to the syndication of licensable content which is how the copyright owners may audit the usage of their content provided by the associated 3rd party publisher and gain insights into the types of consumers downloading or streaming their material. It would be obvious to modify the combination of Doherty and Tang with Habermann to provide both the distribution auditing and the marketing demographics to the copyright owners as both are essential to their business success.

Neither Doherty, Tang, or Habermann teach

> wherein the user data includes demographic data associated with the user that enables a copyright owner of the media content item to gauge a demographic that is accessing the media content item of the copyright owner;

Hernandez teaches

wherein the user data includes demographic data associated with the user that enables a copyright owner of the media content item([**0012**] last 5 lines) to gauge a demographic that is accessing the media content item of the copyright owner; ([**0115 - 0119**])

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 Doherty, Tang, and Habermann with those of Hernandez 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 all of the embodiments for collecting the information to be aggregated. Hernandez provides the needed solution for Habermann in [**0012**] wherein users must provide demographic information as part of the acceptance of the licensing terms required for content access. Further, Hernandez suggest that this data could drive the targeted advertising as taught by Habermann in [**0117**]

As to claim 17, applicant further configures the processor to:

a. request payment information from the external device when the record verifies payment of the license for the content item

In C30 45 through C31 20, Doherty discloses SID 66 residing in the user system (**information from the external device**) is included in ReqId 88 and then put into LicReq86 which according to C30 20-25 is then transmitted to OLS 36.

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and valid credit card processing(**when the record verifies payment of the license for the content item**)- which is the trigger for eLicense generation Further in C31 0-10, Doherty discloses that SID 66 is included in the eLicense. *Therefore, when license generation is triggered, the SID66 is read out from the LicReq88 and inserted into the eLicense (***request information from the external device***)*

Further in C31 9-30, when the eLicense is received by the requesting system in the form of an ELDP 82 the SID66 is extracted and compared to the resident SID66 on the requesting system and if they are the same the process will continue. Since the SID 66 comparison is required for final license activation (i.e. writing the license into the DLDB 14), SID 66 is considered as **payment**

information because *payment information is not specifically defined in the applicant spec, applicant is afforded the broadest reasonable interpretation of the term which includes 'information that verifies that the license was sent from the same system that received the LicReq86 and processed the payment' which is the SID 66*

As to claim 18, applicant further configures the processor to:

a. process the licensing request when payment is received

In C35 15-35, Doherty discloses the POLDB 34 may be configured to store and process data necessary to support e-commerce and credit card processing **(when payment is received)** which is the trigger for eLicense generation **(process the licensing request)** *In [0061] of the instant application, the applicant provides examples of processing which include "debiting a user account". Therefore, Doherty's disclosure of credit card processing encompasses the "payment is received" limitation because credit card processing includes "debiting a user account" according to the type of card and associating payment arrangements.*

As to claim 19, applicant further configures the processor to:

a. generate a license record that includes license granting information associated with the license granted

In C31 10-20, Doherty discloses the ELDP 82 **(license granting information associated with the license granted)** is written to DLdb 14 **(generate a license record that includes license granting information)**

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

In C31 10-20, Doherty discloses the ELDP 82 is written to DLdb 14 **(store the license record in a registered user database associated with the user)**

As to claim 20, applicant further limits the system wherein:

a. the information includes a fingerprint associated with the content item.

As shown in Fig 2, the AFSM 72 and DCF content 10A (**content item**) are comprised by DCF 10 (**a media file**) therefore SID 66 (**information**) is **associated with the content item.**

In C24 43-45, Doherty discloses that the Fingerprint Security Mechanism performs a fingerprinting process to determine a unique SID 66 (**information includes a fingerprint**) See *also line 59*

Claims 21, 23, and 27 are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 25.

As to claim 25, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a 3rd party online media retailer selected by the copyright owner to distributed the media content.

Further in C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF (**so that the user data is accessible**)

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb ((**so that the user data is accessible to a 3rd party media retailer**) Moreover, in C13 15-25

Doherty indicates that distributors and resellers may be embodied in a web site (**3rd party online media retailer)**

Doherty does not disclose that the 3rd party online media retailer is selected by the copyright owner.

In [0074], Tang teaches that authors have contracts with distributors and publishers (**3rd party online media retailer selected by the copyright owner to distribute the media content)**

As to **claims 29 and 33**,

Neither Doherty or Tang teach

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.

Habermann teaches

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. (the world views report on page 3 includes "the country the view was in" *which corresponds to* **the geographic location of the user accessing the media content…..)** "the country the view was in" *which corresponds to* **the geographic location of the user accessing the media content…..)**

As to claim 32, applicant further limits claim 11wherein:

a. the user data includes a quantity of times that the user has previously access the media content and additional media content items

In C21 30-65, Doherty discloses the types of information that may reside in the Dldb 14 *which corresponds to* **the user data.** Specifically in line 63, Doherty discloses 'Execution used' which corresponds to **quantity of times that the user has previously access the media content**

Moreover, Doherty's inventive concept is for there to be a DCF 10 / FACM 12 for each instance of distributable content 10A as shown in fig 1A *which corresponds to* **and additional media content items**

Claims **22, 24, 26, and 28** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view Habermann in further view of Hernandez in further view of Etchegoyen (US 2010/0324983 hereinafter referred as "Etchegoyen") in further view of Neuman et al (US 2011/0051914 hereinafter referred as "Neuman".

As to claim 22, Doherty Tang and Habermann and Hernandez teach all the subject matter pointed out in the above 103 rejection of parent claim 1.

Claim 22 is rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

As to claims 24 and 28, Doherty Tang and Habermann and Hernandez teach all the subject matter pointed out in the above 103 rejection of parent claim 6 and 18 respectively.

Claims 24 and **28** are rejected on the basis previously presented for the limitations in the above 103 rejection of similar claim 26.

As to claim 26, Doherty Tang and Habermann and Hernandez teach all the subject matter pointed out in the above 103 rejection of parent claim 11 respectively.

As to claim 26, applicant further limits the claim wherein the processor is further configured to:

a. store in the license database, user data associated with the user

In C10 35-45, Doherty discloses that Dldb 14 contains information such as user and user system identifications. (**store in the database, user data that is associated with the user**)

b. wherein the user data is accessible to a hardware device manufacture of the multimedia hardware device

In C12 35-45, Doherty discloses that a publisher, distributor, or reseller creates a DCF including embedding Dldb 14 in the DCF

Moreover in C12 48-50, Doherty discloses that the distributor configures a Dldb indicating that the distributor not only has access to Dldb 14 as previously established but also has the capacity to access the data used to configure the Dldb 14 and/or the data within the Dldb which includes accessing the user data because configuring the Dldb includes at least one of adding data to the Dldb and accessing the data of the Dldb

Neither Doherty nor Tang disclose a hardware device manufacture.

In [0083], Etchegoyen teaches apparatus 700 and device 110 which together encompass the limitations of the claimed multimedia hardware device because fig 7 teaches that apparatus 710 collects financial information from the user of the device (**user data is accessible**) and that the apparatus 710 determines a usage license (750) and enables use of the media on the device (775) **(multimedia hardware device)** {see also [0024]}

Further in fig 7 item 770, Etchegoyen teaches that apparatus 700 sends the financial information to a server (**user data is accessible** to a server)

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 Doherty, Tang, Habermann, and Hernandez with those of Etchegoyen with the motivation of increasing the security of Doherty's system by supplying additional information to Doherty's OLS server when a return is performed. In C34 25-45 and fig 4, Doherty discloses that orderID can be sent to the OLS server so that a real return is being performed. However, Etchegoyen teaches in fig 7, item 770 that financial information is sent to the server which is detailed in [0075] to include multiple identifiers which can be used to verify the status of the user. Therefore, it would be obvious to include at least a portion of the additional financial information disclosed by Etchegoyen in the RetC 100 message of Doherty to augment the and further verify that the OrderID 58 of Doherty is real and not fraudulent as posed by Doherty in C34 line 29-30 because verification requires multiple pieces of information which is harder for a potential fraudulent actor to acquire.

> **Etchegoyen does not teach** that the server is the manufacturer of the multimedia hardware device.
>
> In [0086] Neuman teaches the Itunes store (server) built by Apple as well as the Iphone built by Apple (multimedia hardware device).

Therefore the combination of Doherty, Tang, Habermann, Hernandez, Etchegoyen, and Newman teaches **user data accessible to a hardware device manufacturer of the multimedia device** because Doherty discloses that user information related to the multimedia is accessible, Etchegoyen teaches that accessible user data is transmitted to a server, and Newman teaches that the server may be the same entity as the manufacturer of the multimedia.
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 Doherty Tang and Habermann and Hernandez with the teachings of Neuman with motivation of providing a seamless ecosystem of device and backend services for media distribution and enjoyment as has been provided by Apple which has proven to be a historical commercial success based on the customer demand for such a seamless ecosystem of devices and backend services developed and designed to work together as can be done when the same entity implements the design of both the multimedia hardware device and the backend services.

Claim 31 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Doherty in view of Tang in further view Habermann in further view of Hernandez in further view of Sherr et al (US2002/0154157 hereinafter "Sherr")

As to claim 31, Doherty Tang and Habermann and Hernandez teach all the subject matter pointed out in the above 103 rejection of parent claim 6.

As to **claim 31**,

Neither Doherty, Tang, Habermann, or Hernandez teach

wherein the user data includes additional media content items that the user has previously accessed.

Sherr teaches

wherein the user data includes additional media content items that the user has previously accessed.

In [0113] Sherr teaches marketing information may be obtained to determine other websites visited by the user *which corresponds to* **user data includes additional media content items that the user has previously accessed**

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 Doherty Tang and Habermann and Hernandez with those of Sherr because Sherr teaches an improvement to the marketing engine taught by Habermann and Hernandez by expanding the data analyzed to include "other content" which is obviously an important additional indicator for using when attempting to anticipate what content should be marketed to a demographic class which is the essence of the Habermann / Hernandez teaching.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD MCCOY whose telephone number is (313)446-6520. The examiner can normally be reached on Monday-Friday; 8:00AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cordelia P. Zecher can be reached on 571-272-7771. 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. M./
Examiner, Art Unit 2431

/CORDELIA ZECHER/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD MCCOY	Art Unit 2431	Page 1 of 3

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
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*	B	US-2002/0154157 A1	10-2002	Sherr, Scott Jeffrey	G06F21/10	715/716
*	C	US-2003/0149884 A1	08-2003	Hernandez, Randolph	G06F21/10	713/193
*	D	US-2004/0039916 A1	02-2004	Aldis, David	G06F21/10	713/177
*	E	US-2005/0004873 A1	01-2005	Pou, Robin	G06F21/10	705/51
*	F	US-2005/0060701 A1	03-2005	Murase, Yasuhiro	G06Q30/06	717/178
*	G	US-2005/0114265 A1	05-2005	Satkunanathan, Lingan	G06F21/10	705/59
*	H	US-6,920,567 B1	07-2005	Doherty; Robert J.	G06F21/10	707/999.104
*	I	US-2005/0177844 A1	08-2005	Levi, Ron	G06Q30/02	725/30
*	J	US-2005/0223415 A1	10-2005	Oho, Masahiro	G06F21/606	726/27
*	K	US-2006/0031785 A1	02-2006	Raciborski; Nathan F.	G06F17/30041	715/859
*	L	US-2007/0055439 A1	03-2007	Denker; Dennis	G01S5/0036	701/532
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	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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*	A	US-2008/0027742 A1	01-2008	Maeda; Kenji	G06F21/105	705/1.1
*	B	US-2008/0243694 A1	10-2008	Johnson; Jerry Alan	G06Q30/0603	705/52
*	C	US-2009/0210245 A1	08-2009	Wold; Edwin Leonard	G06Q10/10	700/300
*	D	US-7,676,437 B2	03-2010	Satkunanathan; Lingan	G06F21/10	705/56
*	E	US-2010/0324983 A1	12-2010	Etchegoyen; Craig S.	G06F21/10	705/14.23
*	F	US-2011/0051914 A1	03-2011	Neuman; Michael	H04M19/04	379/93.17
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*	H	US-2012/0010931 A1	01-2012	Mehra; Krishna Kumar	G06Q10/107	705/14.16
*	I	US-8,151,194 B1	04-2012	Chan; Tracy Patrick	G06F17/30817	709/224
*	J	US-2012/0096339 A1	04-2012	Cohen; Laurence G.	H04L67/06	715/221
*	K	US-2012/0124638 A1	05-2012	King; David G.	G06Q10/101	726/1
*	L	US-2012/0123831 A1	05-2012	King; David G.	G06Q30/0274	705/14.7
*	M	US-2012/0109834 A1	05-2012	Bongiovanni; Michele	G06Q30/018	705/317

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	T					

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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	NPL: "Online Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2000 hereinafter referred as "Habermann"
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	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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*	B	US-2013/0047271 A1	02-2013	Tang; Ding-Yuan	G06F21/10	726/30
*	C	US-2014/0108029 A1	04-2014	Kim; John Sung	G06Q50/22	705/2
*	D	US-8,745,647 B1	06-2014	Shin; Brian J.	H04N21/442	725/10
*	E	US-2015/0040002 A1	02-2015	Kannan; Anu	G06F3/0482	715/246
*	F	US-9,148,706 B1	09-2015	Shin; Brian J.	H04N21/812	1/1
	G	US-				
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	K	US-				
	L	US-				
	M	US-				

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Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with (fingerprint	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02

		watermark id identifier serial guid uuid) same (credit pay$4)				
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29
S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25
S26	88	(media content movie song video) with copyright adj2 (holder owner) with (online	US-PGPUB;	OR	ON	2014/09/08 18:59

		web$5 server) near4 (retail$3 distribut$3)	USPAT			
S27	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) with license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:00
S28	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) same2 license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:01
S29	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S30	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S31	2	(media content movie song video) with copyright adj2 (holder owner) with (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:03
S32	4	publisher with (copyright near4 (own owner ownership holder)) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2014/09/08 21:35
S33	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	2014/09/08 21:36
S34	177	(artist author 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	2014/09/08 21:39
S35	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:39
S36	111	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 and publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S37	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 with publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S38	17	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 S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S39	16066	apple.as.	US-PGPUB;	OR	ON	2014/09/09 13:05

			USPAT			
S40	0	license with user adj3 data with itunes with (media music song mp3)	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S41	28	license with user adj3 data with (media music song mp3) with server	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S42	0	S39 and S41	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S43	9	license with (media music song mp3) with server with device with manufactur$3	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S44	0	S41 and S43	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S45	24	iphone with itunes and S39	US-PGPUB; USPAT	OR	ON	2014/09/09 13:56
S46	0	license near4 (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S47	7	license with (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S48	7	license with (validat$3) with (age birthday) with (address)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S49	5	license with (validat$3) with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:20
S50	10	license adj2 database with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:23
S51	0	(media content video audio song movie) with license adj2 database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:25
S52	4	(media content video audio song movie) with license with database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:26
S53	84	(media content video audio song movie) adj2 license adj2 database	US-PGPUB; USPAT	OR	ON	2015/04/23 13:27
S54	2973	h04l2463/101.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:29
S58	2198	g06f21/00.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:30
S59	11353	g06f21/10.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S60	943	g06f21/105.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31

S61	15263	S54 S58 S59 S60	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S62	0	S61 and (license adj2 database with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S63	0	S61 and (license adj2 (database store) with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S64	891	S61 and ((license adj2 (database store)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S65	0	S61 and ((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:34
S66	0	((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:35
S67	43	((license adj2 (database store)) with (customer user) near4 (data information) with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S68	1	((license adj2 (database store)) with (customer user) near4 (data information) with ((new additional) adj2 (market$3 customer sale)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S69	269	(license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:40
S70	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S71	0	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information) with validation	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S72	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S73	345	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:10
S74	102	(media content video audio song movie) with (license adj2 (database db store)) same ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:13
S75	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:14
S76	63	(media content video audio song movie)	US-	OR	ON	2015/04/23

		with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	PGPUB; USPAT			16:00
S77	71	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic demographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 16:14
S78	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 13:51
S79	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S80	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S81	4	S78 S79 S80	US-PGPUB; USPAT	OR	ON	2015/11/30 13:51
S82	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary) and S81	US-PGPUB; USPAT	OR	ON	2015/11/30 13:53
S83	23	youtube with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:09
S84	181	(author owner) with content with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:12
S85	0	((author owner) with content with analytic).ti.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S86	2	((author owner) with content with analytic).ab.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S87	3	((author owner) with content with analytic).clm.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S88	5	S86 S87	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S89	0	(author owner) with content with analytic with monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S90	0	(author owner) with content with analytic same monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S91	0	(author owner) with content with analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S92	0	(author owner) with content with analytic same youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S93	13	(author owner) with content with analytic and youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14

S94	0	(author owner) with content same analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S95	20	(author owner) with content with analytic with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S96	49	(author owner) with (video song content) with (statistic analytic) with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S97	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S98	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) and monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S99	4	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S100	10	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S101	6	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic not S99	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S102	0	youtube.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S103	14879	google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S104	274	google.as. and insight	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S105	5	google.as. and insight and metrics and statistics and demographic and analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:25
S106	1	(US-8151194-$).did.	USPAT	OR	ON	2015/11/30 16:29
S107	15	(author owner publisher distributor) with (video song content) with (statistic analytic demographic geographic) with (views downloads) and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:31
S108	0	(author owner publisher distributor) with (video song content) with (statistic analytic demographic geographic) with (views downloads) same monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:32
S109	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S110	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S111	41	video with syndication and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:55
S112	0	video with syndication with channel and google.as.	US-PGPUB;	OR	ON	2015/11/30 16:55

			USPAT			
S113	2	video with syndication and analytics and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:57
S114	0	video with syndication and analytics and demographic and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:58
S115	0	video with syndication same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S116	0	video with (monitization syndication) same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S117	17	video with (monitization syndication) and analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S118	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 17:17
S119	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S120	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S121	4	S118 S119 S120	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17
S122	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary report) and S121	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17
S123	1	"20030149884".pn.	US-PGPUB; USPAT	OR	ON	2016/06/10 14:38
S124	1	"20050060701".pn.	US-PGPUB; USPAT	OR	ON	2016/06/10 14:38

EAST Search History (Interference)

<This search history is empty>

6/10/2016 4:34:41 PM
C:\Users\rmccoy1\Documents\EAST\Workspaces\13667629.wsp

Online Video Analytics: YouTube Insight - Advanced Techniques



By Greg Habermann, May 17, 2010

4 Comments

Video

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.

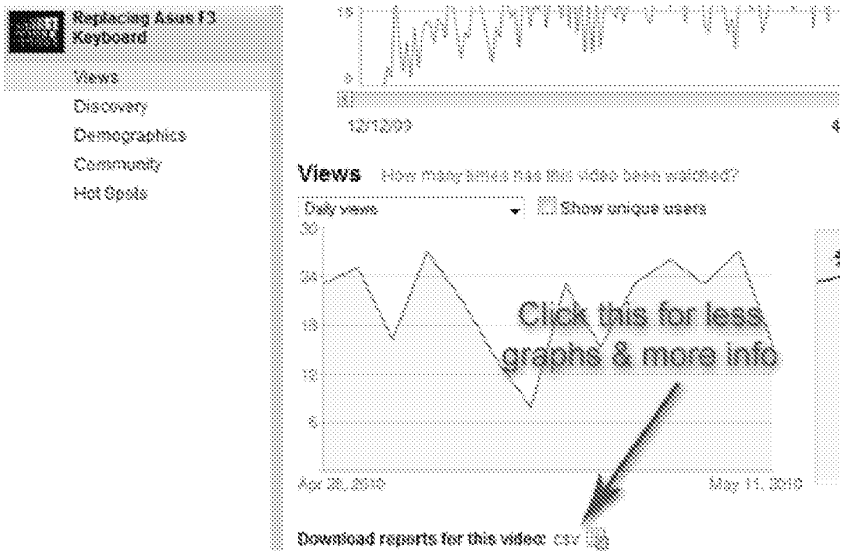
Google tends to reward those who are more curious than others. I don't mean black hat techniques or anything of the sort. It just seems that, for the most part, the reports that are given to someone through many Google properties are aimed at the layperson or meant as an executive summary of sorts.

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".



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:

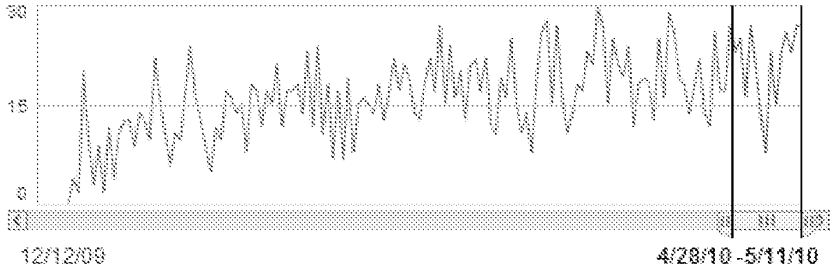
1. gBpFE3u0WPc_2010-04-28-2010-05-11_world_views_1.csv
2. gBpFE3u0WPc_2010-04-28-2010-05-11_world_referrers_1.csv
3. gBpFE3u0WPc_demographics_1.csv

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

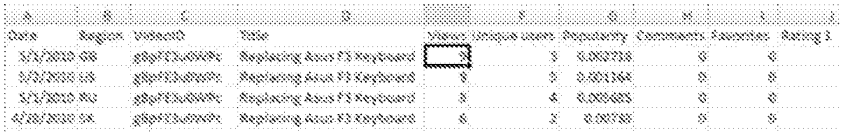
The second set is the reporting dates: 2010-04-28-2010-05-11 You can change the reporting dates by adjusting the date range on the graph in the Views tab.



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

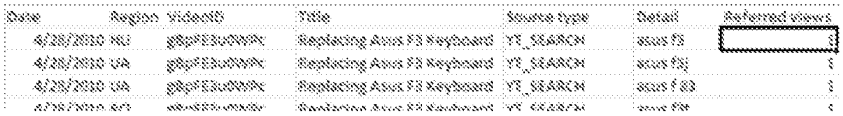
Armed with these three reports, let's look at what info is given.

World Views Report from YouTube Insight



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



Date	Region	VideoID	Title	Source type	Detail	Referred views
4/28/2010	AU	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f3	
4/28/2010	GB	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f3j	1
4/28/2010	GB	gBpFE3u0WPc	Replacing Asus F3 Keyboard	YT_SEARCH	asus f 83	1

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.

ClickZ Group Limited. All rights reserved. 1 Hammersmith Broadway, London, W6 9DL

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

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

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

CLAIM		DATE								
Final	Original	02/06/2014	09/09/2014	04/24/2015	12/01/2015	06/10/2016				
	1	✓	✓	✓	✓	✓				
	2	✓	✓	✓	✓	✓				
	3	✓	✓	✓	✓	✓				
	4	✓	✓	✓	✓	✓				
	5	✓	✓	✓	✓	✓				
	6	✓	✓	✓	✓	✓				
	7	✓	✓	✓	✓	✓				
	8	✓	✓	✓	✓	✓				
	9	✓	✓	✓	✓	✓				
	10	✓	✓	✓	✓	✓				
	11	✓	✓	✓	✓	✓				
	12	✓	✓	✓	✓	✓				
	13	✓	✓	✓	✓	✓				
	14	✓	✓	✓	✓	✓				
	15	✓	✓	✓	✓	✓				
	16	✓	✓	✓	✓	✓				
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	22		✓	✓	✓	✓				
	23		✓	✓	✓	✓				
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	25		✓	✓	✓	✓				
	26		✓	✓	✓	✓				
	27		✓	✓	✓	✓				
	28		✓	✓	✓	✓				
	29			✓	✓	✓				
	30			✓	✓	-				
	31			✓	✓	✓				
	32			✓	✓	✓				
	33			✓	✓	✓				

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy
updated search according to claim amendments. see attached east file.	9/9/14	mccoy
updated search according to the claim amendments. see attached east file	4/24/2015	mccoy
updated search (see attached east file)	12/1/2015	mccoy
updated search (see attached east file)	6/10/2016	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

/R.M./ Examiner.Art Unit 2431	

Certificate of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on December 22, 2016.

/Patrick J. Palascak/ December 22, 2016
Patrick Palascak Date
Reg. No. 73,533

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Christopher Estes
Serial No.:	13/667,629
Filing Date:	November 2, 2012
Examiner:	Richard Anthony McCoy
Art Unit:	2431
Title:	DIGITAL MEDIA REPRODUCTION AND LICENSING
Attorney Docket:	BESTES-07US
Confirmation No.:	2832

Cincinnati, Ohio December 22, 2016

AMENDMENT TO NON-FINAL OFFICE ACTION

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

Commissioner:

In response to the Non-Final Office Action dated June 23, 2016, please amend the Application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2.

Remarks begin on page 12.

Amendments to the Claims

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

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

loading a digital media file for reproduction, wherein the digital media file includes [[a]] the media content item;

analyzing the digital media file to identify digital media information associated with the media content item;

receiving a license request from a user requesting to engage in a license transaction to reproduce the media content item;

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

accessing a license database to determine whether the user is licensed to reproduce the media content item based on the digital media information;

reproducing the media content item when the user is licensed to reproduce the media content item based on the digital media information;

providing a licensing query 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;

after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires ~~or declines~~ 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 of the media content item to gauge a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for ~~is accessing~~ the media content item of the copyright owner;

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

storing in the 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 license request for ~~at least one~~ the media content item owned by the copyright owner to provide the copyright owner with [[user data]] the aggregated user data from each license request of the ~~at least one~~ media content item when the license is acquired by the user and when the license is declined by the user.

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

receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item.

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

providing a licensing request to a licensing system when the user desires to acquire the license to reproduce the media content item based on the licensing response from the user; and

preventing reproduction of the media content item when the user declines the license to reproduce the media content item.

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

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

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

5. (Original) The method of claim 4, further comprising:

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

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

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

accessing a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item;

determining 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;

granting 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;

declining 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 to the external device;

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user is granted ~~or declined~~ 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 a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for ~~is accessing~~ the media content item of the copyright owner;

aggregating the user data into a statistics record for the media licensing request when the user acquires the license and when the user declines the license, wherein the statistics record summarizes the user data associated with the media licensing 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 media licensing request for ~~at least one~~ the media content item owned by the copyright owner to provide the copyright owner with [[user data]] the aggregated user data from each media licensing request of the ~~at least one~~ media content item when the license is acquired by the user and when the license is declined by the user.

7. (Original) The method of claim 6, wherein the determining comprises:

requesting payment information from the external device when the media content record associated with the media content item requires payment of the license for the media content item.

8. (Original) The method of claim 7, wherein the granting comprises:

granting the media licensing request for the external device when payment of the license for the media content item is completed.

9. (Original) The method of claim 6, 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.

10. (Original) The method of claim 6, wherein the digital media information includes a fingerprint associated with the media content item.

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

a processor configured to:

receive a license request from a user requesting to engage in a license transaction to reproduce [[a]] the media content item;

load a digital media file for reproduction, wherein the digital media file includes the media content item requested by the user to reproduce,

analyze the digital media file to identify digital media information associated with the media content item,

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

access a licensing database to determine whether the user is licensed to reproduce the media content item based on the digital media information,

after the evaluation of the license transaction, extract from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires ~~or declines~~ 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 a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for ~~is accessing~~ the media content item of the copyright owner,

aggregating the user data into a statistics record for the license request when the user acquires the license and when the user declines the license, wherein the statistics record summarizes the user data associated with the license 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 license request for ~~at least one~~ the media content item owned by the copyright owner to provide the copyright owner with [[user data]] the aggregated user data from each license request of the ~~at least one~~ media content item when the license is acquired by the user and when the license is declined by the user.

a user interface configured to provide a licensing query 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.

12. (Original) The system of claim 11, wherein the user interface is further configured to receive from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item.

13. (Previously Presented) The system of claim 12, wherein the processor is further configured to:

provide a licensing request to a licensing system after the user has completed the licensing response; and

prevent reproduction of the media content item when the user selects to decline the license to reproduce the media content item.

14. (Original) The system of claim 13, wherein the processor is further configured to:

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

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

15. (Original) The system of claim 14, 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. (Currently Amended) A system for providing a media content licensing and verification system to license media content for reproduction, comprising:

a transceiver configured to receive a media licensing request from an external device associated with a user, wherein the media licensing request includes digital media information associated with [[a]] the media content item included in a digital media file; and

a processor configured to:

access a media catalog database that includes a plurality of media content records, wherein a media content record from the plurality of media content records is associated with the media content item,

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,

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,

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,

after the determination of the media licensing request, extracting from the media licensing request user data that is specific to the user that is attempting to reproduce the media content item when the user acquires ~~or declines~~ 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 a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the license for ~~is accessing~~ the media content item of the copyright owner,

aggregate the user data into a statistics record for the media licensing request when the user acquires the license and when the user 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 media licensing request for ~~at least one~~ the media content item owned by the copyright owner to provide the copyright owner with [[user data]] the aggregated user data from each license request of the ~~at least one~~ media content item when the license is acquired by the user and when the license is declined by the user.

17. (Original) The system of claim 16, wherein the processor is further configured to request payment information from the external device when the media content record associated with the media content item verifies payment of the license for the media content item.

18. (Previously Presented) The system of claim 17, wherein the processor is further configured to process the media licensing request for the external device when the payment of the license for the media item is received.

19. (Original) The system of claim 16, 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.

20. (Original) The system of claim 16, wherein the digital media information includes a fingerprint associated with the media content item.

21. (Previously Presented) 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.

22. (Previously Presented) 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.

23. (Previously Presented) The computer implemented method of claim 6, 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.

24. (Previously Presented) The computer implemented method of claim 6, 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.

25. (Previously Presented) The system of claim 11, 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.

26. (Previously Presented) The system of claim 11, 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.

27. (Previously Presented) 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.

28. (Previously Presented) 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 hardware device manufacturer that manufacturers hardware that is implemented by the multimedia hardware device.

29. (Previously Presented) The computer implemented method of claim 1, wherein the user data includes a geographic location of the user who is accessing the media content item.

30. Cancelled.

31. (Previously Presented) The computer implemented method of claim 6, wherein the user data includes additional media content items that the user has previously accessed.

32. (Previously Presented) The system of claim 11, wherein the user data includes a quantity of times that the user has previously accessed the media content item and additional media content items.

33. (Previously Presented) The system of claim 16, 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 amendments, claims 1-29 and 31-33 are pending in the application, with claims 1, 6, 11, and 16 being the independent claims. Claims 1, 6, 11, and 16 are sought to be amended. Applicant reserves 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, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Objections

Claims 1, 6, 11, and 16 are objected to due to informalities. Applicant has amended these claims accordingly, and respectfully request that these objections be withdrawn.

Applicant has amended independent claims 1, 6, 11, and 16 to replace "user data aggregated" with "the aggregated user data" to make it clear that user data is user data that is aggregated into a plurality of statistics records. The plurality of statistics records "is aggregated from each license request for at least one media content item owned by the copyright owner" as recited in each of independent claims 1, 6, 11, and 16.

Applicant has amended claims 1, 6, 11, and 16 to replace the second recitation of "a media content item" with "the media content item."

Applicant has amended claims 1, 6, 11, and 16 to remove the recitations of "at least one media content item."

Reconsideration and withdrawal of the objections are respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 1-21, 23, 25, 27, 29, 32 and 33

On Page 3 of the Non-Final Office Action dated June 23, 2016, claims 1-21, 23, 25, 27, 29, 32, and 33 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over U.S. Patent No. 6,920,567 to Doherty et al. ("Doherty") in view of U.S. Publication No. 2013/0047271 to Tang ("Tang") in further view of "On-Line Video Analytics: YouTube Insight-Advanced Techniques" by Greg Habermann, May 17, 2010 ("Habermann") in view of U.S. Publication No. 2003/0149884 to Hernandez ("Hernandez"). Applicant respectfully traverses. Applicant incorporates the arguments regarding this rejection previously presented in the Response to the Non-Final Office Action filed on August 13, 2014, the Response to the Final Office Action filed on January 2, 2015, the Response to the Non-Final Office Action filed on October 30, 2015, and the Response to the Final Office Action filed on April 11, 2016, and further provides the following arguments to support patentability.

In order to expedite prosecution, Applicant has amended independent claim 1 to incorporate at least the features of "*after the evaluation of the license transaction, extracting from the license transaction user data that is specific to the user that is attempting to reproduce the media content item when the user acquires 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 a demographic that acquired the license for the media content item of the copyright owner and a demographic that declined the media content item of the copyright owner*," "*aggregating the user data into a statistics record for the license request when the user*

acquires the license and when the user declines the license," and "*analyzing a plurality of statistics records aggregated from each license request . . . to provide the copyright owner with the aggregated user data from each license request of the media content item when the license is acquired by the user and when the license is declined by the user*." Applicant has amended independent claims 6, 11, and 16 in a substantially similar manner.

While Doherty does reference that the Dynamic License Database (Dldb) 14 does contain information associated with the purchase of the digital content file (DCF) 10, Doherty discloses that this information is associated with the File Access Control Mechanhism (FACM) 12. (Doherty, 10:26-41.) Specifically, this information is associated with controlling the access of the digital content file 10 via the FACM 12 as well as the use of the digital content file 10 via the eLicense. (Doherty, 10:38-41.) For example, this information includes information specific to the eLicense granted to the individual to access the digital content file 10, such as the terms, provisions, and conditions of the license as well as product, user, and user system identifications. (Doherty, 10:42-45.)

Doherty further discloses that the authorization of an eLicense is a dynamic process in which the Dldb 14 and the License Management Database (LMDb) 32 that contain complete licensing information for the DCF 10 are updated to ensure that each access of the DCF 10 by the user is within the terms of the eLicense. (Doherty, 14:7-16.) For example, upon each access of the DCF 10 by the user, the execution counts for the DCF 10 are decremented, the adaptive fingerprint system ID is adjusted, and the time of access of the DCF 10 are updated within the Dldb 14 and the LMDb 32. (Doherty, 14:16-30.)

Doherty further discloses that upon each subsequent accessing of the licensed DCF 10 after the user is granted the eLicense to the DCF 10, a license validation process is performed

upon each subsequent accessing of the licensed DCF 10. (Doherty, 25:6-14.) Each subsequent time the user requests to access the licensed DCF 10, the current System Identifier (SID) 66 that the user is attempting to access the DCF 10 with is compared to an initial SID 66 that was generated upon the initial granting of the eLicense to the user. (Doherty, 25:13-19.) The eLicense associated with the SID 66 that the user submitted is determined to be valid when the current SID 66 matches the initial SID 66. (Doherty, 25:19-21.) A comparison between the current SID 66 and the initial SID 66 is performed when the current SID 66 and the initial SID 66 do not match to determine whether the variation between each is within the range of allowable variation to determine whether the eLicense associated with the current SID 66 is valid. (Doherty, 25:21-28.)

The storing of information that is limited to the eLicense granted to the individual to access the DCF 10 is not the same as extracting user data not only when the user acquires the eLicense but also when the user declines the eLicense and then aggregating the user data into a statistics record when the user acquires the eLicense and when the user declines the eLicense. The storing of eLicense information which occurs when the user acquires the eLicense is not the same as then analyzing statistics records that have been generated when the eLicense has been acquired and when the eLicense has been declined. That is, Doherty fails to disclose that the user data, and in particular, demographic data of the user is extracted, aggregated, and/or analyzed to provide additional insight to the copyright owner not only when the user acquires the eLicense but also when the user declines the eLicense. Information specific to the terms of the eLicense granted to the individual, such as the terms, provisions, and conditions of the eLicense when the user acquires the eLicense is not sufficient in providing information to the copyright owner when the user declines the eLicense.

Further, the dynamic updating of information associated with an eLicense each time the user accesses the DCF 10, such as decrementing the count of the DCF 10 that is available to the user, is not the same as extracting user data not only when the user acquires the eLicense but also when the user declines the eLicense and then aggregating the user data into a statistics record when the user acquires the eLicense and when the user declines the eLicense. The dynamic updating of eLicense information which occurs when the user acquires the eLicense is not the same as then analyzing the statistics records that have been generated when the eLicense has been acquired and when the eLicense has been declined.

On Page 5 of the Non-Final Office Action date June 23, 2016, the Examiner specifically mentions that Doherty discloses that the "Dldb14 is written to for example to decrement the execution counts" and alleges that the decrementing of execution counts discloses the aggregating of "user data into a statistics record for the license request wherein the statistics record summarizes the user data associated with the license request." *Assuming arguendo*, which Applicant does not concede, that the decrementing of execution counts discloses the aggregation of user data into a statistics record, such an aggregation of user data is executed after the user has acquired the eLicense. The decrementing of execution counts may only occur after the user has been granted access to the DCF 10 which occurs after the user has been granted an eLicense to access the DCF 10. Thus, the decrementing of execution counts as disclosed in Doherty fails to provide an example of the aggregation of user data into a statistics record when the user declines the eLicense.

Further, the comparing of the current SID 66 to the initial SID 66 each time the user requests the DCF 10 and then determining whether the eLicense associated with the current SID 66 is valid based on the comparison between the current SID 66 and the initial SID 66 is not the

same as extracting user data not only when the user acquires the eLicense but also when the user declines the eLicense. The comparison between the current SID 66 and the initial SID 66 is not the same as aggregating the user data into a statistics record when the user acquires the eLicense and when the user declines the eLicense. The comparison between the current SID 66 and the initial SID 66 is not the same as then analyzing the statistics records that have been generated when the eLicense has been acquired and when the eLicense has been declined.

That is, Doherty fails to disclose that the user data, and in particular, demographic data of the user is extracted, aggregated, and/or analyzed to provide additional insight to the copyright owner not only when the user acquires the eLicense but also when the user declines the eLicense. The initial SID 66 is generated when the user acquires the eLicense. Any subsequent SID 66 submitted by the user either matches the initial SID 66 indicating that the user has already acquired an eLicense or varies from the initial SID 66 indicating that the eLicense associated with the current SID 66 is not valid. There is no disclosure in Doherty indicating that user data is then extracted, aggregated, and/or analyzed after the comparison of the current SID 66 and the initial SID 66 indicates that the current SID 66 is not valid.

Therefore, Doherty, fails to teach or suggest in amended independent claim 1, at least the features of "*after the evaluation of the license transaction, extracting from the license transaction user data . . . when the user the acquires the license and when the user declines the license*," "*aggregating the user data into a statistics record for the license request when the user acquires the license and when the user declines the license*," and "*analyzing a plurality of statistics records aggregated from each license request . . . to provide the copyright owner with the aggregated user data . . . when the license is acquired by the user and when the license is declined by the user*."

Tang does not cure the deficiencies of Doherty, 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 demographic data when the user accepts a sale of the copyright owner's work and when the user declines the sale of the copyright owner's work that enables the copyright owner to gauge a demographic of not only those users accepting the sale but also those users declining 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 "*after the evaluation of the license transaction, extracting from the license transaction user data . . . when the user acquires the license and when the user declines the license*," "*aggregating the user data into a statistics record for the license request when the user acquires the license and when the user declines the license*," and "*analyzing a plurality of statistics records aggregated from each license request . . . to provide the copyright owner with the aggregated user data . . . when the license is acquired by the user and when the license is declined by the user*."

Habermann does not cure the deficiencies of Doherty 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 this 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 from a license transaction when the user acquires a license to reproduce the YouTube video and when the user declines to acquire a license to reproduce the YouTube video.

There is no mention in Habermann of any procedure to obtain a license to reproduce the YouTube video. 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 demographic information from a license transaction when the user acquires a license to reproduce the YouTube video and when the user declines to acquire a license to reproduce the YouTube video.

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 "*after the evaluation of the license transaction, extracting from the license transaction user data . . . when the user the acquires the license and when the user declines the license*," "*aggregating the user data into a statistics record for the license request when the user acquires the license and when the user declines the license*," and "*analyzing a plurality of statistics records aggregated from each license request . . . to provide the copyright owner with the aggregated user data . . . when the license is acquired by the user and when the license is declined by the user*."

Hernandez does not cure the deficiencies of Doherty, Tang, and Habermann, nor does the Office Action allege. For example, Hernandez discloses a control manager for controlling and managing access and use of protected data structures. (Hernandez, ¶ [0012].) Hernandez discloses that the control manager verifies whether the user is authorized to access the protected

data structure. (Hernandez, ¶ [0012].) In doing so, Hernandez discloses that the control manager before granting authorization for access to the data structure, confirms that any conditions associated with the user accessing the data structure are satisfied. (Hernandez, ¶ [0012].) For example, Hernandez discloses that the user may be required to provide consumer, commercial, or demographic information as well as acceptance of licensing terms as a condition of access to the data structure. (Hernandez, ¶ [0012].)

However, Hernandez fails to disclose that the demographic information is extracted from the license request, aggregated into a statistics record, and/or analyzed to provide the copyright owner the aggregated demographic data when the license is acquired by the user and when the license is declined by the user. There is no mention in Hernandez that the demographic information is even provided when the user declines the license. Rather, Hernandez discloses that the demographic information is required from the user contingent upon being granted access to the data structure by the control manager. The requiring of demographic information from users contingent upon being granted access to the data structure by the control manager is not the same as extracting, aggregating, and analyzing the aggregated demographic information when user acquires a license to access the data structure and when the user declines to access the data structure.

Therefore, Hernandez, in disclosing that the demographic information is required from a user contingent upon being granted access to the data structure by the control manager, fails to teach or suggest in amended independent claim 1, at least the feature of "*after the evaluation of the license transaction, extracting from the license transaction user data . . . when the user the acquires the license and when the user declines the license*," "*aggregating the user data into a statistics record for the license request when the user acquires the license and when the user*

declines the license," and "*analyzing a plurality of statistics records aggregated from each license request . . . to provide the copyright owner with the aggregated user data . . . when the license is acquired by the user and when the license is declined by the user*."

Therefore, the Office Action has failed to state a case of obviousness with respect to amended independent claim 1. Amended independent claims 6, 11, and 16 recite substantially similar features that are likewise not taught by the combination of Doherty, Tang, Habermann, and Hernandez. Dependent claims 2-21, 23, 25, 27, 29, 32, and 33 are likewise patentable over the combination of Doherty, Tang, Habermann, and Hernandez 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 1-21, 23, 25, 27, 29, 32, and 33 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 22, 24, 26, and 28

On Page 20 of the Office Action, claims 22, 24, 26, and 28 are rejected under 35 U.S.C. § 103(a) for allegedly being unpatentable over Doherty in view of Tang further in view of Hernandez further in view of U.S. Publication No. 2010/0324983 to Etchegoyan ("Etchegoyan") in further view of U.S. Publication No. 2011/0051914 to Neuman et al. ("Neuman"). Applicant respectfully traverses.

As discussed above, the combination of Doherty, Tang, Habermann, and Hernandez does not teach or suggest each and every feature of amended independent claims 1, 6, 11, and 16. Etchegoyan and Neuman, alone or any combination thereof, do not provide the missing teachings or suggestions with respect to amended independent claims 1, 6, 11, and 16 nor does the Office Action so allege. Therefore, the combination of Doherty, Tang, Habermann, and Hernandez and one or more of Etchegoyan and Neuman does not render amended independent

claims 1, 6, 11, and 16 obvious. Dependent claims 22, 24, 26, and 28 are likewise not rendered obvious by the combination of Doherty, Tang, Habermann, and Hernandez and one or more of Etchegoyan and Neuman 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 22, 24, 26, and 28 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

Applicants respectfully submit that the foregoing is a full and complete response to the Non-Final Office Action dated June 23, 2016. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants do not believe that any fees are due in connection with this response other than the fee for a three-month extension of time. However, if any fees are necessary, the Commissioner may consider this to be a request to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/Patrick J. Palascak/
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Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	Patrick J. Palascak/taylor white
Attorney Docket Number:	BESTES-7US

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:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
			Total in USD ($)	**700**

Electronic Acknowledgement Receipt	
EFS ID:	27878328
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	Patrick J. Palascak/taylor white
Filer Authorized By:	Patrick J. Palascak
Attorney Docket Number:	BESTES-7US
Receipt Date:	22-DEC-2016
Filing Date:	02-NOV-2012
Time Stamp:	15:08:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$700
RAM confirmation Number	122316INTEFSW15092100
Deposit Account	233000
Authorized User	Taylor White
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 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	BESTES_07US_response_to_6-23-16_OA.PDF	173223 62122ececafc2d84ae1a70c2ad87ae6902b818a6	no	22
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30501 cd6eb3d8ff6ebf81de12bef565a3ff9566c77ce0	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	203724		

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PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/667,629	Filing Date 11/02/2012	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ 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).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	12/22/2016	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 32	Minus	** 33	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						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 number found in the appropriate box in column 1.

LIE
ANITA JOHNSON

This collection of information is required by 37 CFR 1.16. 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 12 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.**
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NOTICE OF ALLOWANCE AND FEE(S) DUE

26875 7590 03/21/2017

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2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER
MCCOY, RICHARD ANTHONY

ART UNIT	PAPER NUMBER
2431	

DATE MAILED: 03/21/2017

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

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	$480	$0	$0	$480	06/21/2017

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: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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

26875 7590 03/21/2017
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

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.

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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 facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

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	$480	$0	$0	$480	06/21/2017

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 03-02 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 has been filed for recordation as set forth in 37 CFR 3.11. 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. The following fee(s) are submitted:
- ❑ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29
  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.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27
  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.
- ❑ Applicant changing to regular undiscounted fee 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. _____

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/667,629	11/02/2012	Christopher Estes	BESTES-7US	2832

26875 7590 03/21/2017
WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER	
MCCOY, RICHARD ANTHONY	
ART UNIT	**PAPER NUMBER**
2431	

DATE MAILED: 03/21/2017

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 12 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. 13/667,629	Applicant(s) ESTES, CHRISTOPHER	
	Examiner RICHARD A. MCCOY	Art Unit 2431	AIA (First Inventor to File) Status No

-- 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 *claim amendments filed 12/22/2016*.
   ☐ 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 *1-29 and 31-33*. 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 _____ .
5. ☐ Examiner's Amendment/Comment
6. ☒ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/R. A. M./	/CORDELIA ZECHER/
Examiner, Art Unit 2431	Supervisory Patent Examiner, Art Unit 2431

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Claim Objections

The previous claim objections to claims 1, 6, 11, and 16 are withdrawn in view of applicants amended language.

Response to Arguments

The arguments presented are moot in view of the allowance herein.

Allowable Subject Matter

Claims 1-33 are allowed.

The following is an examiner's statement of reasons for allowance:

Support for the amendment was found in [**0063**] in view of [**0040**]

Shintani (US 2012/0123916) discloses capturing marketing/demographic data upon license grant [**0046**]

Block et al (US 2003/0220883) discloses storing a user's answer relating to the acceptance or refusal of a license agreement.

However, none of the prior art discloses the specific combination of limitations claimed including storing demographic data about users that decline a media license in order to inform a marketing analysis in combination with the other limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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 10-6 EST M-F.

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, Cordelia Zecher can be reached on 571-272-7771. 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

/CORDELIA ZECHER/
Supervisory Patent Examiner, Art Unit 2431

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD A. MCCOY	Art Unit 2431	Page 1 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2002/0032905 A1	03-2002	Sherr, Scott Jeffrey	G06F21/10	725/38
*	B	US-2002/0154157 A1	10-2002	Sherr, Scott Jeffrey	G06F21/10	715/716
*	C	US-2003/0149884 A1	08-2003	Hernandez, Randolph	G06F21/10	713/193
*	D	US-2003/0220883 A1	11-2003	Block, Jeffrey Alan	G06F21/105	705/59
*	E	US-2004/0039916 A1	02-2004	Aldis, David	G06F21/10	713/177
*	F	US-2005/0004873 A1	01-2005	Pou, Robin	G06F21/10	705/51
*	G	US-2005/0060701 A1	03-2005	Murase, Yasuhiro	G06Q30/06	717/178
*	H	US-2005/0114265 A1	05-2005	Satkunanathan, Lingan	G06F21/10	705/59
*	I	US-6,920,567 B1	07-2005	Doherty; Robert J.	G06F21/10	707/999.104
*	J	US-2005/0177844 A1	08-2005	Levi, Ron	G06Q30/02	725/30
*	K	US-2005/0223415 A1	10-2005	Oho, Masahiro	G06F21/606	726/27
*	L	US-2006/0031785 A1	02-2006	Raciborski; Nathan F.	G06F17/30041	715/859
*	M	US-2007/0055439 A1	03-2007	Denker; Dennis	G01S5/0036	701/532

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/667,629	Applicant(s)/Patent Under Reexamination ESTES, CHRISTOPHER	
	Examiner RICHARD A. MCCOY	Art Unit 2431	Page 2 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2007/0241176 A1	10-2007	Epstein; Johnny Stuart	G06F21/10	235/375
*	B	US-2008/0027742 A1	01-2008	Maeda; Kenji	G06F21/105	705/1.1
*	C	US-2008/0243694 A1	10-2008	Johnson; Jerry Alan	G06Q30/0603	705/52
*	D	US-2009/0210245 A1	08-2009	Wold; Edwin Leonard	G06Q10/10	700/300
*	E	US-2010/0324983 A1	12-2010	Etchegoyen; Craig S.	G06F21/10	705/14.23
*	F	US-2011/0051914 A1	03-2011	Neuman; Michael	H04M19/04	379/93.17
*	G	US-2011/0213721 A1	09-2011	RALEY; Michael Charles	G06F21/10	705/310
*	H	US-2012/0010931 A1	01-2012	Mehra; Krishna Kumar	G06Q10/107	705/14.16
*	I	US-2012/0096339 A1	04-2012	Cohen; Laurence G.	H04L67/06	715/221
*	J	US-8,151,194 B1	04-2012	Chan; Tracy Patrick	G06F17/30817	709/224
*	K	US-2012/0109834 A1	05-2012	Bongiovanni; Michele	G06Q30/018	705/317
*	L	US-2012/0123831 A1	05-2012	King; David G.	G06Q30/0274	705/14.7
*	M	US-2012/0124638 A1	05-2012	King; David G.	G06Q10/101	726/1

FOREIGN PATENT DOCUMENTS

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	Examiner RICHARD A. MCCOY	Art Unit 2431	Page 3 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2012/0123916 A1	05-2012	Shintani; Peter	G06Q30/0251	705/30
*	B	US-2013/0051772 A1	02-2013	Ramaswamy; Arun	H04N21/25875	386/291
*	C	US-2013/0047271 A1	02-2013	Tang; Ding-Yuan	G06F21/10	726/30
*	D	US-2014/0108029 A1	04-2014	Kim; John Sung	G06Q50/22	705/2
*	E	US-8,745,647 B1	06-2014	Shin; Brian J.	H04N21/442	725/10
*	F	US-2015/0040002 A1	02-2015	Kannan; Anu	G06F3/0482	715/246
*	G	US-9,148,706 B1	09-2015	Shin; Brian J.	H04N21/812	1/1
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	Art Unit
	RICHARD MCCOY	2431

CPC- SEARCHED		
Symbol	Date	Examiner
combine key word search w cpc classes : (G06F21/10G06F21/105G06F21/16).cpc. {see attached east file	2-6-14	mccoy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
no assignee in palm; dp search for inventer done in palm	2-6-14	mccoy
updated search according to claim amendments. see attached east file.	9/9/14	mccoy
updated search according to the claim amendments. see attached east file	4/24/2015	mccoy
updated search (see attached east file)	12/1/2015	mccoy
updated search (see attached east file)	6/10/2016	mccoy
updated search (see file)	3/13/2016	mccoy

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
key word searched		3/13/2017	mccoy

/R.M./ Examiner.Art Unit 2431	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	user with declines with license and ((demographic marketing) adj data)	US-PGPUB; USPAT	OR	ON	2017/03/13 14:31
L2	0	"13073047".ap.	US-PGPUB; USPAT	OR	ON	2017/03/13 14:39
L3	12	"073047".ap.	US-PGPUB; USPAT	OR	ON	2017/03/13 14:39
L4	2	"13073047".apnr.	US-PGPUB; USPAT	OR	ON	2017/03/13 14:39
L5	2	"12970215".apnr.	US-PGPUB; USPAT	OR	ON	2017/03/13 14:40
L6	4	4 5	US-PGPUB; USPAT	OR	ON	2017/03/13 14:40
L7	0	1 and (4 5)	US-PGPUB; USPAT	OR	ON	2017/03/13 14:42
L8	4	(4 5) and license and ((demographic marketing) adj data)	US-PGPUB; USPAT	OR	ON	2017/03/13 14:43
L9	3	declines with license and ((demographic marketing) adj data)	US-PGPUB; USPAT	OR	ON	2017/03/13 14:52
L10	0	declines with license and ((demographic marketing) adj data) not 9	US-PGPUB; USPAT	OR	ON	2017/03/13 14:52
L11	1	declines with license and ((demographic marketing) adj data) not 1	US-PGPUB; USPAT	OR	ON	2017/03/13 14:52
L12	8	declin$3 with license and ((demographic marketing) adj data) not 1 not 11	US-PGPUB; USPAT	OR	ON	2017/03/13 14:56
L13	2	declin$3 with license with ((stor$3 collect$3 gather$3 captur$3) adj data)	US-PGPUB; USPAT	OR	ON	2017/03/13 15:01
S1	2157	licens$3 with (media content movie song video) with (database datastore repository)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S2	343	license with (media content movie song video) with (licens$3 adj2 (database datastore repository))	US-PGPUB; USPAT	OR	ON	2014/02/04 17:55
S3	44	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog)	US-PGPUB; USPAT	OR	ON	2014/02/04 17:56
S4	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) same accept same decline	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S5	0	license with (media content movie song video) with (licens$3 adj2 (database datastore repository)) with (query prompt interface gui dialog) with accept	US-PGPUB; USPAT	OR	ON	2014/02/04 17:57
S6	49	license with (media content movie song	US-PGPUB;	OR	ON	2014/02/04

		video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog)	USPAT			17:57
S7	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) with payment	US-PGPUB; USPAT	OR	ON	2014/02/04 17:58
S8	5	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	2014/02/04 17:59
S9	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same (credit pay$4) and watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S10	0	license with (media content movie song video) with (licens$3 adj3 (database datastore repository)) with (query prompt interface gui dialog) same watermark	US-PGPUB; USPAT	OR	ON	2014/02/04 18:01
S11	2	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	2014/02/04 18:02
S12	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S13	0	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) same (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S14	5	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	2014/02/04 18:02
S15	2	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$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:02
S16	10	S8 S11 S14 S15	US-PGPUB; USPAT	OR	ON	2014/02/04 18:03
S17	4	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$).did. or (US-6920567-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:25
S18	10122	(G06F21/10 G06F21/105 G06F21/16).cpc.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:29

S19	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with(fingerprint watermark id identifier serial guid uuid) with (credit pay$4)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S20	0	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) with (credit pay$4) same(fingerprint watermark id identifier serial guid uuid)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S21	3	S18 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)	US-PGPUB; USPAT	OR	ON	2014/02/04 18:31
S22	3	S18 and (licens$3 adj3 (database datastore repository))with (query prompt interface gui dialog) same(credit pay$4) same(fingerprint watermark id identifier serial guid uuid) not S16	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S23	6	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$).did. or (US-6920567-$ or US-7676437-$).did.	US-PGPUB; USPAT	OR	ON	2014/02/04 18:32
S24	13	S16 S22	US-PGPUB; USPAT	OR	ON	2014/02/04 19:24
S25	6	(S16 S22) and S23	US-PGPUB; USPAT	OR	ON	2014/02/04 19:25
S26	88	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3)	US-PGPUB; USPAT	OR	ON	2014/09/08 18:59
S27	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) with license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:00
S28	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) same2 license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:01
S29	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 database	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S30	0	(media content movie song video) with copyright adj2 (holder owner) with (online web$5 server) near4 (retail$3 distribut$3) with user adj2 (data information profile) and license adj2 (database file store)	US-PGPUB; USPAT	OR	ON	2014/09/08 19:02
S31	2	(media content movie song video) with copyright adj2 (holder owner) with (retail$3 distribut$3) with user adj2 (data	US-PGPUB; USPAT	OR	ON	2014/09/08 19:03

		information profile) and license adj2 (database file store)				
S32	4	publisher with (copyright near4 (own owner ownership holder)) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor)	US-PGPUB; USPAT	OR	ON	2014/09/08 21:35
S33	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	2014/09/08 21:36
S34	177	(artist author 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	2014/09/08 21:39
S35	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:39
S36	111	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 and publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S37	173	(artist author licensor (copyright near4 (own owner ownership holder))) with (pick select choose hire pay contract retain) with (retail$2 reseller distributor) not S33 with publish$3	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S38	17	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 S33	US-PGPUB; USPAT	OR	ON	2014/09/08 21:40
S39	16066	apple.as.	US-PGPUB; USPAT	OR	ON	2014/09/09 13:05
S40	0	license with user adj3 data with itunes with (media music song mp3)	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S41	28	license with user adj3 data with (media music song mp3) with server	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S42	0	S39 and S41	US-PGPUB; USPAT	OR	ON	2014/09/09 13:06
S43	9	license with (media music song mp3) with server with device with manufactur$3	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S44	0	S41 and S43	US-PGPUB; USPAT	OR	ON	2014/09/09 13:09
S45	24	iphone with itunes and S39	US-PGPUB; USPAT	OR	ON	2014/09/09 13:56
S46	0	license near4 (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S47	7	license with (validat$3) with (age birthday) with (address location)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S48	7	license with (validat$3) with (age birthday) with (address)	US-PGPUB; USPAT	OR	ON	2015/04/23 12:54
S49	5	license with (validat$3) with (age birthday demographic) with (address	US-PGPUB; USPAT	OR	ON	2015/04/23 13:20

		region country state location geographic) not S48				
S50	10	license adj2 database with (age birthday demographic) with (address region country state location geographic) not S48	US-PGPUB; USPAT	OR	ON	2015/04/23 13:23
S51	0	(media content video audio song movie) with license adj2 database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:25
S52	4	(media content video audio song movie) with license with database with (age birthday demographic) with (address region country state location geographic)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:26
S53	84	(media content video audio song movie) adj2 license adj2 database	US-PGPUB; USPAT	OR	ON	2015/04/23 13:27
S54	2973	h04l2463/101.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:29
S58	2198	g06f21/00.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:30
S59	11353	g06f21/10.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S60	943	g06f21/105.cpc.	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S61	15263	S54 S58 S59 S60	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S62	0	S61 and (license adj2 database with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:31
S63	0	S61 and (license adj2 (database store) with (age birthday demographic) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S64	891	S61 and ((license adj2 (database store)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:32
S65	0	S61 and ((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:34
S66	0	((license adj2 (database store)) with "user data" with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:35
S67	43	((license adj2 (database store)) with (customer user) near4 (data information) with (market$3 customer sale))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S68	1	((license adj2 (database store)) with (customer user) near4 (data information) with ((new additional) adj2 (market$3 customer sale)))	US-PGPUB; USPAT	OR	ON	2015/04/23 13:36
S69	269	(license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:40
S70	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41

		usage meta) near4 (data information)				
S71	0	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information) with validation	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S72	62	(media content video audio song movie) with (license adj2 (database store)) with (customer user demographic market sale usage meta) near4 (data information)	US-PGPUB; USPAT	OR	ON	2015/04/23 13:41
S73	345	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:10
S74	102	(media content video audio song movie) with (license adj2 (database db store)) same ((customer user demographic market sale usage meta) near4 (data information) with (database db store))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:13
S75	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 14:14
S76	63	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 16:00
S77	71	(media content video audio song movie) with (license adj2 (database db store)) and ((customer user demographic market sale usage meta) near4 (data information) with (database db store) with (address region country state location geographic demographic))	US-PGPUB; USPAT	OR	ON	2015/04/23 16:14
S78	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 13:51
S79	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S80	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 13:51
S81	4	S78 S79 S80	US-PGPUB; USPAT	OR	ON	2015/11/30 13:51
S82	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary) and S81	US-PGPUB; USPAT	OR	ON	2015/11/30 13:53
S83	23	youtube with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:09
S84	181	(author owner) with content with analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:12
S85	0	((author owner) with content with analytic).ti.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13

S86	2	((author owner) with content with analytic).ab.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S87	3	((author owner) with content with analytic).clm.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S88	5	S86 S87	US-PGPUB; USPAT	OR	ON	2015/11/30 16:13
S89	0	(author owner) with content with analytic with monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S90	0	(author owner) with content with analytic same monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S91	0	(author owner) with content with analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S92	0	(author owner) with content with analytic same youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S93	13	(author owner) with content with analytic and youtube	US-PGPUB; USPAT	OR	ON	2015/11/30 16:14
S94	0	(author owner) with content same analytic and monotiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S95	20	(author owner) with content with analytic with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:15
S96	49	(author owner) with (video song content) with (statistic analytic) with (publisher distributor)	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S97	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S98	0	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) and monitiz$3	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S99	4	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:21
S100	10	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S101	6	(author owner) with (video song content) with (statistic analytic) with (publisher distributor) same3 demographic not S99	US-PGPUB; USPAT	OR	ON	2015/11/30 16:22
S102	0	youtube.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S103	14879	google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S104	274	google.as. and insight	US-PGPUB; USPAT	OR	ON	2015/11/30 16:24
S105	5	google.as. and insight and metrics and statistics and demographic and analytic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:25
S106	1	(US-8151194-$).did.	USPAT	OR	ON	2015/11/30 16:29
S107	15	(author owner publisher distributor) with (video song content) with (statistic analytic demographic geographic) with (views downloads) and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:31
S108	0	(author owner publisher distributor) with (video song content) with (statistic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:32

		analytic demographic geographic) with (views downloads) same monotiz$3 and google.as.				
S109	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S110	0	video with monotiz$3 and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:33
S111	41	video with syndication and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:55
S112	0	video with syndication with channel and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:55
S113	2	video with syndication and analytics and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:57
S114	0	video with syndication and analytics and demographic and google.as.	US-PGPUB; USPAT	OR	ON	2015/11/30 16:58
S115	0	video with syndication same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S116	0	video with (monitization syndication) same analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S117	17	video with (monitization syndication) and analytics with demographic	US-PGPUB; USPAT	OR	ON	2015/11/30 16:59
S118	1	(US-6920567-$).did.	USPAT	OR	ON	2015/11/30 17:17
S119	1	(US-20130047271-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S120	2	(US-20020154157-$ or US-20020032905-$).did.	US-PGPUB	OR	ON	2015/11/30 17:17
S121	4	S118 S119 S120	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17
S122	3	(compil$3 aggregat$3 assembl$4 creat$3) with (record statistics database summary report) and S121	US-PGPUB; USPAT	OR	ON	2015/11/30 17:17
S123	1	"20030149884".pn.	US-PGPUB; USPAT	OR	ON	2016/06/10 14:38
S124	1	"20050060701".pn.	US-PGPUB; USPAT	OR	ON	2016/06/10 14:38
S125	32	(US-20120096339-$ or US-20110213721-$ or US-20040039916-$ or US-20050114265-$ or US-20130047271-$ or US-20100324983-$ or US-20110051914-$ or US-20120010931-$ or US-20150040002-$ or US-20120109834-$ or US-20070055439-$ or US-20090210245-$ or US-20140108029-$ or US-20050177844-$ or US-20130051772-$ or US-20080243694-$ or US-20080027742-$ or US-20070241176-$ or US-20060031785-$ or US-20050223415-$ or US-20050004873-$ or US-20020154157-$ or US-20020032905-$ or US-20120124638-$ or US-20120123831-$ or US-20030149884-$).did. or (US-20050060701-$).did. or (US-6920567-$ or US-7676437-$ or US-8745647-$ or US-9148706-$ or US-8151194-$).did.	US-PGPUB; USPAT	OR	ON	2017/03/10 18:24
S126	0	((accept$3 receiv$3 acquir$3) near3 license) same ((declin$3 refus$3) near3	US-PGPUB; USPAT	OR	ON	2017/03/10 18:25

		license) same ((captur$3 gather$3 record$3 log$4 with data))				
S127	18	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3) near3 license) same ((captur$3 gather$3 record$3 log$4))	US-PGPUB; USPAT	OR	ON	2017/03/10 18:28
S128	180	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3) near3 license) same ((collect$3 captur$3 gather$3 record$3 log$4)) not3	US-PGPUB; USPAT	OR	ON	2017/03/10 18:29
S129	5	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3) near3 license) same ((collect$3 captur$3 gather$3 record$3 log$4)) not S127	US-PGPUB; USPAT	OR	ON	2017/03/10 18:29
S130	0	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3 reject$3) near3 license) same ((market$3 demographic) adj data age gender race)	US-PGPUB; USPAT	OR	ON	2017/03/10 18:38
S131	37	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3 reject$3) near3 license) same ((market$3 demographic) adj data age gender race country state region language origin)	US-PGPUB; USPAT	OR	ON	2017/03/10 18:57
S132	0	((accept$3 receiv$3 acquir$3) near5 license) same ((declin$3 refus$3 reject$3) near3 license) same (((market$3 demographic) adj data) age gender race country state region language origin) not S131	US-PGPUB; USPAT	OR	ON	2017/03/10 19:00
S133	0	collect with (((market$3 demographic) adj data) age gender race country state region language origin) with browse near5 song	US-PGPUB; USPAT	OR	ON	2017/03/10 19:01
S134	0	collect with (((market$3 demographic) adj data) age gender race country state region language origin) with brows$3 near5 song	US-PGPUB; USPAT	OR	ON	2017/03/10 19:01
S135	7	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic) adj data) age gender race country state region language origin) with brows$3 near5 song	US-PGPUB; USPAT	OR	ON	2017/03/10 19:02
S136	10	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic) adj data) age gender race country state region language origin) with ((brows$3 near5 song) without adj license)	US-PGPUB; USPAT	OR	ON	2017/03/10 19:03
S137	3	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic) adj data) age gender race country state region language origin) with ((brows$3 near5 song) without adj license) not S135	US-PGPUB; USPAT	OR	ON	2017/03/10 19:03
S138	1	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic) adj data) age gender race country region language origin) with ((brows$3 near5 song) without adj license) not S135	US-PGPUB; USPAT	OR	ON	2017/03/10 19:05

S139	3	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic) adj data) age gender race country region language origin) with ((brows$3 near5 song) without adj license) not S135	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2017/03/10 19:05
S140	33	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic user) adj data)) with ((brows$3 near5 (movie media song)) without adj license) not S135	US-PGPUB; USPAT; USOCR	OR	ON	2017/03/10 19:08
S141	33	(collect$3 captur$3 gather$3 record$3 log$4) with (((market$3 demographic user) adj data)) with ((brows$3 near5 (movie media song)) without adj license)	US-PGPUB; USPAT; USOCR	OR	ON	2017/03/10 19:08
S142	8980	licens$3 with (media content movie song video) with (acquisition acquire receive purchas$3 buy$2 accept$3 request$3)	US-PGPUB; USPAT	OR	ON	2017/03/13 12:27
S143	315	licens$3 with (media content movie song video) with (acquisition acquire receive purchas$3 buy$2 accept$3 request$3) same4 (user with (metrics statistics demographic analytic$2))	US-PGPUB; USPAT	OR	ON	2017/03/13 12:29
S144	19	licens$3 with (media content movie song video) with (acquisition acquire receive purchas$3 buy$2 accept$3 request$3) with (declin$3 refus$3) same4 (user with (metrics statistics demographic analytic$2 data))	US-PGPUB; USPAT	OR	ON	2017/03/13 12:30
S145	0	(licens$3 with (media content movie song video) with (acquisition acquire receive purchas$3 buy$2 accept$3 request$3) with (declin$3 refus$3) same4 ((demographic user) with (metrics statistics demographic analytic$2 data))) not S144	US-PGPUB; USPAT	OR	ON	2017/03/13 12:35
S146	19	(licens$3 with (media content movie song video) with (declin$3 refus$3) same4 ((demographic user) with (metrics statistics demographic analytic$2 data))) not S144	US-PGPUB; USPAT	OR	ON	2017/03/13 12:35
S147	161	user with declines with license	US-PGPUB; USPAT	OR	ON	2017/03/13 12:43
S148	0	user with declines with license with (demographic marketing) adj data	US-PGPUB; USPAT	OR	ON	2017/03/13 12:44
S149	0	user with declines with license with (demographic marketing user) adj data	US-PGPUB; USPAT	OR	ON	2017/03/13 12:44
S150	0	user with declin$3 with license with (demographic marketing user) adj data	US-PGPUB; USPAT	OR	ON	2017/03/13 12:44

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L14	1	declin$3 with license with ((stor$3 collect$3 gather$3 captur$3) adj data)	USPAT	OR	ON	2017/03/13 15:28

L15	0	(declin$3 with license with ((stor$3 collect$3 gather$3 captur$3) adj data)).clm.	USPAT	OR	ON	2017/03/13 15:28
L16	3	(licens$3 with (media content movie song video) with (acquisition acquire receive purchas$3 buy$2 accept$3 request$3) with (declin$3 refus$3) same4 (user with (metrics statistics demographic analytic$2 data))).clm.	USPAT	OR	ON	2017/03/13 15:28

3/ 13/ 2017 3:30:17 PM
C:\ Users\ rmccoy1\ Documents\ EAST\ Workspaces\ 13667629.wsp

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	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
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CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
			/					
			/					

/R.A.M./ Examiner.Art Unit 2431	03/13/2017	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	32	
/DEDE ZECHER/ Supervisory Patent Examiner.Art Unit 2431	03/15/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
726	32	6	0	6	F	21 / 00						
CROSS REFERENCE(S)												
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											

/R.A.M./ Examiner.Art Unit 2431	03/13/2017	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	32	
/DEDE ZECHER/ Supervisory Patent Examiner.Art Unit 2431	03/15/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

U.S. Patent and Trademark Office — Part of Paper No. 20170313

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13667629	ESTES, CHRISTOPHER
	Examiner	**Art Unit**
	RICHARD A MCCOY	2431

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	17	32	33										
2	2	18	18												
3	3	19	19												
4	4	20	20												
5	5	21	21												
6	6	22	22												
7	7	23	23												
8	8	24	24												
9	9	25	25												
10	10	26	26												
11	11	27	27												
12	12	28	28												
13	13	29	29												
14	14		30												
15	15	30	31												
16	16	31	32												

/R.A.M./ Examiner.Art Unit 2431	03/13/2017	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	32	
/DEDE ZECHER/ Supervisory Patent Examiner.Art Unit 2431	03/15/2017	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	4

PART B–FEE(S) TRANSMITTAL

Complete and send this form, together with the applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22314-1450
or Fax **(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)

WOOD HERRON & EVANS LLP
441 Vine Street, Suite 2700
Cincinnati, Ohio 45202-2917

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 facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Via EFS Web – John Paul Davis	(Depositor's Name)
/ John Paul Davis /	(S-signature)
June 20, 2017	(Date)

APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
13/667,629	11/02/2012	Christopher A. Estes	BESTES-07US	2832

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	$480.00			$480.00	06/21/2017

EXAMINER	ART UNIT	CLASS-SUBCLASS
MCCOY, RICHARD ANTHONY	2431	726-032

1. Change of correspondence address or indication of "Fee Address" (37CFR 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 03-02 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 attorney or agent. If no name is listed, no name will be printed

1. Wood Herron & Evans 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 has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

1a. NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:

☒ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies

4b. Payment of Fees(s): **(Please first reapply and previously paid fee shown above)**

☐ A check is enclosed

☒ Payment be credit card. Form PTO-2038 is not attached. Via EFS web.

☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 23-3000 (enclose an extra copy of this form)

5. Change of Entity Status (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29
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.

☐ Applicant asserting small entity status. See 37 CFR 1.27
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.

☐ Applicant changing to regular undiscounted fee status.
NOTE: Checking this box will be taken to be 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	/John Paul Davis/	Date	June 20, 2017
Typed or printed name	John Paul Davis	Registration No.	52,798

Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Stephanie Goldman
Attorney Docket Number:	BESTES-7US

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	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**480**

Electronic Acknowledgement Receipt	
EFS ID:	29550129
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Stephanie Goldman
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	20-JUN-2017
Filing Date:	02-NOV-2012
Time Stamp:	14:02:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$480
RAM confirmation Number	062117INTEFSW14045800
Deposit Account	233000
Authorized User	Stephanie Goldman
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)	BESTES-07US_IssueFee.PDF	119258 7bdd65fa0ffed533905072810d03739d98f563f2	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30654 b2132ccf6995fd7108be0d2920167d528e61ebb7	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	149912		

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/667,629	07/25/2017	9715581	BESTES-7US	2832

26875 7590 07/03/2017

WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

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 Estes, Nashville, TN;

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.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4).

Dated: June 29, 2018
Electronic Signature for John Paul Davis: /John Paul Davis/

Docket No.: BESTES 07US

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Christopher A. Estes

Patent No.: 9,715,581

Issued: July 25, 2017

For: Digital Media Reproduction and Licensing

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. § 1.323

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

It is respectfully requested that a Certificate of Correction be issued for the patent identified in the heading. The errors were found in the application as filed by applicant. The errors now sought to be corrected are inadvertent typographical errors the correction of which does not involve new matter or require reexamination.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Please charge our Credit Card in the amount of $150.00 covering the fee set forth in 37 C.F.R. § 1.20(a). The Director is hereby authorized to charge any deficiency in the fees filed,

asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23-3000, under Order No. BESTES 07US.

Dated: June 29, 2018

Respectfully submitted,

Electronic signature: /John Paul Davis/
John Paul Davis
Registration No.: 52,798
WOOD HERRON & EVANS LLP
441 Vine Street, Suite 2700
Cincinnati, Ohio 45202-2917
(513) 241-2324
(513) 241-6234 (Fax)
Attorney for Applicant

PTO/SB/44 (09-07)
Approved for use through 01/31/2020. OMB 0651-0033
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.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.	:	9,715,581
APPLICATION NO.	:	13/667,629
ISSUE DATE	:	July 25, 2017
INVENTOR(S)	:	Christopher A. Estes

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At FIG. 5, box #176, "Statistiscs" should read - - "Statistics"

Column 1, line approx. 36 reads "… As a result, the actual-rights holder …" should read - - "…As a result, the actual rights-holder …"

Col. 3, line approx. 5 reads "… characteristic, by every embodiment may not necessarily …" should read - - "… characteristic, but every embodiment may not necessarily …"

Col. 3, line approx. 17 reads "… portions thereof, may be implemented." should read - - "… portions thereof may be implemented."

Col. 7, line approx. 42-43 reads "… [cor-]responding media content item that will be apparent to the those skilled in the…" should read "…[cor-]responding media content item that will be apparent to those skilled in the …"

Col. 7, line approx. 54-55 reads "… The data may include, for example, whether a user that purchased a license …" should read - - "… The data may include, for example, whether a user purchased a license …"

Col. 10, line approx. 57 reads "… which point, the device may refuse to …" should read - - "… which point the device may refuse to …"

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4).

Dated: June 29, 2018 Electronic Signature for John Paul Davis: /John Paul Davis/

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):
John Paul Davis
WOOD HERRON & EVANS LLP
441 Vine Street, Suite 2700
Cincinnati, Ohio 45202-2917

1

PTO/SB/44 (09-07)
Approved for use through 01/31/2020. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.	:	9,715,581
APPLICATION NO.	:	13/667,629
ISSUE DATE	:	July 25, 2017
INVENTOR(S)	:	Christopher A. Estes

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 12, line approx. 61 reads "…[multime-]dia hardware device may be connected to a one or more …" should read - - "…[multime-]dia hardware device may be connected to one or more …"

Col. 13, line approx. 24 reads "… Such that the the content fingerprint …" should read - - "… Such that the content fingerprint …"

Col. 14, line approx. 14-15 reads "Moreover, while the invention has and hereinafter will been described in the context of digital media …" should read "Moreover, while the invention has and hereinafter will be described in the context of digital media …"

Col. 14, line approx. 41-42 reads "… detail, it is not the intention of the applicants to restrict or in …" should read "… detail, it is not the intention of the Applicant to restrict or in …"

Col. 14, line approx. 52 reads "… without departing from the spirit or scope of applicants' …" should read "… without departing from the spirit or scope of Applicant's …"

Col. 15, line 24-25, CLAIM 1 reads "… owner and a demographic that declined the license for is the media content item of the copyright owner;" should read "… owner and a demographic that declined the license for the media content item of the copyright owner;"

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):
John Paul Davis
WOOD HERRON & EVANS LLP
441 Vine Street, Suite 2700
Cincinnati, Ohio 45202-2917

PTO/SB/44 (09-07)
Approved for use through 01/31/2020. OMB 0651-0033
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.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.	:	9,715,581
APPLICATION NO.	:	13/667,629
ISSUE DATE	:	July 25, 2017
INVENTOR(S)	:	Christopher A. Estes

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 15, line 41-46, CLAIM 2 reads "... receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item." should read "...receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item."

Col. 19, line 30, CLAIM 22 reads "... device manufacturer that manufacturers hardware that ..." should read "... device manufacturer that manufactures hardware that ..."

Col. 20, line 2, CLAIM 24 reads "... device manufacturer that manufacturers hardware that ..." should read "... device manufacturer that manufactures hardware that ..."

Col. 20, line 14, CLAIM 26 reads "... hardware device manufacturer that manufacturers hardware ..." should read "... hardware device manufacturer that manufactures hardware ..."

Col. 20, line 26, CLAIM 28 reads "... hardware device manufacturer that manufacturers hardware ..." should read "... hardware device manufacturer that manufactures hardware ..."

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):
John Paul Davis
WOOD HERRON & EVANS LLP
441 Vine Street, Suite 2700
Cincinnati, Ohio 45202-2917

Electronic Patent Application Fee Transmittal

Application Number:	13667629
Filing Date:	02-Nov-2012
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Filer:	John Paul Davis/Stephanie Goldman
Attorney Docket Number:	BESTES-7US

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:				
CERTIFICATE OF CORRECTION	2811	1	150	150

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**150**

Electronic Acknowledgement Receipt	
EFS ID:	33050507
Application Number:	13667629
International Application Number:	
Confirmation Number:	2832
Title of Invention:	Digital Media Reproduction and Licensing
First Named Inventor/Applicant Name:	Christopher Estes
Customer Number:	26875
Filer:	John Paul Davis/Stephanie Goldman
Filer Authorized By:	John Paul Davis
Attorney Docket Number:	BESTES-7US
Receipt Date:	29-JUN-2018
Filing Date:	02-NOV-2012
Time Stamp:	14:11:26
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$150
RAM confirmation Number	070218INTEFSW14141900
Deposit Account	233000
Authorized User	Stephanie Goldman
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	Request for Certificate of Correction	Request_COC_BESTES-07US.PDF	318995 1d33fa0f6c522d23550c080abffc611ffda714e9	no	2
Warnings:					
Information:					
2	Request for Certificate of Correction	COC_BESTES-07US.PDF	395280 6a3528c6683bb984ea608842a0eae05adfcb1703	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30404 237cf9a88b109f5fadaebccd6f353763bee101b7	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	744679		

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.	: 9,715,581 B1
APPLICATION NO.	: 13/667629
DATED	: July 25, 2017
INVENTOR(S)	: Christopher A. Estes

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At FIG. 5, box #176, "Statistiscs" should read "Statistics"

Column 1, Line approx. 36 reads "... As a result, the actual-rights holder ..." should read "... As a result, the actual rights-holder ..."

Column 3, Line approx. 5 reads "... characteristic, by every embodiment may not necessarily ..." should read "... characteristic, but every embodiment may not necessarily ..."

Column 3, Line approx. 17 reads "... portions thereof, may be implemented." should read "... portions thereof may be implemented."

Column 7, Line approx. 42-43 reads "... [cor-]responding media content item that will be apparent to the those skilled in the ..." should read "... [cor-]responding media content item that will be apparent to those skilled in the ..."

Column 7, Line approx. 54-55 reads "... The data may include, for example, whether a user that purchased a license ..." should read "... The data may include, for example, whether a user purchased a license ..."

Column 10, Line approx. 57 reads "... which point, the device may refuse to ..." should read "... which point the device may refuse to ..."

Column 12, Line approx. 61 reads "... [multime-]dia hardware device may be connected to a one or more ..." should read "... [multime-]dia hardware device may be connected to one or more ..."

Column 13, Line approx. 24 reads "... Such that the the content fingerprint ..." should read "... Such that the content fingerprint ..."

Signed and Sealed this
Thirty-first Day of July, 2018

Andrei Iancu
Director of the United States Patent and Trademark Office

Column 14, Line approx. 14-15 reads "Moreover, while the invention has and hereinafter will been described in the context of digital media ..." should read "Moreover, while the invention has and hereinafter will be described in the context of digital media ..."

Column 14, Line approx. 41-42 reads "... detail, it is not the intention of the applicants to restrict or in ..." should read "... detail, it is not the intention of the Applicant to restrict or in ..."

Column 14, Line approx. 52 reads "... without departing from the spirit or scope of applicants' ..." should read "... without departing from the spirit or scope of Applicant's ..."

Column 15, Line 24-25, Claim 1 reads "... owner and a demographic that declined the license for is the media content item of the copyright owner;" should read "... owner and a demographic that declined the license for the media content item of the copyright owner;"

Column 15, Line 41-46, Claim 2 reads "... receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item or to decline the license to reproduce the media content item." should read "... receiving from the user a licensing response to the licensing query, wherein the licensing response indicates whether the user has selected to acquire the license to reproduce the media content item or to decline the license to reproduce the media content item."

Column 19, Line 30, Claim 22 reads "... device manufacturer that manufacturers hardware that ..." should read "... device manufacturer that manufactures hardware that ..."

Column 20, Line 2, Claim 24 reads "... device manufacturer that manufacturers hardware that..." should read "... device manufacturer that manufactures hardware that ..."

Column 20, Line 14, Claim 26 reads "... hardware device manufacturer that manufacturers hardware ..." should read "... hardware device manufacturer that manufactures hardware ..."

Column 20, Line 26, Claim 28 reads "... hardware device manufacturer that manufacturers hardware ..." should read "... hardware device manufacturer that manufactures hardware ..."

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

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