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 - Waco Divsion on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
6:22-cv-573	6/3/2022	Western District of Texas - Waco Divsion

PLAINTIFF	DEFENDANT
QUANTUM IMAGING LLC	SONY GROUP CORPORATION; SONY CORPORATION OF AMERICA; SONY INTERACTIVE ENTERTAINMENT INC.; SONY INTERACTIVE ENTERT

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,458,028	6/4/2013	Frances Barbaro Altieri
2	10,255,724	4/9/2019	Frances Barbaro Altieri
3	10,846,941	11/24/2020	Frances Barbaro Altieri
4	10,991,165	4/27/2021	Frances Barbaro Altieri
5			

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		
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

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

Sony Exhibit 1003
Sony v. Quantum

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- A Prior Art Submission including two U.S. Office Actions

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Applicants hereby petition for any extension of time that may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

((13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: March 25, 2019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

PRIOR ART SUBMISSION UNDER 37 C.F.R. 1.97(i)

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

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the U.S. Patent and Trademark Office (USPTO) is hereby directed to the enclosed references. The Examiner is requested to simply place the references in the application file, as the references are believed by the Applicants to be cumulative to the references cited in this case.

Applicants respectfully submit cited and prior art record references listed in the attached Final Office Action, issued in co-pending U.S. Patent Application No. 15/348,438 on December 26, 2018 and a Non-Final Office Action issued in co-pending U.S. Patent Application No.15/817,815 on March 19, 2019. Please note that the following U.S. references were cited in the Office Actions,

2002/0154174 A1

2004/0002843 A1

2006/0046699 A1

6,616,533 B1

6,546,309 B1

7,190,331 B2

Please be advised that The U.S. references are not submitted herein as it is assumed that the USPTO has these references readily available.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants hereby petition for any extension of time that may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: March 25, 2019

Electronic Acknowledgement Receipt

EFS ID:	35515743
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Maureen Gitonga
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	25-MAR-2019
Filing Date:	04-AUG-2011
Time Stamp:	14:16:58
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2019-03-25-71457-0014_PRIOR-ART-TTL.pdf	30102 62092f7aee11186386a73c2e0db2a56f2fc6bb09	no	2

Warnings:

Information:					
2	Transmittal Letter	2019-03-25-71457-014_PRIOR-ART-SUBMISSION.pdf	30666 b9affad8506dd6ed5fe627c079b2f4618cbb7cec	no	2
Warnings:					
Information:					
3	Non Patent Literature	2019-03-25-71457-0014_NFOA.pdf	1325729 4101ba97ffc3e16a69b7510f8505fef1b1efb699	no	20
Warnings:					
Information:					
4	Non Patent Literature	2019-03-25-71457-0014_FOA.pdf	825303 6470bc6e8b5dd2420299089172 0f3d181cdb4a46	no	13
Warnings:					
Information:					
		Total Files Size (in bytes):	2211800		

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.
13/137,299	04/09/2019	10255724	71457.0014	9462

13155 7590 03/20/2019

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

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 1066 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):

Frances Barbaro Altieri, Belmont, MA;

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.

Best Available Copy

PART B - FEE(S) TRANSMITTAL

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

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

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

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

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

13155 7590 11/14/2018
Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

TITLE OF INVENTION: Interactive virtual thematic environment

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	02/14/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
MESSMORE, JONATHAN R	2482	348-040000

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

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

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

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

1 Jean C. Edwards, Esq.
2 Edwards Neils, LLC
3

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

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

(A) NAME OF ASSIGNEE: BARBARO TECHNOLOGIES

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Belmont, MA

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

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

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

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

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. 50-5497

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

Authorized Signature: Jean C Edwards Date: 03/04/2019

Typed or printed name: Jean C. Edwards, Esq. Registration No. 41,728

PTOL-85 Part B (08-18) Approved for use through 01/31/2020 OMB 0651-0033 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Best Available Copy

RECEIVED
CENTRAL FAX CENTER

NOV 2 1 2018

11/23/2018 STANN2 00000001 13137299

01 FC:2501 500.00 OP

Name as it Appears on Credit Card: Frances Barbaro

Payment Amount (US Dollars): $ 500.00

Cardholder Signature: [signature] Date (mm/dd/yyyy): 11/21/2018

The USPTO does not accept an s-signature (37 CFR 1.4(e)) on credit card payment forms.
Refund Policy: The USPTO may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The USPTO will not refund amounts of $25.00 or less unless a refund is specifically requested and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.
Maximum Daily Limit: There is a $24,999.99 daily limit per credit card account effective June 1, 2015. There is no daily limit for debit cards.

Credit Card Billing Address

Street Address 1: 119 Juniper Road

Street Address 2:

City: Belmont

State/Province: MA Zip/Postal Code: 02478

Country: USA

Daytime Phone #: 6176992721 Fax #: 617-993-3311

Request and Payment Information

Description of Request and Payment Information:

Patent Issuance Fee

☒ Patent Fee	☐ Patent Maintenance Fee	☐ Trademark Fee	☐ Other Fee
Application No. 13/137,299	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 71457.0014		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form or submits this form electronically via EFS-Web, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

13155 7590 11/14/2018

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER	
MESSMORE, JONATHAN R	
ART UNIT	PAPER NUMBER
2482	

DATE MAILED: 11/14/2018

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

TITLE OF INVENTION: Interactive virtual thematic environment

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	02/14/2019

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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

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

13155 7590 11/14/2018

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

TITLE OF INVENTION: Interactive virtual thematic environment

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$500	$0.00	$0.00	$500	02/14/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
MESSMORE, JONATHAN R	2482	348-040000

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

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

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

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

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

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

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

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

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

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

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

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

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

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

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.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 11/14/2018

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER	
MESSMORE, JONATHAN R	
ART UNIT	PAPER NUMBER
2482	

DATE MAILED: 11/14/2018

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 13/137,299	Applicant(s) Altieri, Frances Barbaro	
	Examiner JONATHAN R MESSMORE	Art Unit 2482	AIA 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 RCE and claims filed 15 June 2018.
   ☐ 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 29-51 and 54 . 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 areply 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 15 June 2018.
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 _____.

/JONATHAN R MESSMORE/
Primary Examiner, Art Unit 2482

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 June 2018 has been entered.

Information Disclosure Statement

3. The information disclosure statement(s) (IDS) was/were submitted on 15 June 2018. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement(s) is/are being considered by the examiner.

Response to Arguments

4. Applicant's arguments, see Response to Advisory Action mailed 7 May 2018, filed 15 June 2018, with respect to Claim Rejections under 35 USC §103 have been fully considered and are persuasive. The Claim Rejections under 35 USC §103 of Claims **29-51, and 54** has been withdrawn.

Allowable Subject Matter

5. Claims **29-51, and 54** are allowed.

6. The following is an examiner's statement of reasons for allowance: While transitioning both a user's avatar and other objects between virtual spaces is well known in the art, the specific automatic exiting based on a predetermined action has not been disclosed in the prior art.

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

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN R MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday-Friday 9-5 EST/EDT.

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, Chris Kelley can be reached on 571-272-7331. 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.

/JONATHAN R MESSMORE/
Primary Examiner, Art Unit 2482

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/137,299	Altieri, Frances Barbaro
	Examiner	Art Unit
	JONATHAN R MESSMORE	2482

CPC - Searched*		
Symbol	**Date**	**Examiner**
G06Q 30/0269	6/19/2014	J.M.
updated above	10/16/2015	J.M.
updated above	5/10/2017	J.M.
updated above	1/10/2018	J.M.
updated above	11/07/2018	J.M.

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

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
348	40	6/19/2014	J.M.
345	418	6/19/2014	J.M.
updated	above	1/9/2015	J.M.
updated	above	10/16/2015	J.M.

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

/JONATHAN R MESSMORE/ Primary Examiner, Art Unit 2482	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/137,299	Altieri, Frances Barbaro
	Examiner	Art Unit
	JONATHAN R MESSMORE	2482

Search Notes		
Search Notes	**Date**	**Examiner**
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.
updated above	1/9/2015	J.M.
EAST Workspace History Attached	1/9/2015	J.M.
updated above	10/16/2015	J.M.
EAST Workspace History Attached	10/16/2015	J.M.
updated above	5/10/2017	J.M.
EAST Workspace History Attached	5/10/2017	J.M.
updated above	1/10/2018	J.M.
EAST Workspace History Attached	1/10/2018	J.M.
updated above	11/07/2018	J.M.
EAST Workspace History Attached	11/07/2018	J.M.

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
A63F	13/215, 13/216, 13/217, 13/335, 13/35	11/07/2018	J.M.
H04N	13/363	11/07/2018	J.M.

/JONATHAN R MESSMORE/ Primary Examiner, Art Unit 2482	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/137,299	Altieri, Frances Barbaro
	Examiner	**Art Unit**
	JONATHAN R MESSMORE	2482

CPC						
Symbol					**Type**	**Version**
G06T	/	19	/	006	F	2013-01-01
A63F	/	13	/	65	I	2014-09-02
A63F	/	13	/	35	I	2014-09-02
A63F	/	13	/	335	I	2014-09-02
G06Q	/	30	/	0241	I	2013-01-01
H04N	/	13	/	366	I	2018-05-01
G06Q	/	30	/	02	I	2013-01-01
G06Q	/	30	/	0257	I	2013-01-01
G06Q	/	30	/	0269	I	2013-01-01
A63F	/	13	/	215	I	2014-09-02
A63F	/	13	/	216	I	2014-09-02
A63F	/	13	/	217	I	2014-09-02
G03H	/	1	/	0005	I	2013-01-01
H04N	/	13	/	363	I	2018-05-01

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

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	24	
/JONATHAN R MESSMORE/ Primary Examiner, Art Unit 2482	07 November 2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

U.S. Patent and Trademark Office — Part of Paper No.: 20181107

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/137,299	Altieri, Frances Barbaro
	Examiner	**Art Unit**
	JONATHAN R MESSMORE	2482

INTERNATIONAL CLASSIFICATION					
CLAIMED					
H04N	/	13	/	00	
NON-CLAIMED					
	/		/		

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

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

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 24	
/JONATHAN R MESSMORE/ Primary Examiner, Art Unit 2482 (Primary Examiner)	07 November 2018 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 5

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/137,299	Altieri, Frances Barbaro
	Examiner	**Art Unit**
	JONATHAN R MESSMORE	2482

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

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	29	10	38	19	47										
2	30	11	39	20	48										
3	31	12	40	21	49										
4	32	13	41	22	50										
5	33	14	42	23	51										
6	34	15	43	24	54										
7	35	16	44												
8	36	17	45												
9	37	18	46												

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	24	
/JONATHAN R MESSMORE/ Primary Examiner, Art Unit 2482	07 November 2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	15	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$ or US-20170061697-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$ or US-7558578-$ or US-6657584-$).did.	US-PGPUB; USPAT	OR	OFF	2018/11/07 09:41
L2	0	l1 and (automatic with exit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2018/11/07 09:41
L3	3	l1 and (exit)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2018/11/07 09:42
L4	1	"20110292167"	US-PGPUB; USPAT	OR	OFF	2018/11/07 09:43
L5	211	(virtual) and (automatic$4 with (exit or return)) same (internet or server or website) and @ad<"20021016"	US-PGPUB; USPAT	OR	OFF	2018/11/07 09:48
L6	4853	g06t19/006.cpc. or h04n13/363.cpc. or h04n13/366.cpc. or a63f19/103.cpc. or a63f13/216.cpc. or a63f13/335.cpc. or 163f13/65.cpc.	USPAT	OR	OFF	2018/11/07 09:49
L7	1	L6 and l5	USPAT	OR	OFF	2018/11/07 09:49
L8	212	(virtual or thematic) and (automatic$4 with (exit or return)) same (internet or server or website) and @ad<"20021016"	US-PGPUB; USPAT	OR	OFF	2018/11/07 09:51
L9	1	(thematic) and (automatic$4 with (exit or return)) same (internet or server or website) and @ad<"20021016"	US-PGPUB; USPAT	OR	OFF	2018/11/07 09:51
L13	16	((("ALTIERI") near3 ("Frances"))).INV.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2018/11/07 10:47
L15	3	l13 and exit	US-PGPUB; USPAT; USOCR; EPO; JPO;	OR	OFF	2018/11/07 10:48

			DERWENT			
S1	5	"2002008077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S2	3	"20030176213"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S3	2	"20030022719"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S4	10	(S1 or S2 or S3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S5	3	S4 and commercial$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S6	0	S4 and sponsor	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S7	1	S4 and (paid)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S8	1	S4 and advertis$6	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S9	45542	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S10	3732	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO;	AND	ON	2015/10/16 13:34

			DERWENT			
S11	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) with (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S12	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S13	73	(commercial or advertis$5) with (requir$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:35
S14	30	(virtual with (leave or exit) with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 13:09
S15	564	(virtual with (object) with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:51
S16	1	(virtual with (object) with grab$4 with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:52
S17	3	(US-20030177248-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:27
S18	0	S17 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
S19	2	"20020082077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
S20	4	(US-20030177248-$ or US-20020082077-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:28
S21	0	S20 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S22	0	S20 and satelite	US-	AND	ON	2017/05/10

			PGPUB; USPAT; EPO; JPO; DERWENT			15:28
S23	1	S20 and satellite	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S24	18	(virtual with gps with map) and @ad<"20021016"	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S25	2	(virtual with (object) with grab$4 same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:48
S26	0	(virtual with (object) with inport same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:49
S27	1	(virtual with (object) with import same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:49
S28	2	"20110292167"	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/10/05 11:08
S29	58	((copy or grab) near2 (object or content)) with ((plurality or multiple) near3 (display or device or user)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 12:01
S30	22	((copy or grab) near2 (object or content)) with ((plurality or multiple) near3 (display or device or user)) and (3d or reality or augment$4 or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 12:16
S31	6	((copy$4 or grab$4) near2 (object or content or target)) with ((plurality or multiple) near3 (display or user)) and (3d or reality or augment$4 or virtual) and @ad<"20021016" not S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 15:28
S32	27	((copy$4 or grab$4) near2 (object or content or target)) with (exit with user) and (3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO;	AND	ON	2018/01/09 15:30

			DERWENT			
S33	18	((copy$4 or grab$4) near2 (object or content or target)) and (exit with user) with (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 15:31
S34	725	((copy$4 or grab$4) near2 (object or content or target)) with new and (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S35	54	((copy$4 or grab$4) near2 (object or content or target)) with new same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S36	21	((copy$4 or grab$4) near2 (object or content or target)) near4 new same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S37	702	(import (object or content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S38	85	(import near3 (object or content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S39	0	(import near3 (new near2 (object or content or target))) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S40	9	(user with import near3 (object or content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:19
S41	5	"20020024517".pn. or "6020885".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:26
S42	0	S41 and gui	US-PGPUB; USPAT; USOCR; EPO; JPO;	AND	ON	2018/01/10 13:26

			DERWENT			
S43	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	AND	ON	2018/01/10 13:26
S44	2	S43 and gui	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:26
S45	9	S40 and (stor$4 or memor$4 or library or (content adj management))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:29
S46	0	S43 and physics	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:54
S47	4	S43 and nature	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:55
S48	1	S43 and (artificial or ai)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:56
S49	6	S43 and (library)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:57
S50	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	AND	ON	2018/01/10 18:15
S51	1	S50 and rule	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:15
S52	0	S50 and ("based on")	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:17
S53	12	S50 and ("based")	US-PGPUB; USPAT; EPO; JPO;	AND	ON	2018/01/10 18:17

			DERWENT			
S54	2	S50 and (bill$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:22
S55	2	S50 and (report$4 or bug$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:23
S56	2	S50 and (compet$8)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:28
S57	12	S50 and (tim$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:29
S58	5	S50 and (credit)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:30
S59	1	S50 and (gps)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:31
S60	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	AND	ON	2018/05/02 12:58
S61	9	S60 and (web or site or website or internet)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/05/02 12:58
S62	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	OR	OFF	2018/05/25 15:49
S63	5	S62 and (geograph$4 or location) with user	USPAT	OR	OFF	2018/05/25 15:49
S64	1	S62 and (radar) with user	USPAT	OR	OFF	2018/05/25 15:52
S65	0	"20170061697"	USPAT	OR	OFF	2018/05/25 15:54
S66	2	"20170061697"	US-PGPUB; USPAT;	OR	OFF	2018/05/25 15:54

			USOCR; EPO; JPO; DERWENT			
S67	1	S62 and (radar with user)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2018/05/25 15:55
S69	4	S62 and updat$4	USPAT	OR	OFF	2018/05/25 16:15
S70	1	S62 and updat$4 with interval	USPAT	OR	OFF	2018/05/25 16:20
S71	227	request with updat$4 with interval and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:21
S72	4202	g06t19/006.cpc. or h04n13/363.cpc. or h04n13/366.cpc. or a63f19/103.cpc. or a63f13/216.cpc. or a63f13/335.cpc. or 163f13/65.cpc.	USPAT	OR	OFF	2018/05/25 16:22
S73	0	S72 and S71	USPAT	OR	OFF	2018/05/25 16:23
S74	1	request with updat$4 with interval same virtual and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:23
S75	0	request adj updat$4 with predetermined adj interval and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:24
S76	2	request near3 updat$4 with predetermined adj interval and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:24
S77	18	request adj updat$4 with interval and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:26
S78	14	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$ or US-20170061697-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$ or US-7558578-$).did.	US-PGPUB; USPAT	OR	OFF	2018/05/25 16:29
S79	2	S78 and (real adj time)	USPAT	OR	OFF	2018/05/25 16:29
S80	0	S78 and (gps or smell or (voice near recogni$8) or weather)	USPAT	OR	OFF	2018/05/25 16:37
S81	0	S78 and gps	USPAT	OR	OFF	2018/05/25 16:38
S82	12	(virtual with gps with user) and @ad<"20021016"	USPAT	OR	OFF	2018/05/25 16:51
S83	16	((("ALTIERI") near3 ("Frances") near3 ("BARBARO"))).INV.	US-PGPUB; USPAT; USOCR	OR	OFF	2018/05/25 18:46

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L10	13145	g06t19/006.cpc. or h04n13/363.cpc. or h04n13/366.cpc. or a63f19/103.cpc. or	US-PGPUB;	OR	OFF	2018/11/07 10:30

		a63f13/216.cpc. or a63f13/335.cpc. or 163f13/65.cpc.	USPAT			
L11	470	(virtual or thematic) same (exit) and l10	US-PGPUB; USPAT	OR	OFF	2018/11/07 10:32
L12	23	(virtual or thematic) same (exit) and l10 and @ad< "20021016"	US-PGPUB; USPAT	OR	OFF	2018/11/07 10:32

11/7/2018 10:49:38 AM
C:\Users\jmessmore\Documents_Applications\13000000\13137299\13137299 EAST 10May2017.wsp

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (03-15)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6057856	A	2000-05-02	Miyashita et al.	
	2	6657584	B2	2003-12-02	Cavallaro et al.	
	3	7558578	B1	2009-07-07	De Beer	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

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NON-PATENT LITERATURE DOCUMENTS [Remove]

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	Non-Final Office Action issued in U.S. Patent Application No. 15/348,438 on May 31, 2018	

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

EXAMINER SIGNATURE

Examiner Signature	/JONATHAN R MESSMORE/	Date Considered	11/07/2018

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

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

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

CERTIFICATION STATEMENT

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

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

OR

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

See attached certification statement.

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

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Jean C. Edwards/	Date (YYYY-MM-DD)	2018-06-15
Name/Print	Jean C. Edwards, Esq.	Registration Number	41,728

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. 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	13/137,299	Filing Date	2011-08-04	Docket Number (if applicable)	71457.0014	Art Unit	2482
First Named Inventor	Frances Barbaro ALTIERI			Examiner Name	Jonathan R. MESSMORE		

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 Amendment Under 37 C.F.R. § 1.116 filed April 18, 2018

☒ 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 505497

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

X Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. 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	/Jean C. Edwards/	Date (YYYY-MM-DD)	2018-06-15
Name	Jean C. Edwards, Esq.	Registration Number	41728

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.

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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.

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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.

EXPEDITED PROCESS REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.114

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

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 18, 2018, and the Advisory Action dated May 7, 2018, two months extended until June 18, 2018 with a Petition for Extension of Time and the appropriate fee, the Examiner is respectfully requested to enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to interact within said virtual thematic environment and upon a predetermined action within said virtual thematic environment, automatically exit the virtual thematic environment, and one of copy or grab data or objects from a website external to the virtual thematic environment to be utilized in the virtual thematic environment~~, by maintaining the original information, data or integrity of the data or objects~~;

wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a content information module which contains all audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Previously Presented) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor external to said virtual thematic environment, at which a product is sold.

50. (Previously Presented) The system according to claim 29, further comprising:

a timing mechanism which requires that a task performed on the worldwide web or internet must be performed within a certain period of time or on a competitive level with one or more opponents at a sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claim 29 has been amended for reasons of clarity only. Claims 1-28, 52, and 53 were previously canceled. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Rejections Under 35 U.S.C. § 103

Claims 29-33, 40-43, 48, and 49 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,020,885 to Honda (hereinafter "Honda") in view of U.S. Patent Application Publication No. 2002/0024517 to Yamaguchi et al. (hereinafter "Yamaguchi").

Claims 34, 36-39, 44-47, 50, and 51 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi as applied to claims 29-33, and further in view of U.S. Patent Application Publication No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi and Johnson, and further in view of U.S. Patent Publication No.

2003/0176213 to LeMay (hereinafter "LeMay") and U.S. Patent Publication No. 2003/0022719 to Donald (hereinafter "Donald").

Claim 54 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi and Johnson, and further in view of U.S. Patent Publication No. 2002/0161521 to Abe (hereinafter "Abe").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The arguments set forth in the Amendment filed on April 18, 2018, are still *apropos* and are thus, **herein incorporated by reference**.

The Applicant respectfully submits that neither Honda nor Yamaguchi, alone or in combination, teaches or suggests a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to interact within said virtual thematic environment and upon a predetermined action within said virtual thematic environment, automatically exit the virtual thematic environment, and one of copy or grab data or objects from a website external to the virtual thematic environment, to be utilized in the virtual thematic environment; wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any

device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

Honda discloses a dynamic control of object identification codes involved in the customization of virtual reality space objects, via a plurality of client terminals 13-1 to 13-3 (Abstract). The Examiner points to the Background Section, col. 2, lines 43-49, and the Summary Section, col. 3, lines 38-46, as being particularly relevant.

Honda is directed to a method of sharing three-dimensional reality space between several users, where each of shared server terminals provide a virtual reality space to a plurality of client terminals (col. 6, lines 60-67, and col. 7, lines 1-2). The client terminals each control objects in the virtual reality space independent of the other client terminals (col. 8, lines 9-12). A host stores three-dimensional image data (i.e., virtual reality spaces), which are in their "basic" state, and do not update or change (i.e., static data, where the space includes only "basic objects") (col. 10, lines 13-30). Another host controls update objects such as avatars, in the virtual reality space (col. 10, lines 37-52). Yet another host includes a worldwide web (www) system which stores data including IP addresses for addressing hosts that control update objects (col. 10, lines 53-67). Stored in the host is data for describing elements (objects), which constitute the virtual reality space, such as basic objects, locations and attributes of those basic objects, which is available to unspecified users (col. 11, lines 58-67). In the Background Section, Honda discloses that objects are moved in virtual reality spaces, via the use of client terminals to which server terminals forward the request (col. 2, lines 6-23). The objects include avatars, etc., and can update their states in the virtual reality space, whereas basic objects do not update in the virtual reality space (col. 2, lines 23-37). A new object can be generated from a request to the server terminal, to be

placed in the virtual reality space, if it is not already in use there, and objects can be deleted by the same process (col. 2, lines 43-60). The objects are stored in storage 50 (col. 13, lines 60-64).

Yamaguchi discloses a stereo viewing method, where an object is photographed by a plurality of stereo cameras deployed at different locations, such that three-dimensional model data of the object is produced, and so that images of the object and how it changes in real time, can be made (paras. 0011-0012). Thus, the user photographs the object with the cameras at a location, and then transmits the photographed images to a server, and then the three-dimensional model is sent back to the location or to a computer system, so that the object can be imported into an application such as a virtual trial fitting application, or direct-involvement game (para. 0023). The object can be photographed and modeled in real-time so that when it moves, the object on a television monitor also moves (para. 0062).

However, Honda only discloses what appears to be an early, unformulated concept of a multi-player gaming application, but where the avatar is able to be updated depending on the users, but the basic objects (i.e., city of Tokyo, for example) are not. As the Examiner concedes, Honda is **silent** with respect to the avatar interacting with the basic objects and upon a predetermined action, automatically exiting the virtual thematic environment and grabbing or copying data or objects from a website external to the virtual thematic environment, and using same in the virtual thematic environment, by automatically integrating same into the virtual thematic environment, as recited in amended Claim 29.

The Examiner asserts that Yamaguchi makes up for the deficiencies in Honda. However, Yamaguchi only discloses performing three-dimensional modeling of an object (i.e., person), and placing that model into a game – replacing the avatar in the game. Yamaguchi is concerned with the characters in virtual three-dimensional space being unrelated in physical characteristics to the

player, so being able to utilize the user's own body in the virtual three-dimensional space adds to the reality of the game being played (see Yamaguchi, para. 0009).

However, Yamaguchi is **silent** with respect to the three-dimensional model interacting with a virtual environment and upon a predetermined action, automatically exiting the virtual thematic environment and grabbing or copying data or objects from a website external to the virtual thematic environment, and using same in the virtual thematic environment, by automatically integrating same into the virtual thematic environment, as recited in amended Claim 29.

Instead, Yamaguchi discloses deliberately **importing a three-dimensional model into a virtual environment** such as a virtual trial fitting application, or direct-involvement game, and not allowing the user to **exit the game automatically** when some action is performed by the three-dimensional model in the virtual trial fitting application or game. Certainly, there is not mention of grabbing or copying data or objects from an external website and integrating them into the virtual trial fitting application or game.

Further, if Yamaguchi is combined with Honda, the resulting combination would be that the photographed three-dimensional model of the user replaces the avatar (update object) in Honda, and the user would have a more realistic model in the virtual reality space of Honda. Since the update objects (avatars) are stored in storage 50 and brought into the virtual reality space, the deficiencies of Honda with respect to there being no automatic exiting of the game by some predetermined action or grabbing of the object from a website to be automatically integrated into the virtual reality space, are not overcome.

Accordingly, Claim 29 is not obvious over either the individual or the combination of the Honda and Yamaguchi references, and the rejection of Claim 29 under 35 U.S.C. 103 should be withdrawn.

Neither Johnson, LeMay, Donald or Abe makes up for the deficiencies in Honda and Yamaguchi. Accordingly, Claims 30-51 and 54 are also patentable.

The dependent claims are also patentable for the reasons cited above with respect to independent Claim 29, and also by virtue of their dependency therefrom.

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
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Date: June 15, 2018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

INFORMATION DISCLOSURE STATEMENT

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

Sirs:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the U.S. Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO/SB/08A. It is requested that the information on Form PTO/SB/08A be considered during the prosecution of this application, and that the references be made of record and appear among the "References Cited" on any issued patent.

Listed on Form PTO/SB/08A are three (3) references which were cited in the attached Non-Final Office Action issued on May 31, 2018 in US Patent Application No. 15/348,438. Copies of the references are not attached herewith as it is assumed that the U.S. Patent and Trademark Office has access to these documents.

__X__ This Information Disclosure Statement is being submitted:

___(1) within three months of the filing date of the application; or

___(2) after the filing date of the application and before the mailing date of a first Office Action on the merits; or

__X__(3) before the mailing of a first Office Action after the filing of a Request for Continued Examination; and thus, no Statement under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

____This Information Disclosure Statement is being submitted after the above periods (1)-(3), but before a Final Office Action or Notice of Allowance, a Statement under 37 CFR 1.97(e) is provided (see below), and no fee under 37 CFR 1.17(p) is due.

____This Information Disclosure Statement is being submitted after the above periods (1)-(3), but before a Final Office Action or Notice of Allowance, and no Statement under 37 CFR 1.97(e) is provided, the fee under 37 CFR 1.17(p) is enclosed.

____This Information Disclosure Statement is being submitted after the mailing date of a Final Office Action or Notice of Allowance, but before payment of the Issue Fee, and a Statement under 37 CFR 1.97(e) is provided (see below), and the fee under 37 CFR 1.17(p) is enclosed.

___ Statement under 37 CFR 1.97(e)(1): Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

____ Statement under 37 CFR 1.97(e)(2): No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to our knowledge, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual

designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

____Fee under 37 CFR 1.17(p) is enclosed (see Fee Transmittal).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant hereby petitions for any extension of time that may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
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EDWARDS NEILS LLC
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Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: June 15, 2018

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (03-15)
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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6057856	A	2000-05-02	Miyashita et al.	
	2	6657584	B2	2003-12-02	Cavallaro et al.	
	3	7558578	B1	2009-07-07	De Beer	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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	1							

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

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NON-PATENT LITERATURE DOCUMENTS [Remove]

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	Non-Final Office Action issued in U.S. Patent Application No. 15/348,438 on May 31, 2018	

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13137299
Filing Date	2011-08-04
First Named Inventor	Frances BARBARO ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

CERTIFICATION STATEMENT

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

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

OR

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

See attached certification statement.

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

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Jean C. Edwards/	Date (YYYY-MM-DD)	2018-06-15
Name/Print	Jean C. Edwards, Esq.	Registration Number	41,728

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

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

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

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

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

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

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

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

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

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

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

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

Electronic Patent Application Fee Transmittal

Application Number:	13137299
Filing Date:	04-Aug-2011
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Filer:	Jean Ceceille Edwards./Maureen Gitonga
Attorney Docket Number:	71457.0014

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 - 2 months with $0 paid	2252	1	300	300
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	2820	1	950	950
		Total in USD ($)		**1250**

Electronic Acknowledgement Receipt

EFS ID:	32910251
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Maureen Gitonga
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	15-JUN-2018
Filing Date:	04-AUG-2011
Time Stamp:	13:32:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2018-06-15-71457-0014_TTL-RCE-2XOT-IDS-114-AMEDMT.pdf	21759 5ccadadee171f23bc91f6ac944a140f6ba357779	no	1

Warnings:

Information:					
2	Extension of Time	2018-06-15-71457-0014_2XOT.pdf	114542 25f66f8e11190400 4b80917a5cedcc0f8320 63dd	no	2
Warnings:					
Information:					
3	Request for Continued Examination (RCE)	2018-06-15-71457-0014_RCE.pdf	1366289 639aae33661a374b35557e506e167d85f9e ef971	no	3
Warnings:					
Information:					
4		2018-06-15-71457-0014_114-AMENDMENT.pdf	70618 37b5ddf907d24e8e4757486197ac93f2ad4 25a9f	yes	14

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	14

Warnings:					
Information:					
5	Transmittal Letter	2018-06-15-71457-0014_IDS.pdf	27430 7cdc812f933cb3ab374d2e22bd6294b1b1f 5b668	no	3
Warnings:					
Information:					
6	Information Disclosure Statement (IDS) Form (SB08)	2018-06-15-71457-0014_SB08A.pdf	1070940 e772f80a502089f8ce0f5d021a4bd946c7fe 85fa	no	4
Warnings:					
Information:					
7	Non Patent Literature	2018-06-15-71457-0014_NFOA.pdf	497980 9641ed64965586c4531abc1a719d6e24510 399ef	no	9

Warnings:					
Information:					
8	Fee Worksheet (SB06)	fee-info.pdf	32398 33e92b4caeb2a9ffb6158542b757472c170cff7a	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	3201956	

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.

12IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Request for Continued Examination
- Petition for Two Months Extension of Time
- Amendment Under 37 C.F.R. § 1.114
- Information Disclosure Statement along with form SB08A and a US Office Action
- Fee Payment of $1250.00 (RCE and Two Months Extension Fees)

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: June 15, 2018

PTO/AIA/22 (03-13)
Approved for use through 11/30/2020. 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 displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 71457.0014

Application Number: 13/137,299

Filed: August 4, 2011

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

Art Unit: 2482

Examiner: Jonathan R. MESSMORE

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	Micro Entity Fee	
☐ One month (37 CFR 1.17(a)(1))	$200	$100	$50	$
☑ Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$ 300.00
☐ Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐ Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐ Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-5497.

☑ Payment made via EFS-Web.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant.

☑ attorney or agent of record. Registration number 41,728.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Jean C. Edwards/ — Signature

June 15, 2018 — Date

Jean C. Edwards, Esq. — Typed or printed name

703-466-0150 — Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). 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 6 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: Mail Stop PCT, 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 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.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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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	Filing Date	☐ To be Mailed
13/137,299	08/04/2011	

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 **06/15/2018**

	(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))	* 24	Minus	** 28	= 0	X $50 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 0	X $230 =	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
NICOLE NICHOLSON

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
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 05/07/2018

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER
MESSMORE, JONATHAN R

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
05/07/2018	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):

ipgeneral@edwardsneils.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 13/137,299	**Applicant(s)** ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	**Art Unit** 2482	**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 18 April 2018 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 *3* 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: _____.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

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: 29-51, and 54.
    Claim(s) withdrawn from consideration: .

/JONATHAN MESSMORE/
Primary Examiner, Art Unit 2482

7.b. Applicant argues "Examiner concedes, Honda is silent with respect to…using same in the virtual thematic environment, by automatically integrating same into the virutal thematic environment". Examiner respectfully disagrees, Honda is only silent to the user exiting the environement, and copy or grab an object, Honda does disclose using objects from a website on the internet (FIG. 8: www). Yamaguchi is combined with Honda to demonstrant one of the many ways to integrate an object from one place on the internet to another. Since the claims are silent as to what "objects or data" is, it is read in the broadest reasonable interpretation to mean any data, a one or a zero would be data.

Applicants argument that the combination of Honda and Yamaguchi has no rational underpinning in that Yamaguchi teaches away from any such combination since Honda discloses that the avatar of the user that is used in the virtual reality space is never scene by the user, as in real life, a user does not see himself (Honda, col. 14, lines 9-15). Examiner respectfully disagrees and respectfully submits there are various methods well-known in the art of different perspective views in a computer generated environment. From first person perspective with no view of the avatar, to first person perspective where the arms, legs, clothing, objects being carried, and even reflections can be seen, to a third person perspective where a person can view their entire avatar from above and behind. Honda even discloses showing such a 3rd person view In Col, 14, ll. 9-11: the avatar of the user himself who uses this termainal can be placed and displayed in the virtual realtiy space as shown in FIGS. [26] and [27]; the further explained option of a first person perspective being a user choosen option, but not a teaching away from.

OK TO ENTER: /J.R.M/

EXPEDITED PROCESS REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

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

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 18, 2018, the Examiner is respectfully requested to enter the following amendments:

EXPEDITED PROCESS REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI	Group Art Unit: 2482
Application No.: 13/137,299	Examiner: Jonathan R. MESSMORE
Filed: August 4, 2011	Atty. Dkt No.: 71457.0014
Confirmation No.: 9462	Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

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

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 18, 2018, the Examiner is respectfully requested to enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment, and one of copy or grab data or objects from a website external to the virtual thematic environment, to be utilized in the virtual thematic environment, by maintaining the original information, data or integrity of the data or objects;

wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a content information module which contains all audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Previously Presented) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor external to said virtual thematic environment, at which a product is sold.

50. (Previously Presented) The system according to claim 29, further comprising:

a timing mechanism which requires that a task performed on the worldwide web or internet must be performed within a certain period of time or on a competitive level with one or more opponents at a sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claim 29 has been amended for reasons of clarity. Claims 1-28, 52, and 53 were previously canceled. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Rejections Under 35 U.S.C. § 103

Claims 29-33, 40-43, 48, and 49 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,020,885 to Honda (hereinafter "Honda") in view of U.S. Patent Application Publication No. 2002/0024517 to Yamaguchi et al. (hereinafter "Yamaguchi").

Claims 34, 36-39, 44-47, 50, and 51 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi as applied to claims 29-33, and further in view of U.S. Patent Application Publication No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi and Johnson, and further in view of U.S. Patent Publication No.

2003/0176213 to LeMay (hereinafter "LeMay") and U.S. Patent Publication No. 2003/0022719 to Donald (hereinafter "Donald").

Claim 54 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honda in view of Yamaguchi and Johnson, and further in view of U.S. Patent Publication No. 2002/0161521 to Abe (hereinafter "Abe").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The Applicant respectfully submits that neither Honda nor Yamaguchi, alone or in combination, teaches or suggests a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment, and one of copy or grab data or objects from a website external to the virtual thematic environment, to be utilized in the virtual thematic environment, by maintaining the original information, data or integrity of the data or objects; wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

Honda discloses a dynamic control of object identification codes involved in the customization of virtual reality space objects, via a plurality of client terminals 13-1 to 13-3 (Abstract). The Examiner points to the Background Section, col. 2, lines 43-49, and the Summary Section, col. 3, lines 38-46, as being particularly relevant.

Honda is directed to a method of sharing three-dimensional reality space between several users, where each of shared server terminals provide a virtual reality space to a plurality of client terminals (col. 6, lines 60-67, and col. 7, lines 1-2). The client terminals each control objects in the virtual reality space independent of the other client terminals (col. 8, lines 9-12). A host stores three-dimensional image data (i.e., virtual reality spaces), which are in their "basic" state, and do not update or change (i.e., static data, where the space includes only "basic objects") (col. 10, lines 13-30). Another host controls update objects such as avatars, in the virtual reality space (col. 10, lines 37-52). Yet another host includes a worldwide web (www) system which stores data including IP addresses for addressing hosts that control update objects (col. 10, lines 53-67). Stored in the host is data for describing elements (objects), which constitute the virtual reality space, such as basic objects, locations and attributes of those basic objects, which is available to unspecified users (col. 11, lines 58-67). In the Background Section, Honda discloses that objects are moved in virtual reality spaces, via the use of client terminals to which server terminals forward the request (col. 2, lines 6-23). The objects include avatars, etc., and can update their states in the virtual reality space, whereas basic objects do not update in the virtual reality space (col. 2, lines 23-37). A new object can be generated from a request to the server terminal, to be placed in the virtual reality space, if it is not already in use there, and objects can be deleted by the same process (col. 2, lines 43-60). The objects are stored in storage 50 (col. 13, lines 60-64).

Yamaguchi discloses a stereo viewing method, where an object is photographed by a plurality of stereo cameras deployed at different locations, such that three-dimensional model data of the object is produced, and so that images of the object and how it changes in real time, can be made (paras. 0011-0012). Thus, the user photographs the object with the cameras at a location, and then transmits the photographed images to a server, and then the three-dimensional model is sent back to the location or to a computer system, so that the object can be imported into an application such as a virtual trial fitting application, or direct-involvement game (para. 0023). The object can be photographed and modeled in real-time so that when it moves, the object on a television monitor also moves (para. 0062).

However, Honda only discloses what appears to be an early, unformulated concept of a multi-player gaming application, but where the avatar is able to be updated depending on the users, but the basic objects (i.e., city of Tokyo, for example) are not. As the Examiner concedes, Honda is **silent** with respect to exiting the virtual thematic environments and grabbing or copying data or objects from a website external to the virtual thematic environment, and using same in the virtual thematic environment, by automatically integrating same into the virtual thematic environment, as recited in amended Claim 29.

The Examiner asserts that Yamaguchi makes up for the deficiencies in Honda. However, Yamaguchi only discloses performing three-dimensional modeling of an object (i.e., person), and placing that model into a game – replacing the avatar in the game. Yamaguchi is concerned with the characters in virtual three-dimensional space being unrelated in physical characteristics to the player, so being able to utilize the user's own body in the virtual three-dimensional space adds to the reality of the game being played (see Yamaguchi, para. 0009).

However, if Yamaguchi is combined with Honda, the resulting combination would be that the photographed three-dimensional model of the user replaces the avatar (update object) in Honda, and the user would have a more realistic model in the virtual reality space of Honda. Since the update objects (avatars) are stored in storage 50 and brought into the virtual reality space, the deficiencies of Honda with respect to there being no grabbing of the object from a website to be automatically integrated into the virtual reality space, are not overcome.

Further, Yamaguchi teaches away from any such combination with Honda, since Honda discloses that the avatar of the user that is used in the virtual reality space is never seen by the user, as in real life, a user does not see himself (Honda, col. 14, lines 9-15). Therefore, there is no rational underpinning for the Examiner's assertion that Yamaguchi be combined with Honda, since the three-dimensional model of the user, as disclosed in Yamaguchi, is never seen by the user in Honda. Thus, there is no reason for one of ordinary skill in the art to combine Yamaguchi with Honda and have a three-dimensional model of the user used for the unseen avatar in Honda - which is the sole reason for the Yamaguchi device.

Accordingly, Claim 29 is not obvious over either the individual or the combination of the Honda and Yamaguchi references, and the rejection of Claim 29 under 35 U.S.C. 103 should be withdrawn.

Neither Johnson, LeMay, Donald or Abe makes up for the deficiencies in Honda and Yamaguchi. Accordingly, Claims 30-51 and 54 are also patentable.

The dependent claims are also patentable for the reasons cited above with respect to independent Claim 29, and also by virtue of their dependency therefrom.

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
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Date: April 18, 2018

Electronic Acknowledgement Receipt

EFS ID:	32373620
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	18-APR-2018
Filing Date:	04-AUG-2011
Time Stamp:	15:40:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2018-04-18-71457-0014_116-Amendment_TTL.pdf	20633 8c41a29170fa297d09cb5028423138daafe2b8ef	no	1

Warnings:

Information:					
2		2018-04-18-71457-0014_116-Amendment.pdf	65133 d95179a5673d9ba04bd4f5137e7a20ee8af063c5	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Response After Final Action	1	1
	Claims	2	7
	Applicant Arguments/Remarks Made in an Amendment	8	13

Warnings:	
Information:	
Total Files Size (in bytes):	85766

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Amendment Under 37 C.F.R. § 1.116 in response to the Office Action dated January 18, 2018

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

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Date: April 18, 2018

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 13/137,299	Filing Date 08/04/2011	☐ 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 **04/18/2018**

	(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))	* 24	Minus	** 28	= 0	X $50 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 0	X $230 =	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
VANESSA HODGES

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 01/18/2018

Edwards Neils LLC
125 West Street
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EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
01/18/2018	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 *16 October 2017*.

☐ 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) *29-51 and 54* 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) *29-51 and 54* 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

Response to Arguments

1. Applicant's arguments, see Response to Office Action filed 15 May 2017, filed 16 October 2017, with respect to Claim Rejections under 35 USC §112 have been fully considered and are persuasive. The Claim Rejections under 35 USC §112 of Claim **50** has been withdrawn.

2. Applicant's arguments, see Response to Office Action filed 15 May 2017, filed 16 October 2017, with respect to the rejection(s) of claim(s) **29-51, and 54** under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Honda (US 6020885) and Yamaguchi et al. (US 2002/0024517 A1).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims **29-33, 40- 43, 48, and 49** is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Honda (US 6020885) in view of Yamaguchi et al. (US 2002/0024517 A1).

4. **Regarding Claim 29**, Honda discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: a processor which executes a program having a plurality of modules **[Honda: FIG. 1]**, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment **[Honda: Col. 5, ll. 24-27: In the virtual society, people can not only perform generally the same social activities as those in the real world--enjoy shopping, have a chat, play games]**, the at least one thematic/publishing logic module being configured to allow a user to one of copy

or grab data or objects, to be utilized in the virtual thematic environment **[Honda: Col. 2, ll. 43-49: in the client terminal 213-1 for example, if a new object is generated and a request for increasing the number of object IDs (global IDs) is supplied to the server terminal 211-1, If this new object ID is not used on these client terminals, the server terminal allows these client terminal to use this new object ID]**, by maintaining the original information, data or integrity of the data or objects **[Honda: Col. 25, ll. 25-26: When a specific avatar meets another, the bureau notifies the other browsers of the meeting information to cause the specific avatar be displayed on the other browsers. For this reason, it is required to copy the VRML file of the specific avatar to an appropriate place in advance]**; wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment **[Honda: Col. 3, ll. 38-46: The method of sharing includes the step of connecting a plurality of client terminals, for displaying a three-dimensional virtual reality space, including a plurality of objects to a shared server terminal; and Col. 25, l. 25: copy the VRML file of the specific avatar]**; at least one digital content library module which provides content management on the virtual thematic environment **[Honda: FIG. 1: 30-1, 30-2]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Honda: FIG. 1: 11-1, 11-2]**; and a display which displays the virtual thematic environment as images **[Honda: FIG. 2: 25]**.

Honda may not explicitly disclose the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment, and one of copy or grab data or objects external to the virtual thematic environment.

However, Yamaguchi discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: a processor which executes a program having a plurality of modules **[Yamaguchi: ¶ [0039]: FIG. 12 is a flowchart showing the process flow when an articulated standard full-length model is produced by a modeling server]**, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment **[Yamaguchi: ¶ [0023]: this system exists as a modeling server on a communications network such as the internet. Thereupon, if a user**

photographs a desired physical object with a stereo photographing apparatus installed in a store such as a department store, game center, or convenience store or the like, for example, or with a stereo photographing apparatus possessed by the user himself or herself, and transmits those photographed data to a modeling server via a communications network, that three-dimensional model will be sent back via the communications network to the computer system in the store or to the computer system in the possession of the user. Thus the user can easily access a three-dimensional model of a desired physical object, and import that into a desired application such as a virtual trial fitting application or direct-involvement game or the like], the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment, and one of copy or grab data or objects external to the virtual thematic environment, to be utilized in the virtual thematic environment **[Yamaguchi: ¶ [0023]: this system exists as a modeling server on a communications network such as the internet. Thereupon, if a user photographs a desired physical object with a stereo photographing apparatus installed in a store such as a department store, game center, or convenience store or the like, for example, or with a stereo photographing apparatus possessed by the user himself or herself, and transmits those photographed data to a modeling server via a communications network, that three-dimensional model will be sent back via the communications network to the computer system in the store or to the computer system in the possession of the user. Thus the user can easily access a three-dimensional model of a desired physical object, and import that into a desired application such as a virtual trial fitting application or direct-involvement game or the like]**, by maintaining the original information, data or integrity of the data or objects **[Yamaguchi: ¶ [0223]: he modeling server 1001, by inserting the corresponding three-dimensional local part model data into the face and other local parts of the three-dimensional physique model data for the full body produces a standard full-body model that represents both the shape of the full body of the user and the detailed shapes of the face and other local parts (S1006). The modeling server 1001 transmits that standard full-body model to the store system 1005 (S1007), and the store system 1005 receives that standard full-body model (S1014)]**; wherein said data or said objects are automatically integrated into the virtual thematic

environment during execution of the virtual thematic environment **[Yamaguchi: ¶ [0023]: Thus the user can easily access a three-dimensional model of a desired physical object, and import that into a desired application such as… direct-involvement game]**; at least one digital content library module which provides content management on the virtual thematic environment **[Yamaguchi: FIG. 8: 1002A]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Yamaguchi: FIG. 8: 1002]**; and a display which displays the virtual thematic environment as images **[Yamaguchi: FIG. 6: 19]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the 3D object model sharing of Honda with the 3D model importing of an object of Yamaguchi in order to improve identification and tracking of all object, old or new in a virtual environment, reducing computational load.

5. **Regarding Claim 30**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said program of said processor further comprises: at least one graphical user interface (GUI) module **[Yamaguchi: FIG. 11]**.

6. **Regarding Claim 31**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said program of said processor further comprises: at least one content logic module directed to accounting, sponsor and users, transactions **[Yamaguchi: FIG. 9: S1006, S1016; and ¶ [0238]: hits the "add to shopping cart" button]**, and collecting content in real-time and injecting said content into the virtual thematic environment **[Yamaguchi: ¶ [0023]]**.

7. **Regarding Claim 32**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses further comprising: at least one data storage **[Honda: FIG. 1: 30-1, 30-2]**.

8. **Regarding Claim 33**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said program of said processor further comprises: at least one communication module which provides access to various network services and connection options **[Honda: FIG. 1: 15; and Yamaguchi: FIG. 8: 1008]**.

9. **Regarding Claim 40**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Honda: FIG. 1: 30-1, 30-2]**.

10. **Regarding Claim 41**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Yamaguchi: FIG. 22]**.

11. **Regarding Claim 42**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Honda: Col. 6, ll. 32-38: Storing three-dimensional information described in the above-mentioned VRML in a WWW server terminal**

allows the construction of a virtual space expressed in three-dimensional graphics on the Internet. Further, use of the VRML viewer by using personal computers and the like interconnected by the Internet can implement the display of a virtual space based on three-dimensional graphics and the walk-through capability; and Col. 15, ll. 10-19: In step S8, if the CPU 41 determines that the avatar position or viewpoint has been updated, namely, if the viewpoint input device 49c or the behavior input device 49d has been operated by the user, the process goes to step S9. In step S9, the CPU 41 reads data of the virtual reality space corresponding to the position and viewpoint of the avatar of the user based on the entered positional data and viewpoint data, makes calculations for correction as required, and generates the image data corresponding to the correct position and viewpoint. Then, the CPU 41 outputs the generated image data to the display device 45].

12. **Regarding Claim 43**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 31, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said content logic module comprises: a content information module which contains all audio, video, rules and scripts for use within the virtual thematic environment **[Honda: FIG. 1: 30-1, 30-2]**.

13. **Regarding Claim 48**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 32, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Honda: Col. 15, ll. 24-28: the CPU 41 controls the communication device 44 to transmit the viewpoint data or the positional data entered from the viewpoint input device 49c or the behavior input device 49d to the shared server terminal]**.

14. **Regarding Claim 49**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi discloses further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor external to said virtual thematic environment, at which a product is sold **[Yamaguchi: FIG. 9: S1006, S1016; ¶ [0235]; and ¶ [0238]: When the user selects any one of the apparel images from the apparel room window 1504 and hits the "add to shopping cart" button, the virtual trial fitting program adds that selected piece of apparel to the "shopping cart" that is the list of purchase order candidates. Later, if the user opens a prescribed order window (not shown) and performs an order placing operation, the virtual trial fitting program prepares order data for the apparel in the shopping cart and transmits those data to the virtual trial fitting site]**.

15. Claims **34, 36-39, 44-47, 50, and 51** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Honda in view of Yamaguchi as applied to claims **29-33** above, and further in view of Johnson et al. (US 2002/0082077 A1).

16. **Regarding Claim 34**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 33, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

However, Johnson discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the object importing and tracking of Honda in view of Yamaguchi with the secure transaction

procedures as disclosed by Johnson in order to maintain and improve customer confidence in their transaction system.

17. **Regarding Claim 36**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 33, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

However, Johnson discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

18. **Regarding Claim 37**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature.

However, Johnson discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]; and ¶ [0062]]**.

19. **Regarding Claim 38**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

However, Johnson discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment **[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**.

20. **Regarding Claim 39**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 30, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said GUI module comprises: a mini-applications library.

However, Johnson discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications]**.

21. **Regarding Claim 44**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 31, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

However, Johnson discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

22. **Regarding Claim 45**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 31, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration.

However, Johnson discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

23. **Regarding Claim 46**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 31, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools.

However, Johnson discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

24. **Regarding Claim 47**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 31, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information.

However, Johnson discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

25. **Regarding Claim 50**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose further comprising: a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

However, Johnson discloses further comprising: a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site **[Johnson: ¶ [0005]; and ¶ [0045]: scheduler 215 that regulates the processing and timing of competitions]**.

26. **Regarding Claim 51**, Honda in view of Yamaguchi and Johnson disclose(s) all the limitations of Claim 49, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi and Johnson discloses further comprising: a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic find transfers, and other forms of remote payments]**.

27. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Honda in view of Yamaguchi and Johnson as applied to claim 34 above, and further in view of LeMay et al. (US 2003/0176213 A1) and Donald et al. (US 2003/0022719 A1).

28. **Regarding Claim 35**, Honda in view of Yamaguchi and Johnson disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Honda in view of Yamaguchi and Johnson discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Honda in view of Yamaguchi and Johnson may not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Furthermore, Donald discloses disclose wherein said security features include audit functions **[Donald: ¶ [0231]: Auditability--the scheme incorporates a large number of requirements which cover the conditions of auditing. These audits would apply to the financial nature of transactions, the management of information, security considerations, accreditation and maintenance of accreditation status as a "trusted party" by the Registration Authority]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Honda in view of Yamaguchi, Johnson, LeMay, and Donald in order to better perform well-known tasks in the art.

29. Claim **54** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Honda in view of Yamaguchi as applied to claim 29 above, and further in view of Abe et al. (US 2002/0161521 A1).

30. **Regarding Claim 54**, Honda in view of Yamaguchi disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Honda in view of Yamaguchi does not explicitly disclose wherein said program of said processor further comprises: a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

However, Abe discloses wherein said program of said processor further comprises: a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment **[Abe: Claim 1: A navigation apparatus in which signals transmitted from GPS satellites are received so as to measure a current location, the measured current location is displayed on a screen in connection with a map, a guidance route up to a destination place is set, and a guidance is notified every predetermined guidance point]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the website integration in to a virtual reality simulation of Honda in view of Yamaguchi with the virtual reality simulation integration of a GPS system and map of Abe in order to improve user's overall virtual reality simulation experience.

Conclusion

31. 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 JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

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, Chris Kelley can be reached on (571) 272-7331. 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.

/JONATHAN MESSMORE/
Examiner, Art Unit 2482

Notice of References Cited	Application/Control No. 13/137,299	Applicant(s)/Patent Under Reexamination ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-6,020,885 A	02-2000	Honda; Yasuaki	G06Q10/10	375/E7.077
*	B	US-2002/0024517 A1	02-2002	Yamaguchi, Hiroyoshi	A63F13/10	345/424
	C	US-				
	D	US-				
	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	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.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q 30/0269	6/19/2014	J.M.
updated above	10/16/2015	J.M.
updated above	5/10/2017	J.M.
updated above	1/10/2018	J.M.

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
348	40	6/19/2014	J.M.
345	418	6/19/2014	J.M.
updated	above	1/9/2015	J.M.
updated	above	10/16/2015	J.M.

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

SEARCH NOTES		
Search Notes	Date	Examiner
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.
updated above	1/9/2015	J.M.
EAST Workspace History Attached	1/9/2015	J.M.
updated above	10/16/2015	J.M.
EAST Workspace History Attached	10/16/2015	J.M.
updated above	5/10/2017	J.M.

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

SEARCH NOTES		
Search Notes	**Date**	**Examiner**
EAST Workspace History Attached	5/10/2017	J.M.
updated above	1/10/2018	J.M.
EAST Workspace History Attached	1/10/2018	J.M.

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

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015	05/12/2016	05/10/2017	01/10/2018			
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	36	✓	✓	✓	✓	✓	✓			

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	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015	05/12/2016	05/10/2017	01/10/2018			
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	52				✓	-	-			
	53				✓	-	-			
	54					✓	✓			

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L3	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	AND	ON	2018/01/10 18:15
L4	1	L3 and rule	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:15
L5	0	L3 and ("based on")	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:17
L6	12	L3 and ("based")	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:17
L7	2	L3 and (bill$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:22
L8	2	L3 and (report$4 or bug$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:23
L9	2	L3 and (compet$8)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:28
L10	12	L3 and (tim$4)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:29
L11	5	L3 and (credit)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:30
L12	1	L3 and (gps)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 18:31
S1	5	"2002008077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S2	3	"20030176213"	US-PGPUB;	AND	ON	2015/04/10

			USPAT; USOCR; EPO; JPO; DERWENT			12:33
S3	2	"20030022719"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S4	10	(S1 or S2 or S3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S5	3	S4 and commercial$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S6	0	S4 and sponsor	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S7	1	S4 and (paid)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S8	1	S4 and advertis$6	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
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S14	30	(virtual with (leave or exit) with	US-PGPUB;	AND	ON	2017/05/10

		(webpage or website or web or internet)) and @ad<"20021016"	USPAT; USOCR; EPO; JPO; DERWENT			13:09
S15	564	(virtual with (object) with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:51
S16	1	(virtual with (object) with grab$4 with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:52
S17	3	(US-20030177248-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:27
S18	0	S17 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
S19	2	"20020082077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
S20	4	(US-20030177248-$ or US-20020082077-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:28
S21	0	S20 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S22	0	S20 and satelite	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S23	1	S20 and satellite	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S24	18	(virtual with gps with map) and @ad<"20021016"	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S25	2	(virtual with (object) with grab$4 same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:48
S26	0	(virtual with (object) with inport same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:49
S27	1	(virtual with (object) with import same (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/10/05 09:49

S28	2	"20110292167"	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/10/05 11:08
S29	58	((copy or grab) near2 (object or content)) with ((plurality or multiple) near3 (display or device or user)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 12:01
S30	22	((copy or grab) near2 (object or content)) with ((plurality or multiple) near3 (display or device or user)) and (3d or reality or augment$4 or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 12:16
S31	6	((copy$4 or grab$4) near2 (object or content or target)) with ((plurality or multiple) near3 (display or user)) and (3d or reality or augment$4 or virtual) and @ad<"20021016" not S30	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 15:28
S32	27	((copy$4 or grab$4) near2 (object or content or target)) with (exit with user) and (3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 15:30
S33	18	((copy$4 or grab$4) near2 (object or content or target)) and (exit with user) with (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/09 15:31
S34	725	((copy$4 or grab$4) near2 (object or content or target)) with new and (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S35	54	((copy$4 or grab$4) near2 (object or content or target)) with new same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S36	21	((copy$4 or grab$4) near2 (object or content or target)) near4 new same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:14
S37	702	(import (object or content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S38	85	(import near3 (object or content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S39	0	(import near3 (new near2 (object or content or target))) same (environment or 3d or reality or virtual) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:18
S40	9	(user with import near3 (object or	US-PGPUB;	AND	ON	2018/01/10

		content or target)) same (environment or 3d or reality or virtual) and @ad<"20021016"	USPAT; USOCR; EPO; JPO; DERWENT			13:19
S41	5	"20020024517".pn. or "6020885".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:26
S42	0	S41 and gui	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:26
S43	12	(US-20030177248-$ or US-20020082077-$ or US-20020161521-$ or US-20040034601-$ or US-20030069890-$ or US-20020024517-$).did. or (US-6546309-$ or US-6057834-$ or US-6157380-$ or US-5608850-$ or US-6057856-$ or US-6020885-$).did.	US-PGPUB; USPAT	AND	ON	2018/01/10 13:26
S44	2	S43 and gui	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:26
S45	9	S40 and (stor$4 or memor$4 or library or (content adj management))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2018/01/10 13:29
S46	0	S43 and physics	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:54
S47	4	S43 and nature	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:55
S48	1	S43 and (artificial or ai)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:56
S49	6	S43 and (library)	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2018/01/10 14:57

EAST Search History (Interference)

<This search history is empty>

1/10/2018 7:48:40 PM
C:\Users\jmessmore\Documents_Applications\13000000\13137299\13137299 EAST 10May2017.wsp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.111

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

INTRODUCTORY REMARKS

Sir:

In response to the Non-Final Office Action dated May 15, 2017, two months extended until October 16, 2017 (October 15, 2017 being a Sunday) with a Petition for Extension of Time and the appropriate fee, the Examiner is respectfully requested to enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment ~~to the worldwide web (WWW) or internet~~, and one of copy ~~and~~ or grab data or objects external to the virtual thematic environment, ~~from the WWW or internet~~ to be utilized in the virtual thematic environment, by maintaining the original information, data or integrity of the data or objects; ~~and allowing use of the original information within the virtual thematic environment, such that said user can return to the virtual thematic environment with said data or said objects grabbed from the WWW or internet,~~

wherein said data ~~and~~ or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Currently Amended) The system according to claim 31, wherein said content logic module comprises:

a ~~new~~ content information module which contains all ~~new~~ audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Currently Amended) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor ~~at an internet or WWW site~~ external to said virtual thematic environment, at which a product is sold.

50. (Currently Amended) The system according to claim 29, further comprising:

a timing mechanism which requires that ~~said~~ a task performed on the worldwide web or internet must be performed within a certain period of time or on a competitive level with one or more opponents at ~~the~~ a sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claims 29, 43, 49, and 50, have been amended for reasons of clarity. Claims 1-28, 52, and 53 were previously canceled. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Statement of Substance of Interview

The Examiner is thanked for the courtesies extended during the telephone interview of October 5, 2017. The Applicant's representative argued that Johnson does not disclose the features of the present invention with respect to exiting the virtual thematic environment and grabbing or copying objects or data and returning the data or objects to the virtual thematic environment. No agreement was reached.

Claim Rejections Under 35 U.S.C. § 112

Claims 50 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claim 50 has been amended to correct for any indefiniteness noted by the Examiner. Accordingly, the Examiner is respectfully requested to withdraw the rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 29-34 and 36-51 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson") in view of U.S. Patent No. 6,057,834 to Pickover (hereinafter "Pickover").

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson as applied to claim 34, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

Claim 54 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of Pickover as applied to claim 29, and further in view of U.S. Patent Application Publication No. 2002/0161521 to Abe et al. (hereinafter "Abe").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules configured for a gaming environment, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment, and one of copy or grab data or objects external to the virtual thematic environment, to be utilized in the virtual thematic environment, by maintaining the original

information, data or integrity of the data or objects; wherein said data or said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

As previously argued, the Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see paras. 0032-0033), which is different from the fact that a user can exit the virtual thematic environment (i.e., gaming environment), and grab data or objects external thereto (i.e., from a website), which can be used in the virtual thematic environment, as recited in Claim 29 of the present invention.

Rather, there is no disclosure of this feature in Johnson, and partnering with sponsors as in Johnson (see para. 0032), only allows the sponsors to sponsor competitions within the game itself in Johnson.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game, such as schedulers 215 which schedule competitions and training sessions (para. 0045). However, this is typical game play which occurs within the video game, and Johnson does not disclose any triggering events that remove the player from the gaming environment to bring objects or data back into the gaming environment. There is no disclosure in Johnson of this feature of the present invention.

The Examiner points to general system 100 attributes as disclosing the ability of the player in Johnson to exit the perpetual universe and obtain objects or data (paras. 0020-0023). However, these paragraphs are simply background information on how the computer system, like all computer systems, work. Further, the service site 104 is described as a particular server, which may handle, for example, sponsor information. However, that service site 104 is not described as being part of the perpetual universe (i.e., gaming environment) of Johnson itself in any way, or interacting with the perpetual universe in any way.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 0109 and 0127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the internet to be utilized in the virtual thematic environment (or perpetual universe).

However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the gaming environment of Johnson, to ensure that graphics elements are included to show sponsor logos etc., are completely different from exiting the perpetual universe, and grabbing data or objects from the internet, returning to the perpetual universe, and automatically integrating that data or objects within the perpetual universe. Johnson is silent with respect to this feature, and only discloses that sponsors can pay for their brands to be exposed in the game, etc. (see col. 0110). Further, Johnson clearly states that the "competition animation file can be suitably designed to include any number of graphics elements (e.g., clothing items, equipment, vehicles, or packaging) that include trademarks, logos, or company names (col. 0110). Thus, the logos are designed into clothing items etc., that are already in a character clothing, equipment, or

vehicle file, etc., for the user to choose when he is creating or editing his digenome character, and are not grabbed by a user external to the perpetual universe and immediately integrated into the game, as in the present invention.

The Examiner points to Pickover as disclosing this feature. However, Pickover only discloses allowing users to alter the scheduling times of web page subscriptions in a graphical manner useful in drag-and-drop environments (col. 4, lines 4-12). The Examiner points to Pickover as disclosing users in a three-dimensional GUI, "grabbing" a 3-D object representing a web page and moving it into a 3-D schedule controller icon (SCI) area (an area or region on the user's screen where many applications (icons) for SCIs are placed) (col. 11, lines 13, to col. 12, line 36).

However, Pickover essentially is disclosing a new form of GUI – where icons on the user's screen can be dragged and dropped in different areas or regions, or even onto another icon, where the user can click on an icon to implement an action using a shortcut (i.e., to open a music page, or stock market page). In Pickover, however, all the user's actions take place on the user's background screen, and not within a virtual thematic environment. Further, there is no disclosure of exiting a virtual thematic environment to grab objects or data and return to the virtual thematic environment where the object or data is integrated.

The Examiner points to the "virtual room" where a 3-D object can be dropped in the SCI, as being equivalent of a virtual thematic environment; however, the virtual room is really a depiction of what the SCI consists of, where the SCI is a region or area on the user's background screen where the 3-D object is dragged and then dropped. It is not a virtual thematic environment, but simply a region on the user's background screen used for SCIs.

Further, there is no motivation to combine Pickover with Johnson. Pickover is not related to gaming environments in any way, and one of ordinary skill in the art would not have looked to Pickover – which relates to manipulating, organizing, classifying, and/or arranging web-page icons in SCI containing regions (see Abstract) – in order to achieve the claimed features of the present invention.

Accordingly, Claim 29 is not obvious over Johnson or Pickover, either alone or in combination, and the rejection of Claim 29 under 35 U.S.C. 103 should be withdrawn.

LeMay, Donald and Abe fail to make up for the deficiencies in Johnson and Pickover.

Further, since Claims 30-51 and 54 depend from Claim 29, they are also patentable for the reasons cited above with respect to Claim 29, and also by virtue of their dependency therefrom.

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
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(13155)
EDWARDS NEILS LLC
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Date: October 16, 2017

Electronic Patent Application Fee Transmittal

Application Number:	13137299
Filing Date:	04-Aug-2011
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Attorney Docket Number:	71457.0014

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 - 2 months with $0 paid	2252	1	300	300
Miscellaneous:				
			Total in USD ($)	**300**

Electronic Acknowledgement Receipt

EFS ID:	30664812
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	16-OCT-2017
Filing Date:	04-AUG-2011
Time Stamp:	14:46:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$300
RAM confirmation Number	101717INTEFSW14481500
Deposit Account	505497
Authorized User	Kenneth Sowers

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	Transmittal Letter	2017-10-16-71457-0014_111-Amendment-XOT_TTL.pdf	21137 0fab3e9c3b131952860beccc04c06c47e35b76a2	no	1
Warnings:					
Information:					
2	Extension of Time	2017-10-16-71457-0014_2XOT.pdf	525497 8f10f1cd8ff0ddd2cc361b90ae846c281839cb22	no	1
Warnings:					
Information:					
3		2017-10-16-71457-0014_111-Amendment.pdf	68910 182c0765e99bb11f62876ca0d55499caf3cdc5c8	yes	14

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	14

Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30029 bdf4fbc06445a659aca5ea99059bae82728e6d76	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	645573		

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Amendment Under 37 C.F.R. § 1.111 in response to the Office Action dated May 15, 2017
- Petition for Two Months Extension of Time
- Fee of $300.00 (Two Months Extension Fee)

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: October 16, 2017

PTO/SB/22 (03-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 71457.0014

Application Number: 13/137,299

Filed: August 4, 2011

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

Art Unit: 2482

Examiner: Jonathan R. MESSMORE

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	Small Entity Fee	Micro Entity Fee	
☐	One month (37 CFR 1.17(a)(1))	$200	$100	$50	$
☑	Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$ 300.00
☐	Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐	Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐	Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-5497.

☑ Payment made via EFS-Web.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration number 41,728.

☐ attorney or agent acting under 37 CFR 1.34. Registration number .

/Jean C. Edwards/ — Signature

October 16, 2017 — Date

Jean C. Edwards, Esq. — Typed or printed name

703-466-0150 — Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). 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 6 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 10/11/2017

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Annapolis, MD 21401

EXAMINER
MESSMORE, JONATHAN R

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
10/11/2017	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):

ipgeneral@edwardsneils.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	13/137,299	ALTIERI, FRANCES BARBARO	
	Examiner	Art Unit	
	JONATHAN MESSMORE	2482	

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

(1) *JONATHAN MESSMORE*. (3)_____.

(2) *JEAN EDWARDS*. (4)_____.

Date of Interview: *05 October 2017*.

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: *29*.

Identification of prior art discussed: *Johnson in view of Pickover*.

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...)

The references were discussed with regard to the virtual thematic environment, the WWW or internet and object or data grabbed. No agreements were made and Applicant suggested producing amendments making the inventive concept more clear.

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

/JONATHAN MESSMORE/ Examiner, Art Unit 2482	

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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 05/15/2017

Edwards Neils LLC
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EXAMINER
MESSMORE, JONATHAN R

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
05/15/2017	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 *16 September 2016 and 14 October 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) *29-51 and 54* 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) *29-51 and 54* 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

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 September 2017 has been entered.

Response to Arguments

2. Applicant's arguments, see Response to Office Action mailed 19 May 2016, filed 14 October 2016, with respect to the rejection(s) of claim(s) **29-31, 33, and 36-47** under 35 USC §112(b) have been fully considered and are persuasive. The rejection under 35 USC §112(b) of claim(s) **29-31, 33, and 36-47** has been withdrawn.

3. Applicant's arguments filed 14 October 2016, with respect to the rejection(s) of claim(s) **50** under 35 USC §112(b) have been fully considered but they are not persuasive. Claim 50 still recites "said task performed" and "the sponsored internet site" when there is no antecedent basis for these limitations.

4. Applicant's arguments, see Response to Office Action mailed 19 May 2016, filed 14 October 2016, with respect to the rejection(s) of claim(s) **29-34 and 36-51** under 35 USC §102 and claim **35**under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Pickover (US 6057834).

5. Applicant's cancellation of Claim 52 and 53 render any rejections to those claims moot.

Claim Rejections - 35 USC § 112

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim **50** recites the limitation "said task performed" in line 2, and "the sponsored internet site" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 103

7. Claims **29-34 and 36-51** is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of Pickover (US 6057834).

8. **Regarding Claim 29**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment **[Johnson: ¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via**

computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121; and ¶ [0127]: animation graphics file may include any number of visual indica or elements associated with sponsors or advertisers]; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file (again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

Johnson may not explicitly disclose the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment to the worldwide web (WWW) or internet, copy and grab data or objects from the WWW or internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said user can return to the virtual thematic

environment with said data or said objects grabbed from the WWW or internet, wherein said data and said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment.

However, Pickover discloses the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment to the worldwide web (WWW) or internet, copy and grab data or objects from the WWW or internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said user can return to the virtual thematic environment with said data or said objects grabbed from the WWW or internet, wherein said data and said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment **[Pickover: Col. 12, ll. 20-23: In a three-dimensional (e.g. virtual reality) GUI, users might "grab" a 3-D object representing a web page and move it into a 3-D SCI; and Col. 12, ll. 44-48: The lawn mower may represent a real lawn mower or information associated with lawn mowers, such that might be found in a lawn product catalogue. (3-D graphical objects may be useful in a range of commercial product ordering)]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine website integration into a virtual reality simulation of Johnson with the direct grabbing of objects and data to be pulled into a virtual reality simulation of Pickover in order to incorporate more content into a virtual reality simulation, improving overall user experience.

9. **Regarding Claim 30**, Johnson in view of Pickover discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses at least one graphical user interface (GUI) module **[Johnson: ¶ [0117]: receiving end user control data 220 from presentation devices 102]**.

10. **Regarding Claim 31**, Johnson in view of Pickover discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment **[Johnson: FIG. 1: 112, 120, 121; and ¶ [0032]: For example, a corporate or private entity may sponsor competitions between game characters, specific competition venues maintained by video game system 100… and any number of web sites maintained by service site 104 may include links to sponsor web sites 121]**.

11. **Regarding Claim 32**, Johnson in view of Pickover discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses at least one storage **[Johnson: FIG. 1: 108]**.

12. **Regarding Claim 33**, Johnson in view of Pickover discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses at least one communication module which provides access to various network services and connection options **[Johnson: FIG. 1: 114]**.

13. **Regarding Claim 34**, Johnson in view of Pickover discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

14. **Regarding Claim 36**, Johnson in view of Pickover discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system,

a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

15. **Regarding Claim 37**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]]**.

16. **Regarding Claim 38**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment **[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**.

17. **Regarding Claim 39**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications.]**.

18. **Regarding Claim 40**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Johnson: FIG. 1: 108]**.

19. **Regarding Claim 41**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Johnson: FIG. 1: 118]**.

20. **Regarding Claim 42**, Johnson in view of Pickover discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Johnson: ¶ [0045]: Perpetual universe server 202 may utilize scheduler 215 to regulate: the transfer of digenome data, digenetic data, and/or game data to Solomon engine 206 or simulation engine 204; the processing of results files and animation script files (described below); and when animation script files or results files are transmitted to (or rendered by) the presentation devices 102]**.

21. **Regarding Claim 43**, Johnson in view of Pickover discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said content logic module comprises: a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

22. **Regarding Claim 44**, Johnson in view of Pickover discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

23. **Regarding Claim 45**, Johnson in view of Pickover discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

24. **Regarding Claim 46**, Johnson in view of Pickover discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

25. **Regarding Claim 47**, Johnson in view of Pickover discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

26. **Regarding Claim 48**, Johnson in view of Pickover discloses all the limitations of Claim 32, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Johnson: ¶ [0049]]**.

27. **Regarding Claim 49**, Johnson in view of Pickover disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet site on the worldwide web (WWW), at which a product is sold **[Johnson: ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121; and ¶ [0110]: As mentioned above, system administrators may allow individuals, companies, or entities to sponsor competitions, promote competitions, promote digenomes, and/or sponsor digenome teams. In a commercial embodiment, sponsors can pay fees in exchange for… web site links, and other forms of exposure in the system web site]**.

28. **Regarding Claim 50**, Johnson in view of Pickover disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses further comprising: a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site **[Johnson: ¶ [0005]; and ¶ [0045]: scheduler 215 that regulates the processing and timing of competitions]**.

29. **Regarding Claim 51**, Johnson in view of Pickover disclose(s) all the limitations of Claim 49, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses further comprising: a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic find transfers, and other forms of remote payments]**.

30. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) as applied to claim 34 above, and further in view of LeMay et al. (US 2003/0176213 A1) and Donald et al. (US 2003/0022719 A1).

31. **Regarding Claim 35**, Johnson in view of Pickover disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Pickover discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Johnson in view of Pickover does not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Furthermore, Donald discloses disclose wherein said security features include audit functions **[Donald: ¶ [0231]: Auditability--the scheme incorporates a large number of requirements which cover the conditions of auditing. These audits would apply to the financial nature of transactions, the management of information, security considerations, accreditation and maintenance of accreditation status as a "trusted party" by the Registration Authority]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Johnson in view of Pickover, LeMay, and Donald in order to better perform well-known tasks in the art.

32. Claim **54** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Pickover as applied to claim 29 above, and further in view of Abe et al. (US 2002/0161521 A1).

33. **Regarding Claim 54**, Johnson in view of Abe disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Johnson in view of Abe does not explicitly disclose wherein said program of said processor further comprises: a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

However, Abe discloses wherein said program of said processor further comprises: a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment **[Abe: Claim 1: A navigation apparatus in which signals transmitted from GPS satellites are received so as to measure a current location, the measured current location is displayed on a screen in connection with a map, a guidance route up to a destination place is set, and a guidance is notified every predetermined guidance point]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the website integration in to a virtual reality simulation of Johnson in view of Pickover with the virtual reality simulation integration of a GPS system and map of Abe in order to improve user's overall virtual reality simulation experience.

Conclusion

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

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, Chris Kelley can be reached on (571) 272-7331. 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.

/JONATHAN MESSMORE/
Examiner, Art Unit 2482

Notice of References Cited	Application/Control No. 13/137,299	Applicant(s)/Patent Under Reexamination ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-6,057,834 A	05-2000	Pickover; Clifford Alan	G06F17/30864	707/E17.005
*	B	US-2002/0161521 A1	10-2002	Abe, Yuichi	G01C21/3655	701/431
	C	US-				
	D	US-				
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
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	M	US-				

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.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

CPC- SEARCHED

Symbol	Date	Examiner
G06Q 30/0269	6/19/2014	J.M.
updated above	10/16/2015	J.M.
updated above	5/10/2017	J.M.

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
348	40	6/19/2014	J.M.
345	418	6/19/2014	J.M.
updated	above	1/9/2015	J.M.
updated	above	10/16/2015	J.M.

SEARCH NOTES

Search Notes	Date	Examiner
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.
updated above	1/9/2015	J.M.
EAST Workspace History Attached	1/9/2015	J.M.
updated above	10/16/2015	J.M.
EAST Workspace History Attached	10/16/2015	J.M.
updated above	5/10/2017	J.M.
EAST Workspace History Attached	5/10/2017	J.M.

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

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

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015	05/12/2016	05/10/2017				
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	34	✓	✓	✓	✓	✓				
	35	✓	✓	✓	✓	✓				
	36	✓	✓	✓	✓	✓				

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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								
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	39	✓	✓	✓	✓	✓				
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	42	✓	✓	✓	✓	✓				
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	45	✓	✓	✓	✓	✓				
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	48	✓	✓	✓	✓	✓				
	49				✓	✓				
	50				✓	✓				
	51				✓	✓				
	52				✓	-				
	53				✓	-				
	54					✓				

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	564	(virtual with (object) with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:51
L2	1	(virtual with (object) with grab$4 with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 14:52
L3	3	(US-20030177248-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:27
L4	0	l3 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
L5	2	"20020082077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:27
L6	4	(US-20030177248-$ or US-20020082077-$).did. or (US-6546309-$ or US-6057834-$).did.	US-PGPUB; USPAT	AND	ON	2017/05/10 15:28
L7	0	l6 and gps	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
L8	0	l6 and satelite	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
L9	1	l6 and satellite	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
L10	18	(virtual with gps with map) and @ad<"20021016"	US-PGPUB; USPAT; EPO; JPO; DERWENT	AND	ON	2017/05/10 15:28
S1	5	"2002008077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S2	3	"20030176213"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S3	2	"20030022719"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S4	10	(S1 or S2 or S3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33

S5	3	S4 and commercial$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S6	0	S4 and sponsor	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S7	1	S4 and (paid)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S8	1	S4 and advertis$6	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S9	45542	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S10	3732	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S11	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) with (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S12	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
S13	73	(commercial or advertis$5) with (requir$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:35
S14	30	(virtual with (leave or exit) with (webpage or website or web or internet)) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2017/05/10 13:09

EAST Search History (Interference)

< This search history is empty>

5/ 10/ 2017 3:35:20 PM
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.114

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

INTRODUCTORY REMARKS

Sir:

In further response to the Advisory Action dated September 1, 2016, and supplemental to the 114 Amendment filed September 16, 2016, the Examiner is respectfully requested to enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment to the worldwide web (WWW) or internet, copy and grab data or objects from the ~~worldwide web (WWW)~~ WWW or internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said user can return to the virtual thematic environment with said data or said objects grabbed from the WWW or internet, ~~are~~ wherein said data and said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Previously Amended) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet or WWW site, at which a product is sold.

50. (Previously Amended) The system according to claim 29, further comprising:

a timing mechanism which requires that said task performed on the worldwide web or internet must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claims 1-28, 52, and 53 were previously canceled. Claim 29 is now further amended for reasons of clarity. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Examiner Interview

The Examiner is thanked for the courtesies extended in the telephone interview of September 29, 2016. During the interview, the present invention was discussed, and the contrast with that of prior art reference Johnson et al. The Examiner stated that further clarity of the claims was required, and no agreement was reached.

Claim Objections

Claims 52 and 53 are objected to because of informalities.

The claims were previously canceled without prejudice or disclaimer.

Claim Interpretation

Claims 29-31, 33, 36-47, and 50-53 have been interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the claims should not be interpreted under 35 U.S.C. § 112, sixth paragraph.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Claim Rejections Under 35 U.S.C. § 112

Claims 29-31, 33, 36-47, and 50-53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the indefiniteness rejection should be obviated.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-51 are rejected under 35 U.S.C. § 102(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson as applied to claim 34 above, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

Claims 52 and 53 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0177248 to Brown et al. (hereinafter "Brown").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The Applicant hereby incorporates by reference the amendments and arguments made in the response filed August 18, 2016, and in the 114 Amendment filed September 16, 2016.

Further to that response and with respect to the additional amendments made herein, the Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to allow a user to exit the virtual thematic environment to the worldwide web (WWW) or internet, copy and grab data or objects from the WWW or internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said user can return to the virtual thematic environment with said data or said objects grabbed from the WWW or internet, wherein said data and said objects are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment, as recited in amended Claim 29.

As previously argued, the Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites

maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see para. 0032), which is separate from the fact that a user can exit the game, and grab data or objects from the web which can be used in the perpetual universe of the Johnson video game when the user returns to the perpetual universe. There is no disclosure that this is the case in the Johnson reference.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game (para. 0045). However, this is typical game play in a video game, and does not relate to allowing a user to exit the game, grab data or objects from the web, and use them in the Johnson perpetual universe. There is no disclosure in Johnson of this feature of the present invention.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 00127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the internet to be utilized in the virtual thematic environment (or perpetual universe).

However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual universe, and relaying that information out of the video game to the presentation device, is again, not the same as exiting the perpetual universe, and grabbing data or objects from the internet which are automatically integrated within the perpetual universe. Johnson is silent with respect to this feature, and only discloses that sponsors can pay for their brands to be exposed in the game, etc. (see col. 0110).

Finally, the Examiner alleges that it is "reasonable to read that the sponsor logo retrieved from the internet … and put into characters into the virtual environment are in fact object grabbed". This assertion is completely improper, as the Examiner is reading into the reference actions that are not disclosed in the Johnson reference.

Further, Johnson clearly states that the "competition animation file can be suitably designed to include any number of graphics elements (e.g., clothing items, equipment, vehicles, or packaging) that include trademarks, logos, or company names (col. 0110). Thus, the logos are designed into clothing items etc., that are already in a character clothing, equipment, or vehicle file, etc., for the user to choose when he is creating or editing his digenome character, and are not grabbed off the web or internet by a user and immediately integrated into the game as in the present invention.

Accordingly, Claim 29 is not anticipated by Johnson, and the rejection of Claim 29 under 35 U.S.C. 102 should be withdrawn.

Further, since Claims 30-34 and 36-51 depend from Claim 29, they are also patentable over Johnson for the reasons cited above with respect to Claim 29.

With respect to Claim 35, it is patentable over the combination of Johnson, LeMay and Donald by virtue of its dependency from Claim 29.

Claim 54 was previously added and is also patentable over the applied prior art.

Conclusion

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: October 14, 2016

Electronic Acknowledgement Receipt

EFS ID:	27215095
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	14-OCT-2016
Filing Date:	04-AUG-2011
Time Stamp:	13:31:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2016-10-1-71457-0014_Supplemental-114-Amendment_TTL.pdf	20615 bc330afb753406a3f808317bd00c64092ede76f6	no	1

Warnings:

Information:					
2		2016-10-1-71457-0014_Supplemental-114-Amendment.pdf	63651 4a9525a14d24c3b1665979d99e5e83890503e84d	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Supplemental Response or Supplemental Amendment	1	1
	Claims	2	7
	Applicant Arguments/Remarks Made in an Amendment	8	13

Warnings:	
Information:	
Total Files Size (in bytes):	84266

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Supplemental Amendment Under 37 C.F.R. § 1.114

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: October 14, 2016

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 13/137,299	Filing Date 08/04/2011	☐ 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 **10/14/2016**

	(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))	* 24	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 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
/Tina J. Barden/

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.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 10/04/2016

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER
MESSMORE, JONATHAN R

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
10/04/2016	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):

ipgeneral@edwardsneils.com

Applicant-Initiated Interview Summary	**Application No.** 13/137,299	**Applicant(s)** ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	**Art Unit** 2482	

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

(1) *JONATHAN MESSMORE*. (3)_____.

(2) *JEAN C. EDWARDS*. (4)_____.

Date of Interview: *29 September 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: *29*.

Identification of prior art discussed: *Johnson et al. (US 2002/00802077 A1)*.

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...)

The invention was discussed as well as the prior art. Examiner's position on the broadness of the phrase "objects or data grabbed from the… internet" was discussed as well. Applicant stated amandments regarding this phrase are forthcoming.

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

/JONATHAN MESSMORE/ Examiner, Art Unit 2482	/CHRISTOPHER S KELLEY/ Supervisory Patent Examiner, Art Unit 2482

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.

125 West Street, Suite 202
Annapolis, MD 21401Phone: 703-466-0150
Fax: 703-537-8149
www.edwardsneils.com

EDWARDS NEILS LLC

Fax

To:	Examiner Jonathan R. MESSMORE	**From:**	EDWARDS NEILS LLC
Fax:	571-273-2773	**Pages:**	5
Phone:	571-272-2773	**Date:**	September 28, 2016
Re:	U.S. Patent Application 13/137,299	**cc:**	

☐ **Urgent** x **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Please find attached the Interview Request form for U.S. Patent Application No.: 13/137,299 for the Interview scheduled September 29, 2016, at 2:00 pm.

Yours Truly,
Jean C. Edwards
Registration No. 41,728

Doc Code: M865 or FAI.REQ.INTV

PTOL-413A (08-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 13/137,299 First Named Applicant: Frances Barbaro ALTIERI
Examiner: Jonathan R. MESSMORE Art Unit: 2482 Status of Application: Pending

Tentative Participants:
(1) Examiner Messmore (2) Ms. Jean C. Edwards
(3)_____ (4)_____

Proposed Date of Interview: September 29, 2016 **Proposed Time:** 2:00 PM **(AM/PM)**

Type of Interview Requested:
(1) [✓] Telephonic (2) [ ] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [✓] NO
If yes, provide brief description:_____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) 102	29-34 & 36-51	US 2002/0082077	[ ]	[ ]	[ ]
(2) 103	35	US 2003/0176213	[ ]	[ ]	[ ]
(3)_____		US 2003/0022719	[ ]	[ ]	[ ]
(4)_____	52 & 53	US 2003/0177248	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached [✓] Proposed Amendment or Arguments Attached
Brief Description of Arguments to be Presented:_____

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed and filed by applicant in advance of the interview (see MPEP § 713.01). If this form is signed by a registered practitioner not of record, the Office will accept this as an indication that he or she is authorized to conduct an interview on behalf of the principal (37 CFR 1.32(a)(3)) pursuant to 37 CFR 1.34. This is not a power of attorney to any above named practitioner. See the Instruction Sheet for this form, which is incorporated by reference. By signing this form, applicant or practitioner is certifying that he or she has read the Instruction Sheet. After the interview is conducted, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible. This application will not be delayed from issue because of applicant's failure to submit a written record of this interview.

/Jean C. Edwards/
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Jean C. Edwards, Esq.
Typed/Printed Name of Applicant or Representative

41,728
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. 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 24 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.

Application No.: 13/137,299
Atty. Dkt No.: 71457.0014

Arguments:

The Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the internet are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

As previously argued, the Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see para. 0032), which is separate from the fact that objects from the web can be grabbed and used in the perpetual universe of the Johnson video game. There is no disclosure that this is the case in the Johnson reference.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game (para. 0045). However, this is typical game play in

a video game, and does not relate to grabbing objects from the web and using them in the Johnson perpetual universe. There is no disclosure in Johnson of this feature of the present invention.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 00127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the internet to be utilized in the virtual thematic environment (or perpetual universe).

However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual universe, and relaying that information out of the video game to the presentation device, is again, not the same as grabbing data or objects from the internet to be utilized within the perpetual universe. Johnson is silent with respect to this feature, and only discloses that sponsors can pay for their brands to be exposed in the game, etc. (see col. 0110).

Finally, the Examiner alleges that it is "reasonable to read that the sponsor logo retrieved from the internet ... and put into characters into the virtual environment are in fact object grabbed". This assertion is completely improper, as the Examiner is reading into the reference actions that are not disclosed in the Johnson reference.

Further, Johnson clearly states that the "competition animation file can be suitably designed to include any number of graphics elements (e.g., clothing items, equipment, vehicles, or packaging) that include trademarks, logos, or company names (col. 0110). Thus, the logos are designed into clothing items etc., that are already in a character clothing, equipment, or vehicle file, etc., for the user to choose when he is creating or editing his digenome character, and are not

grabbed off the web or internet and immediately integrated into the game as in the present invention.

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	13137299	Filing Date	2011-08-04	Docket Number (if applicable)	71457.0014	Art Unit	2482
First Named Inventor	Frances Barbaro ALTIERI			Examiner Name	Jonathan R. MESSMORE		

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 AMENDMENTS UNDER 37 C.F.R. § 1.116 filed August 18, 2016 and August 22, 2016

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other Request Interview

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 505497

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

X 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	/Jean C. Edwards/	Date (YYYY-MM-DD)	2016-09-16
Name	Jean C. Edwards, Esq.	Registration Number	41728

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.

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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.

PTO/SB/22 (03-13)
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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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 71457.0014

Application Number: 13/137,299 | Filed: August 4, 2011

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

Art Unit: 2482 | Examiner: Jonathan R. MESSMORE

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	Small Entity Fee	Micro Entity Fee	
☑	One month (37 CFR 1.17(a)(1))	$200	$100	$50	$ 100.00
☐	Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$
☐	Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐	Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐	Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-5497.

☑ Payment made via EFS-Web.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration number 41,728.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Jean C. Edwards/ — Signature

September 16, 2016 — Date

Jean C. Edwards, Esq. — Typed or printed name

703-466-0150 — Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). 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 6 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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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.114

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

INTRODUCTORY REMARKS

Sir:

In response to the Advisory Action dated September 1, 2016, and supplemental to the Supplemental 116 Amendment filed August 22, 2016, the Examiner is respectfully requested to enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) or internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW or internet are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Currently Amended) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet or WWW site, at which a product is sold.

50. (Currently Amended) The system according to claim 29, further comprising:

a timing mechanism which requires that said task performed on the worldwide web or internet must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claims 1-28, 52, and 53 were previously canceled. Claims 29, 30, 31, and 33 were previously amended for the purposes of clarity, and Claims 29, 49, and 50 are now amended for reasons of clarity. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Objections

Claims 52 and 53 are objected to because of informalities.

The claims were previously canceled without prejudice or disclaimer.

Claim Interpretation

Claims 29-31, 33, 36-47, and 50-53 have been interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the claims should not be interpreted under 35 U.S.C. § 112, sixth paragraph.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Claim Rejections Under 35 U.S.C. § 112

Claims 29-31, 33, 36-47, and 50-53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the indefiniteness rejection should be obviated.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-51 are rejected under 35 U.S.C. § 102(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson as applied to claim 34 above, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

Claims 52 and 53 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0177248 to Brown et al. (hereinafter "Brown").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The Applicant hereby incorporates by reference the amendments and arguments made in the response filed August 18, 2016.

Further to that response and with respect to the additional amendments made herein, the Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the internet are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

As previously argued, the Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see para. 0032), which is separate from the fact that objects from the web can be grabbed

and used in the perpetual universe of the Johnson video game. There is no disclosure that this is the case in the Johnson reference.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game (para. 0045). However, this is typical game play in a video game, and does not relate to grabbing objects from the web and using them in the Johnson perpetual universe. There is no disclosure in Johnson of this feature of the present invention.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 00127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the internet to be utilized in the virtual thematic environment (or perpetual universe).

However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual universe, and relaying that information out of the video game to the presentation device, is again, not the same as grabbing data or objects from the internet to be utilized within the perpetual universe. Johnson is silent with respect to this feature, and only discloses that sponsors can pay for their brands to be exposed in the game, etc. (see col. 0110).

Finally, the Examiner alleges that it is "reasonable to read that the sponsor logo retrieved from the internet … and put into characters into the virtual environment are in fact object grabbed". This assertion is completely improper, as the Examiner is reading into the reference actions that are not disclosed in the Johnson reference.

Further, Johnson clearly states that the "competition animation file can be suitably designed to include any number of graphics elements (e.g., clothing items, equipment, vehicles, or packaging) that include trademarks, logos, or company names (col. 0110). Thus, the logos are designed into clothing items etc., that are already in a character clothing, equipment, or vehicle file, etc., for the user to choose when he is creating or editing his digenome character, and are not grabbed off the web or internet and immediately integrated into the game as in the present invention.

Accordingly, Claim 29 is not anticipated by Johnson, and the rejection of Claim 29 under 35 U.S.C. 102 should be withdrawn.

Further, since Claims 30-34 and 36-51 depend from Claim 29, they are also patentable over Johnson for the reasons cited above with respect to Claim 29.

With respect to Claim 35, it is patentable over the combination of Johnson, LeMay and Donald by virtue of its dependency from Claim 29.

Claim 54 was previously added and is also patentable over the applied prior art.

Conclusion

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: September 16, 2016

Electronic Patent Application Fee Transmittal

Application Number:	13137299
Filing Date:	04-Aug-2011
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Attorney Docket Number:	71457.0014

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 $0 paid	2251	1	100	100
Miscellaneous:				
RCE- 2nd and Subsequent Request	2820	1	850	850
		Total in USD ($)		**950**

Electronic Acknowledgement Receipt

EFS ID:	26948378
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	16-SEP-2016
Filing Date:	04-AUG-2011
Time Stamp:	13:43:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$950
RAM confirmation Number	10405
Deposit Account	505497
Authorized User	NEILS, PAUL F

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

Charge any Additional Fees required under 37 CFR 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance 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	Transmittal Letter	2016-09-16-71457-0014_RCE-114-XOT_TTL.pdf	21366 ade782546fb5c2295baea5cca484e69d80e9a510	no	1
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	2016-09-16-71457-0014_RCE.pdf	697720 75969d703f53318ffd5629c38453da833aac0a39	no	3
Warnings:					
Information:					
3	Extension of Time	2016-09-16-71457-0014_XOT.pdf	513187 4d6bc13b3f0625bc0b5624aa29360219e5027b6d	no	1
Warnings:					
Information:					
4		2016-09-16-71457-0014_114-Amendment.pdf	62654 98301652bfbe565d1f2c9ec83575d164bb8bc36c	yes	13

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	13

Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	32033 9b46a77d3fcdc8c8378b2a928663d80edabfb034	no	2

Warnings:	
Information:	
Total Files Size (in bytes):	1326960

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Request for Continued Examination Form
- Amendment Under 37 C.F.R. § 1.114
- Petition for One Month Extension of Time
- Fee of $950.00 (2nd RCE Fee and One Month Extension Fee)

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

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Annapolis, MD 21401
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Date: September 16, 2016

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/137,299	Filing Date 08/04/2011	☐ 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 **09/16/2016**

	(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))	* 24	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 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
/GAIL WOOTEN/

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 09/01/2016

Edwards Neils LLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER
MESSMORE, JONATHAN R

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
09/01/2016	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):

ipgeneral@edwardsneils.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 13/137,299	**Applicant(s)** ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	**Art Unit** 2482	**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 18 August 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 3 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): 35 USC §112(b) of Claims 29-31,33,36-47, and 51.

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:

_____.

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☒ Other: See continuation on next page.

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: .
Claim(s) withdrawn from consideration: .

/CHRISTOPHER S KELLEY/ Supervisory Patent Examiner, Art Unit 2482	/JONATHAN MESSMORE/ Examiner, Art Unit 2482

14. Applicant argues the primary reference fails to teach or suggest "objects are grabbed from the internet are automatically integrated in the virtual thematic environment" and argues the primary reference disclosure of "digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual univers" is not grabbing objects and automatically integrating them. Examiner respectfully disagrees and respectfully submits it is completely reasonable to read the sponsor logos retrieved from the internet of the primary reference and put onto characters into the virtual environement are in fact object grabbed.

Examiner notes the prior cancellation of Claims 52 and 53 render all objections and rejections of those claims moot. Examiner also notes the 112b rejection of Claim 50 regarding two antecedent basis issues in that claim has not been addressed nor corrected.

DO NOT ENTER: /J.R.M/ **EXPEDITED PROCESSING REQUESTED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated May 19, 2016, please enter the following amendments:

EXPEDITED PROCESSING REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated May 19, 2016, and supplemental to the response filed August 18, 2016, please enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the ~~worldwide web (WWW)~~internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the ~~WWW~~internet are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, wherein said program of said processor further comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Currently Amended) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet site ~~on the worldwide web (WWW)~~, at which a product is sold.

50. (Currently Amended) The system according to claim 29, further comprising:

a timing mechanism which requires that said task performed on the ~~worldwide web~~internet must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (New) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claims 52 and 53 have been canceled without prejudice or disclaimer, and Claims 1-28 were previously canceled. Claims 29, 30, 31, and 33, were previously amended for the purposes of clarity, and Claims 29 49 and 50 are now amended for reasons of clarity. Claim 54 was previously added. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Objections

Claims 52 and 53 are objected to because of informalities.

The claims were previously canceled without prejudice or disclaimer.

Claim Interpretation

Claims 29-31, 33, 36-47, and 50-53 have been interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the

present specification. Thus, the claims should not be interpreted under 35 U.S.C. § 112, sixth paragraph.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Claim Rejections Under 35 U.S.C. § 112

Claims 29-31, 33, 36-47, and 50-53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 52-53 were previously canceled without prejudice or disclaimer.

Independent Claim 29 was previously amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the indefiniteness rejection should be obviated.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-51 are rejected under 35 U.S.C. § 102(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson as applied to claim 34 above, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

Claims 52 and 53 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0177248 to Brown et al. (hereinafter "Brown").

For the following reasons, these prior art rejections are respectfully traversed.

Response

The Applicant hereby incorporates by reference the amendments and arguments made in the response filed August 18, 2016.

Further to that response and with respect to the additional amendments made herein, the Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the internet to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the internet are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended Claim 29.

As previously argued, the Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see para. 0032), which is separate from the fact that objects from the web can be grabbed

and used in the perpetual universe of the Johnson video game. There is no disclosure that this is the case in the Johnson reference.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game (para. 0045). However, this is typical game play in a video game, and does not relate to grabbing objects from the web and using them in the Johnson perpetual universe. There is no disclosure in Johnson of this feature of the present invention.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 00127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the internet to be utilized in the virtual thematic environment (or perpetual universe). However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual universe, and relaying that information out of the video game to the presentation device, is again, not the same as grabbing data or objects from the internet to be utilized within the perpetual universe. Johnson is silent with respect to this feature.

Accordingly, Claim 29 is not anticipated by Johnson, and the rejection of Claim 29 under 35 U.S.C. 102 should be withdrawn.

Further, since Claims 30-34 and 36-51 depend from Claim 29, they are also patentable over Johnson for the reasons cited above with respect to Claim 29.

With respect to Claim 35, it is patentable over the combination of Johnson, LeMay and Donald by virtue of its dependency from Claim 29.

Claim 54 was previously added and is also patentable over the applied prior art.

Conclusion

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: August 22, 2016

Electronic Acknowledgement Receipt

EFS ID:	26707663
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Maureen Gitonga
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	22-AUG-2016
Filing Date:	04-AUG-2011
Time Stamp:	15:10:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2016-08-22-71457-0014_Transmittal-Supplemental-Amendment.pdf	20204 d335dadb908d2a54e13d797c6af35b60d4d85ba9	no	1

Warnings:

Information:					
2		2016-08-22-71457-0014_Supplemental-Amendment.pdf	59021 9c8268e5dd792801ebe297ca6893480aa1013f29	yes	12

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Supplemental Response or Supplemental Amendment	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	12

Warnings:	
Information:	
Total Files Size (in bytes):	79225

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Supplemental Amendment Under 37 C.F.R. § 1.116 in response to the Office Action dated May 19, 2016, and further to the Response filed August 18, 2016

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: August 22, 2016

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/137,299	08/04/2011	

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 **08/22/2016**

	(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))	* 24	Minus	** 28	=	X $ =	
Independent (37 CFR 1.16(h))	* 1	Minus	***6	=	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	

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
PEGGY S. YARBOROUGH

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.

EXPEDITED PROCESSING REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated May 19, 2016, please enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

a processor which executes a program having a plurality of modules, said plurality of modules including:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Currently Amended) The system according to claim 29, wherein said program of said processor further ~~comprising~~ comprises:

at least one graphical user interface (GUI) module.

31. (Currently Amended) The system according to claim 29, wherein said program of said processor further ~~comprising~~ comprises:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Currently Amended) The system according to claim 29, wherein said program of said processor further ~~comprising~~ comprises:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (Previously Presented) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet site on the worldwide web (WWW), at which a product is sold.

50. (Previously Presented) The system according to claim 29, further comprising:

a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

51. (Previously Presented) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (Canceled)

53. (Canceled)

54. (New) The system according to claim 29, wherein said program of said processor further comprises:

a GPS system integrated into the virtual thematic environment, and which allows a user to view one of a satellite map of a real-world location within the virtual thematic environment, or a virtual representation of said real-world location within the virtual thematic environment.

REMARKS

Claims 29-51 and 54 are presently pending in this application. Claims 52 and 53 have been canceled without prejudice or disclaimer, and Claims 1-28 were previously canceled. Claims 29, 30, 31, and 33, have been amended for the purposes of clarity. Claim 54 has been added. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Objections

Claims 52 and 53 are objected to because of informalities.

The claims have canceled without prejudice or disclaimer.

Claim Interpretation

Claims 29-31, 33, 36-47, and 50-53 have been interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent Claim 29 has been amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the claims should not be interpreted under 35 U.S.C. § 112, sixth paragraph.

Claims 52-53 have been canceled without prejudice or disclaimer.

Claim Rejections Under 35 U.S.C. § 112

Claims 29-31, 33, 36-47, and 50-53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 52-53 have been canceled without prejudice or disclaimer.

Independent Claim 29 has been amended to recite that the processor contains the modules which are part of the program software, as described on page 24, lines 13-20 of the present specification. Thus, the indefiniteness rejection should be obviated.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-51 are rejected under 35 U.S.C. § 102(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson as applied to claim 34 above, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

Claims 52 and 53 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0177248 to Brown et al. (hereinafter "Brown").

For the following reasons, these prior art rejections are respectfully traversed.

Response

With respect to Claim 29, the Applicant respectfully submits that Johnson fails to teach or suggest a computer system having an interactive software application platform for providing a

virtual thematic environment, including: a processor which executes a program having a plurality of modules, said plurality of modules including: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images.

The Examiner alleges that Johnson teaches the above features. However, Johnson only states that links to the sponsors websites 121 are maintained by web sites maintained by the service site 104 (i.e., databases, messaging applications, firewall, game server etc.) (see para. 0032), which is separate from the fact that objects from the web can be grabbed and used in the perpetual universe of the Johnson video game. There is no disclosure that this is the case in the Johnson reference.

The Examiner also points to the perpetual universe server 202 configuring the game to manage triggering of events within the game (para. 0045). However, this is typical game play in a video game, and does not relate to grabbing objects from the web and using them in the Johnson perpetual universe. There is no disclosure in Johnson of this feature of the present invention.

The Examiner also points to the animation script file, which relates to the results of a training competition with the digenomes (Johnson, para. 00127), and alleges that the animation script file, which is sent to the presentation device 102 to generate animation graphics which include visual indicia or elements associated with the sponsors, discloses the feature copying and grabbing data or objects from the worldwide web to be utilized in the virtual thematic environment (or perpetual universe). However, having digenomes wearing sponsor logos or carrying sponsor paraphernalia in the perpetual universe, and relaying that information out of the video game to the presentation device, is again, not the same as grabbing data or objects from the worldwide web to be utilized within the perpetual universe. Johnson is silent with respect to this feature.

Accordingly, Claim 29 is not anticipated by Johnson, and the rejection of Claim 29 under 35 U.S.C. 102 should be withdrawn.

Further, since Claims 30-34 and 36-51 depend from Claim 29, they are also patentable over Johnson for the reasons cited above with respect to Claim 29.

With respect to Claim 35, it is patentable over the combination of Johnson, LeMay and Donald by virtue of its dependency from Claim 29.

Claim 54 has been added and is also patentable over the applied prior art.

Conclusion

Thus, Claims 29-51 and 54 should be in form for allowance and such action is hereby solicited.

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: August 18, 2016

Electronic Acknowledgement Receipt

EFS ID:	26679593
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	18-AUG-2016
Filing Date:	04-AUG-2011
Time Stamp:	14:31:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2016-08-18-71457-0014_116-Amendment_TTL.pdf	20960 bedffa08a41776e0a75ca8faf6dc639054d50ded	no	1

Warnings:

Information:					
2		2016-08-18-71457-0014_116-Amendment.pdf	59601 b2b892b01d04bdc5e4b453fcb24981126d513023	yes	12

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Response After Final Action	1	1
Claims	2	7
Applicant Arguments/Remarks Made in an Amendment	8	12

Warnings:	
Information:	
Total Files Size (in bytes):	80561

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2482

Application No.: 13/137,299 | Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: 9462 | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Amendment Under 37 C.F.R. § 1.116 in response to the Office Action dated May 19, 2016

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497. In the event the credit card payment submitted herewith fails to process, please charge the filing fees to deposit account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS LLC
125 West Street, Suite 202
Annapolis, MD 21401
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: August 18, 2016

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☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
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☐ 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 **08/18/2016**

	(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))	* 24	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 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
EVELYN NIMMONS

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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UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 05/19/2016

Edwards Neils PLLC
125 West Street
Suite 202
Annapolis, MD 21401

EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
05/19/2016	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 *27 January 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) *29-53* 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) *29-53* 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

Response to Arguments

1. Applicant's arguments filed 27 January 2016 have been fully considered but they are not persuasive.

2. Applicant argues "users in Johnson do not leave the game environment for sponsored internet sites for any reason". Examiner respectfully disagrees and respectfully directs Applicant's attention to **Johnson: FIG. 1: 121 Sponsor site(s)**.

3. Applicant also argues "users in Brown do not leave the worldwide web for game play in a virtual thematic environment, but rather, must view advertisements on the worldwide web at another page, before returning to the desired web page to view content". Examiner respectfully disagrees and respectfully submits there is no limitation in the independent claims regarding "game play". Furthermore, Examiner respectfully directs Applicant's attention to **Brown: ¶ [0099]: the ARI tag of the present invention may be associated with a banner ad that is displayed with a web page downloaded to a client device. The ARI tag may contain information indicating that if the user of the client device clicks on the banner ad, the user of the client device will be awarded 5 credits which will be placed in the user's account. The user may then use these credits at a later time to "pay" for access to content protected by ARI tags**. Examiner respectfully submits the "banner ad" of Brown may be read as "the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment" of Claim 29. Brown further discloses in **¶ [0101]: If the user clicks on the advertisement, the user is presented with the advertisement, redirected to an associated web site, or the like**. Examiner respectfully

submits that while Brown discloses redirecting the user from the thematic environment, Brown also contemplates the ad being in the environment and the user may interact with the ad (see, **Brown: ¶ [0100]: requiring the user to "pay" for access by viewing or interacting with an advertisement or the like**), thereby disclosing the seamlessly connected sponsored internet site of Claims 49, 52, and 53. Furthermore, without an explicit definition of "seamlessly" found in the specification, Examiner has read it as one of ordinary skill in the art would understand it, such as found on www.merriam-webster.com/dictionary/seamless: "moving from one thing to another easily and without any interruptions or problems". Thus, even redirecting a user to another site within the thematic environment may be considered "seamlessly integrating" said site in the virtual thematic environment.

Claim Objections

4. Claims **52 and 53** are objected to because of the following informalities: The first limitation of Claim 52 contains the phrase "--…virtual thematic environment rules, the at least one thematic/publishing logic module wherein the at least one thematic/publishing module is configured" which appears to contain a duplicate/typographical error and should recite --…virtual thematic environment rules, wherein the at least one thematic/publishing logic module is configured… --. Appropriate correction is required.

Claim Interpretations/Rejections - 35 USC § 112

The following is a quotation of 35 U.S.C. 112(f):

> (f) Element in Claim for a Combination. – An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

The following is a quotation of pre-AIA 35 U.S.C. 112, sixth paragraph:

> An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and

such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

5. Claim limitation "thematic/publishing logic module" has/have been interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, because it uses/they use a generic placeholder "module" coupled with functional language "thematic/publishing logic" without reciting sufficient structure to achieve the function. Furthermore, the generic placeholder is not preceded by a structural modifier. Similarly, claim limitations "digital content library module", "quantum imaging environment (QIE) module", "graphical user interface (GUI) module", "content logic module", "communication module", "new content information module", "accounting, billing, and customer support module", "administration/time information module", and "reporting tools module" have also been interpreted under 35 USC 112, 6th for using the generic placeholder "module" coupled with functional language. Further claim limitations including "physics engine", "Artificial Intelligence (AI) engine", "external reporting tools", "timing mechanism", and "purchase mechanism" have been interpreted under 35 USC 112, 6th for using the generic placeholders "engine", "tool", and "mechanism" coupled with functional language.

Since the claim limitation(s) invokes 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, claim(s) **29-31, 33, 36-47, and 50-53** has/have been interpreted under said code.

A review of the specification has not shown the corresponding structure required to be described in the specification for the 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph limitations.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action.

If applicant does not intend to have the claim limitation(s) treated under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112 , sixth paragraph, applicant may amend the claim(s) so that it/they will clearly not invoke 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites/recite sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph.

For more information, see MPEP § 2173 *et seq.* and *Supplementary Examination Guidelines for Determining Compliance With 35 U.S.C. 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Rejections - 35 USC § 112

> The following is a quotation of 35 U.S.C. 112(b):
> (b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.
>
> The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims **29-31, 33, 36-47, and 50-53** are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

7. Claims **29-31, 33, 36-47, and 50-53** uses the word “means” or a generic placeholder as a substitute for “means” (module) and is preceded by the word(s) “thematic/publishing logic”, "digital content library ", “quantum imaging environment (QIE) ", “graphical user interface (GUI)”, “content logic”, "communication”, “new content information”, "accounting, billing, and customer support", "administration/time information”, and “reporting tools”; similarly “physics engine”, “Artificial Intelligence (AI) engine”, "external reporting tools”, “timing mechanism”, and “purchase mechanism”. It is unclear whether these words convey function or structure. A limitation construed under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph must not recite the structure for performing the function. Since no clear function is specified by the word(s) preceding “means,” it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

8. Claim **50** recites the limitation "said task performed" in line 2, and "the sponsored internet site" in line 4. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims **29-34 and 36-51** are rejected under pre-AIA 35 U.S.C. 102(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1).

10. **Regarding Claim 29**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment **[Johnson: ¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the**

individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121; and ¶ [0127]: animation graphics file may include any number of visual indica or elements associated with sponsors or advertisers]; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file (again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

11. **Regarding Claim 30**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one graphical user interface (GUI) module **[Johnson: ¶ [0117]: receiving end user control data 220 from presentation devices 102]**.

12. **Regarding Claim 31**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment **[Johnson: FIG. 1: 112, 120, 121; and ¶ [0032]: For example, a corporate or private entity may sponsor competitions between game characters, specific competition venues maintained by video game system 100… and any number of web sites maintained by service site 104 may include links to sponsor web sites 121]**.

13. **Regarding Claim 32**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one storage **[Johnson: FIG. 1: 108]**.

14. **Regarding Claim 33**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one communication module which provides access to various network services and connection options **[Johnson: FIG. 1: 114]**.

15. **Regarding Claim 34**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

16. **Regarding Claim 36**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

17. **Regarding Claim 37**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]]**.

18. **Regarding Claim 38**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment **[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**.

19. **Regarding Claim 39**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications.]**.

20. **Regarding Claim 40**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Johnson: FIG. 1: 108]**.

21. **Regarding Claim 41**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Johnson: FIG. 1: 118]**.

22. **Regarding Claim 42**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Johnson: ¶ [0045]: Perpetual universe server 202 may utilize scheduler 215 to regulate: the transfer of digenome data, digenetic data, and/or game data to Solomon engine 206 or simulation engine 204; the processing of results files and animation script files (described below); and when animation script files or results files are transmitted to (or rendered by) the presentation devices 102]**.

23. **Regarding Claim 43**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth**

and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users].

24. **Regarding Claim 44**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

25. **Regarding Claim 45**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

26. **Regarding Claim 46**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

27. **Regarding Claim 47**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

28. **Regarding Claim 48**, Johnson discloses all the limitations of Claim 32, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Johnson: ¶ [0049]]**.

29. **Regarding Claim 49**, Johnson disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet site on the worldwide web (WWW), at which a product is sold **[Johnson: ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121; and ¶ [0110]:** As **mentioned above, system administrators may allow individuals, companies, or entities to sponsor competitions, promote competitions, promote digenomes, and/or sponsor digenome teams. In a commercial embodiment, sponsors can pay fees in exchange for… web site links, and other forms of exposure in the system web site]**.

30. **Regarding Claim 50**, Johnson disclose(s) all the limitations of Claim 29, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses further comprising: a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site **[Johnson: ¶ [0005]; and ¶ [0045]: scheduler 215 that regulates the processing and timing of competitions]**.

31. **Regarding Claim 51**, Johnson disclose(s) all the limitations of Claim 49, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses further comprising: a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic find transfers, and other forms of remote payments]**.

Claim Rejections - 35 USC § 103

32. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) as applied to claim 34 above, and further in view of LeMay et al. (US 2003/0176213 A1) and Donald et al. (US 2003/0022719 A1).

33. **Regarding Claim 35**, Johnson disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Johnson does not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Harlow discloses disclose wherein said security features include audit functions **[Donald: ¶ [0231]: Auditability--the scheme incorporates a large number of requirements which cover the conditions of auditing. These audits would apply to the financial nature of transactions, the management of information, security considerations, accreditation and maintenance of accreditation status as a "trusted party" by the Registration Authority]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Johnson, LeMay, and Donald in order to perform well-known tasks in the art.

34. Claims **52 and 53** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of Brown et al. (US 2003/0177248 A1).

35. **Regarding Claim 52**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment **[Johnson: ¶ [0020]: a web**

server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121 the examiner takes this as copy and grabbing data in that the ad is a copy of the logo for example; and ¶ [0127]: animation graphics file may include any number of visual indica or elements associated with sponsors or advertisers]; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file (again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

Johnson may not explicitly disclose wherein the connection to the sponsored internet site is "seamlessly connected", and then upon completion of an action at the sponsored internet site, the virtual

thematic environment is seamlessly connected from the sponsored internet site for continued execution of the virtual thematic environment.

However, Brown discloses a computer system having an interactive software application platform for providing a virtual thematic environment **[Brown: Abstract: web browser]**, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment **[Brown: ¶ [0100]: the ARI tag may be used as a mechanism for gate keeping access to associated content by requiring the user to "pay" for access by viewing or interacting with an advertisement or the like. For example, the ARI tag of the present invention may be associated with an image on a web page or the like]**, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment **[Brown: ¶ [0101]: redirected to an associated web site, or the like]**, and then upon completion of an action at the sponsored internet site, the virtual thematic environment is seamlessly connected from the sponsored internet site for continued execution of the virtual thematic environment **[Brown: ¶ [0100]: the ARI tag may be used as a mechanism for gate keeping access to associated content by requiring the user to "pay" for access by viewing or interacting with an advertisement or the like]**; and a display which displays the virtual thematic environment as images **[Brown: ¶ [0060]: display]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the required confirmation of watching a sponsor's commercials in order to gain access to content as disclosed by Brown with the sponsored content of Johnson in order to ensure sponsor's commercials were watched, as is a standard in the industry.

36. **Regarding Claim 53**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]:**

the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like], wherein the at least one thematic/publishing logic module is configured such that mini-applications, which include audio and video, are seamlessly integrated into the virtual thematic environment, such that a user has a real-world experience, in real-time, when said mini-applications are accessed by the user within the virtual thematic environment **[Johnson: ¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121 the examiner takes this as copy and grabbing data in that the ad is a copy of the logo for example; and ¶ [0127]: animation graphics file may include any number of visual indica or elements associated with sponsors or advertisers]**; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file**

(again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

Johnson may not explicitly disclose wherein integration of the mini-applications are seamlessly integrated.

However, Brown discloses a computer system having an interactive software application platform for providing a virtual thematic environment **[Brown: Abstract: web browser]**, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules, wherein the at least one thematic/publishing logic module is configured such that mini-applications, which include audio and video, are seamlessly integrated into the virtual thematic environment, such that a user has a real-world experience, in real-time, when said mini-applications are accessed by the user within the virtual thematic environment **[Brown: ¶ [0100]: the ARI tag may be used as a mechanism for gate keeping access to associated content by requiring the user to "pay" for access by viewing or interacting with an advertisement or the like. For example, the ARI tag of the present invention may be associated with an image on a web page or the like; ¶ [0101]: redirected to an associated web site, or the like]**, and a display which displays the virtual thematic environment as images **[Brown: ¶ [0060]: display]**.

Conclusion

37. **THIS ACTION IS MADE FINAL.** 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 mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. 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.

/J. M./
Examiner, Art Unit 2482

/CHRISTOPHER S KELLEY/
Supervisory Patent Examiner, Art Unit 2482

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015	05/12/2016					
	1			-	-					
	2			-	-					
	3			-	-					
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	7			-	-					
	8			-	-					
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	10			-	-					
	11			-	-					
	12			-	-					
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	16			-	-					
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	19			-	-					
	20			-	-					
	21			-	-					
	22			-	-					
	23			-	-					
	24			-	-					
	25			-	-					
	26			-	-					
	27			-	-					
	28			-	-					
	29	✓	✓	✓	✓					
	30	✓	✓	✓	✓					
	31	✓	✓	✓	✓					
	32	✓	✓	✓	✓					
	33	✓	✓	✓	✓					
	34	✓	✓	✓	✓					
	35	✓	✓	✓	✓					
	36	✓	✓	✓	✓					

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015	05/12/2016					
	37	✓	✓	✓	✓					
	38	✓	✓	✓	✓					
	39	✓	✓	✓	✓					
	40	✓	✓	✓	✓					
	41	✓	✓	✓	✓					
	42	✓	✓	✓	✓					
	43	✓	✓	✓	✓					
	44	✓	✓	✓	✓					
	45	✓	✓	✓	✓					
	46	✓	✓	✓	✓					
	47	✓	✓	✓	✓					
	48	✓	✓	✓	✓					
	49				✓					
	50				✓					
	51				✓					
	52				✓					
	53				✓					

OPAP
JAN 27 2016
AKIMA-4
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Non-Final Office Action dated October 27, 2015, please enter the following amendments:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment,~~wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment, and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue~~;

at least one digital content library module which provides content management on the virtual thematic environment;

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, further comprising:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, further comprising:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, further comprising:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

49. (New) The system according to claim 29, further comprising a product placement interface within said virtual thematic environment, which seamlessly connects to a product sponsor at an internet site on the worldwide web (WWW), at which a product is sold.

50. (New) The system according to claim 29, further comprising:

a timing mechanism which requires that said task performed on the worldwide web must be performed within a certain period of time or on a competitive level with one or more opponents at the sponsored internet site.

51. (New) The system according to claim 49, further comprising:

a purchase mechanism which allows real-world credit or virtual credit to be used for payments of said product at said internet website of said product sponsor.

52. (New) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment, and then upon completion of an action at the sponsored internet site, the virtual thematic environment is seamlessly connected from the sponsored internet site, for continued execution of the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment;

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

53. (New) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module wherein the at least one thematic/publishing logic module is configured such that mini-applications, which include audio and video, are seamlessly integrated into the virtual thematic environment, such that a user has a real-world experience, in real-time, when said mini-applications are accessed by the user within the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment;

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

REMARKS

Claims 29-53 are presently pending in this application. Claims 1-28 were previously canceled. Claims 49-53 have been added. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Rejections Under 35 U.S.C. § 103

Claims 29-34 and 36-48 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson") in view of U.S. Patent Application Publication No. 2003/0177248 to Brown et al. (hereinafter "Brown").

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of Brown as applied to claim 34 above, and further in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

For the following reasons, these prior art rejections are respectfully traversed.

Response

With respect to the rejection of claims 29-34 and 36-48, Johnson discloses a perpetual universe server 202 that is configured to maintain and update (periodically, aperiodically, or continuously) any number of gaming environments 208 supported by system 100, and the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting (see paragraph [0041]). Johnson discloses creating digenomes or game characters for video game play, and avatars which can travel within the game environment and perpetual universe, communicate with and conduct competitions with other users, and train and compete with other digenomes [0084]. Johnson discloses a Solomon engine 206 that may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In one embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition (see paragraph [0100]).

Brown discloses access rights to internet content (i.e., web pages on the worldwide web), such that users may not print certain content or various functions may be enabled or disabled [0036]. Brown discloses providing an ARI tag for gatekeeping, where, in order to view a grayed-out image, a superimposed image forces the user to view an advertisement, before being returned to the image, which is now viewable [0100-0101]. This method controls how the user earns access to protected content [0101].

However, there is no teaching or suggestion in either the individual or the combination of Johnson or Brown, of at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual

thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment, as recited in amended claim 29.

Rather, the present invention allows data/objects to be grabbed from the web and used in the virtual thematic environment (e.g., a game), to enhance game play. For example, the user may be within the virtual thematic environment, and the program may ask the user to "grab" an item from a sponsor's website (or from a competitor in game play) for use within the thematic environment. The program will instruct the user to connect to the worldwide web through another object or through specific sequences that are provided by the thematic application viewed on the screen, or in voice format.

In contrast, the users in Johnson do not leave the game environment for sponsored internet sites for any reason. All game play is conducted within the perpetual game universe. Further, the users in Brown do not leave the worldwide web for game play in a virtual thematic environment, but rather, must view advertisements on the worldwide web at another web page, before returning to the desired web page to view content. Brown is simply directed to access rights on worldwide web pages, and is not directed to moving seamlessly between worldwide web pages and virtual thematic environments. In fact, action must be taken by the user to open and close these advertisements or other pop-ups directed to access intervention.

Thus, independent claim 29 is patentable over either the individual or the combination of Johnson or Brown.

Further, with respect to the rejection of claims 29-34 and 36-48, the Examiner references paragraphs [0020], [0023], and [0026] of Johnson for a teaching of a web server, a teaching that when implemented in software, various elements are code segments that perform various tasks, and a teaching that the network 114 may be the Internet and the individual presentation devices 102 use conventional programs and protocols to establish connectivity with the Internet. Moreover, the Examiner refers to paragraph [0032] for a disclosure of a service site 104 including links to sponsor websites 121.

However, clearly paragraphs [0020], [0023], and [0026] of Johnson are simply "boiler plate" paragraphs referring to the conventional computer hardware and software configuration for a video game system 100. Moreover, the reference in paragraph [0032] to the service site 104 including links to sponsor websites 121 is the conventional connectivity configuration for a video game and sponsor websites.

Thus, Claim 29 is not anticipated by, nor obvious over either the individual or the combination of Johnson or Brown, and the rejection of Claim 29 should be withdrawn.

LeMay and Donald fail to cure the deficiencies of Johnson and Brown.

The dependent claims are patentable for the reasons giving upon with respect to independent claim 29, and also by virtue of their dependency therefrom.

New Claims 49-51 have also been added, and which are directed to a product placement interface, a timing mechanism, and a purchase mechanism, as well as two new independent claims to access to and from the sponsored internet site (now claim 52 - formerly part of claim 29), and to the mini-applications within the virtual thematic environment (claim 53), which are also not disclosed or suggested by the applied prior art references.

With respect to new claim 52, as stated previously, the program of the present invention seamlessly connects the user to the worldwide web and upon performing an action at the sponsored website, seamlessly returns the user to the virtual thematic environment.

In contrast, paragraph [0032] of Johnson discloses that the actions of the user in the perpetual universe are performed therein, and with respect to accessing a sponsor's webpage, the user must actively and purposefully do same by manually clicking on a link to that page in the conventional manner. In no way are any actions within the perpetual universe automatic to seamlessly connect the user to such sponsor's webpages. Further, no seamless return action is initiated once the user performs an action at the sponsor's webpage.

As noted above, Brown is directed to ensuring that a user views an advertisement before he is able to view a particular webpage. An advertisement or poll etc., is not a virtual thematic environment, and in fact, once the advertisement appears, the user must click on it and allow it to run, and then click on the close button in order to revert to the desired webpage.

Thus, claims 29-53 are patentable.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

Jean C. Edwards

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Registration No. 41,728

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Date: January 27, 2016

Doc Code: TRAN.LET
Document Description: Transmittal Letter

PTO/SB/21 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	13/137,299
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

OPAP JAN 27 2016 PATENT & TRADEMARK OFFICE

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):
  - Amendment Under 37 C.F.R. § 1.111 in response to Office Action dated October 27, 2015

Remarks

Please charge any deficiences or credit any overpayments to deposit account no. 50-5497.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS NEILS PLLC		
Signature	Jean C. Edwards		
Printed name	Jean C. Edwards, Esq.		
Date	January 27, 2016	Reg. No.	41,728

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. 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 and1.14. This collection is estimated to 2 hours 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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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/137,299	08/04/2011	

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 01/27/2016

	(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))	* 25	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 3	Minus	***6	= 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
/NICOLLE L. SCRIVNER/

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.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 10/27/2015

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, VA 20191

EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
10/27/2015	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 May 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) *29-48* 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) *29-48* 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

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5 May 2015 has been entered.

Response to Arguments

2. Applicant's arguments, see Response to Final Office Action mailed 15 January 2015, filed 5 May 2015, with respect to the rejection(s) of claim(s) 29-34 and 36-48 under 35 USC §102 and rejection(s) of claim(s) 35 under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Brown et al. (US 2003/0177248 A1).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims **29-34 and 36-48** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of Brown et al. (US 2003/0177248 A1).

4. **Regarding Claim 29**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different**

locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like], the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment **[Johnson: ¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121 the examiner takes this as copy and grabbing data in that the ad is a copy of the logo for example; and ¶ [0127]: animation graphics file may include any number of visual indica or elements associated with sponsors or advertisers]**; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file (again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the**

animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

Johnson may not explicitly disclose wherein the connection to the sponsored internet site is "seamlessly connected", and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue.

However, Brown discloses a computer system having an interactive software application platform for providing a virtual thematic environment **[Brown: Abstract: web browser]**, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment **[Brown: ¶ [0100]: the ARI tag may be used as a mechanism for gate keeping access to associated content by requiring the user to "pay" for access by viewing or interacting with an advertisement or the like. For example, the ARI tag of the present invention may be associated with an image on a web page or the like]**, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment **[Brown: ¶ [0101]: redirected to an associated web site, or the like]**, and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue **[Brown: ¶ [0100]: the ARI tag may be used as a mechanism for gate**

keeping access to associated content by requiring the user to "pay" for access by viewing or interacting with an advertisement or the like]; and a display which displays the virtual thematic environment as images **[Brown: ¶ [0060]: display]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the required confirmation of watching a sponsor's commercials in order to gain access to content as disclosed by Brown with the sponsored content of Johnson in order to ensure sponsor's commercials were watched, as is a standard in the industry.

5. **Regarding Claim 30**, Johnson in view of Brown discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses at least one graphical user interface (GUI) module **[Johnson: ¶ [0117]: receiving end user control data 220 from presentation devices 102]**.

6. **Regarding Claim 31**, Johnson in view of Brown discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment **[Johnson: FIG. 1: 112, 120, 121; and ¶ [0032]: For example, a corporate or private entity may sponsor competitions between game characters, specific competition venues maintained by video game system 100… and any number of web sites maintained by service site 104 may include links to sponsor web sites 121]**.

7. **Regarding Claim 32**, Johnson in view of Brown discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses at least one storage **[Johnson: FIG. 1: 108]**.

8. **Regarding Claim 33**, Johnson in view of Brown discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses at least one communication module which provides access to various network services and connection options **[Johnson: FIG. 1: 114]**.

9. **Regarding Claim 34**, Johnson in view of Brown discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

10. **Regarding Claim 36**, Johnson in view of Brown discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

11. **Regarding Claim 37**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]]**.

12. **Regarding Claim 38**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment

[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like].

13. **Regarding Claim 39**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications.]**.

14. **Regarding Claim 40**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Johnson: FIG. 1: 108]**.

15. **Regarding Claim 41**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Johnson: FIG. 1: 118]**.

16. **Regarding Claim 42**, Johnson in view of Brown discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Johnson: ¶ [0045]: Perpetual universe server 202 may utilize scheduler 215 to regulate: the transfer of digenome data, digenetic data, and/or game data to Solomon engine 206 or simulation engine 204; the processing of results files and animation script files (described below); and when animation script files or results files are transmitted to (or rendered by) the presentation devices 102]**.

17. **Regarding Claim 43**, Johnson in view of Brown discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said content logic module comprises: a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

18. **Regarding Claim 44**, Johnson in view of Brown discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

19. **Regarding Claim 45**, Johnson in view of Brown discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

20. **Regarding Claim 46**, Johnson in view of Brown discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

21. **Regarding Claim 47**, Johnson in view of Brown discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

22. **Regarding Claim 48**, Johnson in view of Brown discloses all the limitations of Claim 32, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Johnson: ¶ [0049]]**.

Claim Rejections - 35 USC § 103

23. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of Brown et al. (US 2003/0177248 A1) as applied to claim 34 above, and further in view of LeMay et al. (US 2003/0176213 A1) and Donald et al. (US 2003/0022719 A1).

24. **Regarding Claim 35**, Johnson in view of Brown disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson in view of Brown discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Johnson in view of Brown does not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Harlow discloses disclose wherein said security features include audit functions **[Donald: ¶ [0231]: Auditability--the scheme incorporates a large number of requirements which cover the conditions of auditing. These audits would apply to the financial nature of transactions, the management of information, security considerations, accreditation and maintenance of accreditation status as a "trusted party" by the Registration Authority]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Johnson, Brown, LeMay, and Donald in order to perform well-known tasks in the art.

Conclusion

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. 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.

/J. M./
Examiner, Art Unit 2482

/CHRISTOPHER S KELLEY/
Supervisory Patent Examiner, Art Unit 2482

Notice of References Cited	Application/Control No. 13/137,299	Applicant(s)/Patent Under Reexamination ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2003/0177248 A1	09-2003	Brown, Michael Wayne	G06F21/6218	709/229
	B	US-				
	C	US-				
	D	US-				
	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	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.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	45542	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
L2	3732	(commercial or advertis$5) with (requir$5 or skip$5 or view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
L3	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) with (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
L4	0	(commercial or advertis$5) with (requir$5 with skip$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:34
L5	73	(commercial or advertis$5) with (requir$5 with view$4) same (internet or web or www) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/10/16 13:35
S1	5	"2002008077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S2	3	"20030176213"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S3	2	"20030022719"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S4	10	(S1 or S2 or S3)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33
S5	3	S4 and commercial$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:33

S6	0	S4 and sponsor	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S7	1	S4 and (paid)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34
S8	1	S4 and advertis$6	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/04/10 12:34

EAST Search History (Interference)

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10/ 16/ 2015 1:42:52 PM
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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015						
	1			-						
	2			-						
	3			-						
	4			-						
	5			-						
	6			-						
	7			-						
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	9			-						
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	26			-						
	27			-						
	28			-						
	29	✓	✓	✓						
	30	✓	✓	✓						
	31	✓	✓	✓						
	32	✓	✓	✓						
	33	✓	✓	✓						
	34	✓	✓	✓						
	35	✓	✓	✓						
	36	✓	✓	✓						

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015	10/16/2015						
	37	✓	✓	✓						
	38	✓	✓	✓						
	39	✓	✓	✓						
	40	✓	✓	✓						
	41	✓	✓	✓						
	42	✓	✓	✓						
	43	✓	✓	✓						
	44	✓	✓	✓						
	45	✓	✓	✓						
	46	✓	✓	✓						
	47	✓	✓	✓						
	48	✓	✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

CPC- SEARCHED

Symbol	Date	Examiner
G06Q 30/0269	6/19/2014	J.M.
updated above	10/16/2015	

CPC COMBINATION SETS - SEARCHED

Symbol	Date	Examiner

US CLASSIFICATION SEARCHED

Class	Subclass	Date	Examiner
348	40	6/19/2014	J.M.
345	418	6/19/2014	J.M.
updated	above	1/9/2015	J.M.
updated	above	10/16/2015	J.M.

SEARCH NOTES

Search Notes	Date	Examiner
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.
updated above	1/9/2015	J.M.
EAST Workspace History Attached	1/9/2015	J.M.
updated above	10/16/2015	J.M.
EAST Workspace History Attached	10/16/2015	J.M.

INTERFERENCE SEARCH

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

/JONATHAN MESSMORE/
Examiner.Art Unit 2482

OPAP
MAY 0 5 2015
PATENT AND TRADEMARK OFFICE

IFW / RCE #

PTO/SB/30 (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

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

Application Number	13/137,299
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0016

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. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. 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).

   a. [✓] 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.

      i. [ ] Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

      ii. [✓] Other Amendment Under 37 C.F.R. § 1.116 filed April 8, 2015

   b. [✓] Enclosed

      i. [✓] Amendment/Reply
      ii. [ ] Affidavit(s)/ Declaration(s)
      iii. [ ] Information Disclosure Statement (IDS)
      iv. [ ] Other _____

2. Miscellaneous

   a. [ ] 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)

   b. [ ] Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

   a. [✓] The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-5497.

      i. [✓] RCE fee required under 37 CFR 1.17(e)
      ii. [✓] Extension of time fee (37 CFR 1.136 and 1.17)
      iii. [ ] Other _____

   b. [ ] Check in the amount of $ _____ enclosed

   c. [✓] Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	Jean C. Edwards	Date	May 5, 2015
Name (Print/Type)	Jean C. Edwards, Esq	Registration No.	41,728

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		05/06/2015 SHOHAMME 00000007 13137299
Name (Print/Type)		01 FC:2801 600.00 DP

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. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/22 (03-13)
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 71457.0014

Application Number: 13/137,299

Filed: August 4, 2011

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

Art Unit: 2482

Examiner: Jonathan R. MESSMORE

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	Small Entity Fee	Micro Entity Fee	
☑	One month (37 CFR 1.17(a)(1))	$200	$100	$50	$ 100.00
☐	Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$
☐	Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐	Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐	Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☑ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☑ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-5497.

☐ Payment made via EFS-Web.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration number 41,728.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

Jean C. Edwards — Signature

May 5, 2015 — Date

Jean C. Edwards, Esq. — Typed or printed name

703-466-0150 — Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

05/06/2015 SMOHAMME 00000007 13137299
02 FC:2251 100.00 OP

This collection of information is required by 37 CFR 1.136(a). 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 6 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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MAY 0 5 2015
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EXPEDITED PROCESSING REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

RESPONSE UNDER 37 C.F.R. § 1.114

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 15, 2015 and the Advisory Action dated April 17, 2015, please consider the follow remarks:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Previously Presented) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment, and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue;

at least one digital content library module which provides content management on the virtual thematic environment;

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, further comprising:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, further comprising:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, further comprising:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

REMARKS

Claims 29-48 are presently pending in this application. Claims 1-28 were previously canceled. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-48 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

For the following reasons, these prior art rejections are respectfully traversed.

Response

First, the arguments set forth in the Amendment under 37 C.F.R. § 1.111 filed October 7, 2014, and also in the Amendment under 37 C.F.R. § 1.116 filed April 8, 2015, are still apropos and thus are incorporated herein by reference.

Further, regarding the Examiner's position as to paragraph [0177] of Donald as set forth in the Advisory Action of April 17, 2015, the portion of paragraph [0177] quoted by the Examiner is not referring to automatically integrating content into the game during execution of the game. Moreover, in Donald, the game is not seamlessly connected to a sponsored internet site on the WWW as part of the execution of the game (e.g., without user action during the game), nor is there any teaching that execution of the game can continue upon completion of a task at a sponsored internet site. In short, like Johnson, the user in Donald apparently must click on links to visit different sponsor web pages, and no automatic integration or seamless connection is taking place during execution of a virtual thematic environment.

Accordingly, Donald fails to cure the deficiencies of Johnson.

Thus, Claim 29 is not anticipated or obvious over Johnson alone, or if taken together with Donald, and the rejection of Claim 29 should be withdrawn.

The dependent claims are patentable for the reasons giving upon with respect to independent claim 29, and also by virtue of their dependency therefrom.

Thus, claims 29-48 are patentable.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

Jean C. Edwards

Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, Virginia 20191
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: May 5, 2015

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MAY 0 5 2015
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PTO/SB/17 (03-13)
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FEE TRANSMITTAL

Complete if known	
Application Number	13/137,299
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Examiner Name	Jonathan R. MESSMORE
Art Unit	2482
Practitioner Docket No.	71457.0014

☑ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

TOTAL AMOUNT OF PAYMENT ($) 700.00

METHOD OF PAYMENT (check all that apply)

☐ Check ☑ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-5497 Deposit Account Name: Edwards Neils PLLC

For the above-identified deposit account, the Director is hereby authorized to (check all that apply):

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☑ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☑ Credit any overpayment of fee(s)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES (U = undiscounted fee; S = small entity fee; M = micro entity fee)

	FILING FEES			SEARCH FEES			EXAMINATION FEES			
Application Type	**U ($)**	**S ($)**	**M ($)**	**U ($)**	**S ($)**	**M ($)**	**U ($)**	**S ($)**	**M ($)**	**Fees Paid ($)**
Utility	280	140*	70	600	300	150	720	360	180	
Design	180	90	45	120	60	30	460	230	115	
Plant	180	90	45	380	190	95	580	290	145	
Reissue	280	140	70	600	300	150	2,160	1,080	540	
Provisional	260	130	65	0	0	0	0	0	0	

* The $140 small entity status filing fee for a utility application is further reduced to $70 for a small entity status applicant who files the application via EFS-Web.

2. EXCESS CLAIM FEES

Fee Description	**Undiscounted Fee ($)**	**Small Entity Fee ($)**	**Micro Entity Fee ($)**
Each claim over 20 (including Reissues)	80	40	20
Each independent claim over 3 (including Reissues)	420	210	105
Multiple dependent claims	780	390	195

Total Claims		**Extra Claims**	**Fee ($)**		**Fee Paid ($)**
_____	-20 or HP =	_____ x	_____	=	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims		**Extra Claims**	**Fee ($)**		**Fee Paid ($)**
_____	-3 or HP =	_____ x	_____	=	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	**Fee Paid ($)**
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $400 ($200 for small entity) ($100 for micro entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets		**Extra Sheets**		**Number of each additional 50 or fraction thereof**	**Fee ($)**		**Fee Paid ($)**
_____	- 100 =	_____	/ 50 =	_____ (round **up** to a whole number)	x _____	=	_____

4. OTHER FEE(S) **Fees Paid ($)**

Non-English specification, $130 fee (no small or micro entity discount) _____

Non-electronic filing fee under 37 CFR 1.16(t) for a utility application, $400 fee ($200 small or micro entity) _____

Other (e.g., late filing surcharge): RCE and One Month Extension Fees $700.00

SUBMITTED BY

Signature	Jean C. Edwards	Registration No. (Attorney/Agent) 41,728	Telephone 703-466-0150
Name (Print/Type)	Jean C. Edwards, Esq.		Date May 5, 2015

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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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PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/137,299	Filing Date 08/04/2011	☐ 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 **05/05/2015**

	(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))	* 20	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 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
/DORIS KING/

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.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 04/17/2015

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, VA 20191

EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
04/17/2015	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):

ipgeneral@edwardsneils.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 13/137,299	**Applicant(s)** ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	**Art Unit** 2482	**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 08 April 2015 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 _____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: _____.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☒ Other: 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: .
    Claim(s) withdrawn from consideration: .

/CHRISTOPHER S KELLEY/ Supervisory Patent Examiner, Art Unit 2482	/JONATHAN MESSMORE/ Examiner, Art Unit 2482

Claim 29 has been amended to recite where sponsored media may be directly integrated in to the virtual environment and Applicant argues the cited reference in Johnson of web servers capable of "commerce, messaging, and other applications" does not disclose the amended limitations. Even if Johnson does not disclose sponsors integrating media in the virtual environment, secondary reference Donald et al. in ¶ [0177] discloses "It is also possible to extend the IP Network supply into the provision of a gaming portal. This would provide access to all the registered gaming sites and allow generation of advertising revenue by providing companies space on the portal site". Examiner respectfully submits the seamless incorporation of sponsors' advertisements in consumers' interaction of digital media is not a novel or non-obvious idea.

Receipt date: 04/08/2015 13137299 - GAU: 2482

OK TO ENTER: /J.M./ **EXPEDITED PROCESSING REQUESTED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 15, 2015, please amend the above-identified application as follows:

AFCP 2.0 Decision	Application No.	Applicant(s)
	13/137,299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

This is in response to the After Final Consideration Pilot request filed .

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.

EXPEDITED PROCESSING REQUESTED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI	Group Art Unit: 2482
Application No.: 13/137,299	Examiner: Jonathan R. MESSMORE
Filed: August 4, 2011	Atty. Dkt No.: 71457.0014
Confirmation No.: 9462	Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.116

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Final Office Action dated January 15, 2015, please amend the above-identified application as follows:

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment, and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue;

at least one digital content library module which provides content management on the virtual thematic environment;

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, further comprising:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, further comprising:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, further comprising:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Previously Presented) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

REMARKS

Claims 29-48 are presently pending in this application. Claim 29 has been amended for reasons of clarity. Claims 1-28 were previously canceled. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-48 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") and U.S. Patent Application Publication No. 2003/0022719 to Donald et al. (hereinafter "Donald").

For the following reasons, these prior art rejections are respectfully traversed.

Response

Applicant respectfully submits that Johnson, LeMay, and Donald, whether taken alone or together, fail to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, such that said data or objects grabbed from the WWW are automatically integrated into the virtual thematic environment during execution of the virtual thematic environment, wherein the at least one thematic/publishing logic module is configured such that the virtual thematic environment is seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment, and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue; at least one digital content library module which provides content management on the virtual thematic environment; at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended claim 29. For support, see, for example and without limitation, page 3, line 20 through page 4, line 12; page 13, lines 16 through page 14, line 21; and page 53, line 9 through page 55, line 3, of the application as filed.

First, the arguments set forth in the Amendment under 37 C.F.R. § 1.111 filed October 7, 2014, are still apropos and thus are incorporated herein by reference.

Further, with respect to the rejection of claims 29-34 and 36-48 under § 102(e), the Examiner references paragraphs [0020], [0023], and [0026] of Johnson for a teaching of a web server, a teaching that when implemented in software, various elements are code segments that perform various tasks, and a teaching that the network 114 may be the Internet and the individual presentation devices 102 use conventional programs and protocols to establish connectivity with the Internet. Moreover, the Examiner refers to paragraph [0032] for a disclosure of a service site 104 including links to sponsor websites 121.

However, clearly paragraphs [0020], [0023], and [0026] of Johnson are simply "boiler plate" paragraphs referring to the conventional computer hardware and software configuration for a video game system 100. Moreover, the reference in paragraph [0032] to the service site 104 including links to sponsor websites 121 is the conventional connectivity configuration for a video game and sponsor websites. Johnson is not automatically integrating content into the virtual thematic environment during execution of the virtual thematic environment, and the virtual thematic environment is not seamlessly connected to a sponsored internet site on the WWW as part of the execution of the virtual thematic environment (e.g., without user action during the game), and then upon completion of a task at the sponsored internet site, execution of the virtual thematic environment can continue.

In this regard, the actions referred to in paragraph [0032] of Johnson are not automatic and seamless, but rather a user is manually clicking on links in the conventional manner to consecutively load different sponsor web pages. Thus, the user must click on links to visit different sponsor web pages, and no automatic integration or seamless connection is taking place during execution of a virtual thematic environment.

LeMay and Donald fail to cure the deficiencies of Johnson.

Thus, Claim 29 is not anticipated by, nor obvious over, Johnson and the rejection of Claim 29 should be withdrawn.

The dependent claims are patentable for the reasons giving upon with respect to independent claim 29, and also by virtue of their dependency therefrom.

Thus, claims 29-48 are patentable.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, Virginia 20191
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: April 8, 2015

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:
71457.0014	13/137,299	August 4, 2011
First Named Inventor:	**Title:**	
Frances Barbaro ALTIERI	INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT	

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	Date
/Jean C. Edwards/	April 8, 2015
Name (Print/Typed)	**Practitioner Registration No.**
Jean C. Edwards, Esq.	41,728

***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 _____ forms are submitted.

Electronic Acknowledgement Receipt

EFS ID:	22004603
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Jean Ceceille Edwards./Kenneth Sowers
Filer Authorized By:	Jean Ceceille Edwards.
Attorney Docket Number:	71457.0014
Receipt Date:	08-APR-2015
Filing Date:	04-AUG-2011
Time Stamp:	16:15:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2015-04-08-71457-0014_116-Amendment_Request-AFP_TTL.pdf	20215 5f6b0affce3f6de33584eb95108124b1036344f9	no	1

Warnings:	
Information:	

2		2015-04-08-71457-0014_116-Amendment.pdf	52865 55d73ed5e90377eaa3907d34ff4d4a6686f507bd	yes	11

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Response After Final Action	1	1
Claims	2	6
Applicant Arguments/Remarks Made in an Amendment	7	11

Warnings:

Information:

3	After Final Consideration Program Request	2015-04-08-71457-0014_Request-AFP.pdf	517892 49cfd2e605bf02c2da08213ecbc0452923151cd6	no	1

Warnings:

Information:

Total Files Size (in bytes):	590972

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Amendment Under 37 C.F.R. § 1.116 in response to the Office Action dated January 15, 2015;
- Certification and Request for Consideration Under the After Final Consideration Pilot Program 2.0

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, Virginia 20191
Telephone: 703-466-0150
Facsimile: 703-537-8149
Date: April 8, 2015

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 13/137,299	Filing Date 08/04/2011	☐ 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)		
	04/08/2015	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
AMENDMENT	Total (37 CFR 1.16(i))	* 20	Minus	** 28	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus	***6	= 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)		
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
AMENDMENT	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
/EVELYN NIMMONS/

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.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 01/15/2015

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, VA 20191

EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
01/15/2015	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 *7 October 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) *29-48* 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) *29-48* 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.

Response to Arguments

1. Applicant's arguments filed 7 October 2014, regarding to Claim Rejections under 35 USC §102 have been fully considered but they are not persuasive.

2. **Regarding Claim 29**, Applicant argues the primary reference, Johnson et al. (US 2002/0082077 A1), does not disclose "the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment". Examiner respectfully disagrees and respectfully directs Applicant to Johnson at, *inter alia*, **¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121**.

3. Applicant's arguments, see Response to Office Action mailed 8 July 2014, filed 7 October 2014, with respect to the rejection(s) of claim(s) **35** under 35 USC §103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Donald et al. (US 2003/0022719 A1).

Specification

4. Applicant's amendment to the Specification filed 7 October 2014 has been accepted and entered.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims **29-34, and 36-48** are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Johnson et al. (US 2002/0082077 A1).

6. **Regarding Claim 29**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment **[Johnson: ¶ [0020]: a web server, ¶ [0023]: When implemented in software, various elements of the present invention are essentially the code segments that perform the various tasks…The code segments may be downloaded via**

computer networks such as the Internet..., ¶ [0026]: network 114 is the Internet and each of the individual presentation devices 102 is configured to establish connectivity with the Internet using conventional application programs and conventional data communication protocols. For example, each presentation device 102 preferably includes a web browser application such as NETSCAPE NAVIGATOR or INTERNET EXPLORER and each presentation device 102 may be connected to the Internet via an internet service provider; and ¶ [0032]: a corporate or private entity may sponsor competitions between game characters... In an Internet implementation, such sponsors may maintain corresponding sponsor web sites 121 and any number of web sites maintained by service site 104 may include links to sponsor web sites 121 the examiner takes this as copy and grabbing data in that the ad is a copy of the logo for example]; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file (again a copy of the logo) formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**, a display which displays the virtual thematic environment as images **[Johnson: ¶ [0026]: presentation device 102]**.

7. **Regarding Claim 30**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one graphical user interface (GUI) module **[Johnson: ¶ [0117]: receiving end user control data 220 from presentation devices 102]**.

8. **Regarding Claim 31**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment **[Johnson: FIG. 1: 112, 120, 121; and ¶ [0032]: For example, a corporate or private entity may sponsor competitions between game characters, specific competition venues maintained by video game system 100… and any number of web sites maintained by service site 104 may include links to sponsor web sites 121]**.

9. **Regarding Claim 32**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one storage **[FIG. 1: 108]**.

10. **Regarding Claim 33**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one communication module which provides access to various network services and connection options **[Johnson: FIG. 1: 114]**.

11. **Regarding Claim 34**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

12. **Regarding Claim 36**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

13. **Regarding Claim 37**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]]**.

14. **Regarding Claim 38**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment **[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**.

15. **Regarding Claim 39**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications.]**.

16. **Regarding Claim 40**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Johnson: FIG. 1: 108]**.

17. **Regarding Claim 41**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Johnson: FIG. 1: 118]**.

18. **Regarding Claim 42**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Johnson: ¶ [0045]: Perpetual universe server 202 may utilize scheduler 215 to regulate: the transfer of digenome data, digenetic data, and/or game data to Solomon engine 206 or simulation engine 204; the processing of results files and animation script files (described below); and when animation script files or results files are transmitted to (or rendered by) the presentation devices 102]**.

19. **Regarding Claim 43**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth**

and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users].

20. **Regarding Claim 44**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

21. **Regarding Claim 45**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

22. **Regarding Claim 46**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

23. **Regarding Claim 47**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

24. **Regarding Claim 48**, Johnson discloses all the limitations of Claim 32, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Johnson: ¶ [0049]]**.

Claim Rejections - 35 USC § 103

25. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of LeMay et al. (US 2003/0176213 A1) and Donald et al. (US 2003/0022719 A1).

26. **Regarding Claim 35**, Johnson disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Johnson does not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Harlow discloses disclose wherein said security features include audit functions **[Donald: ¶ [0231]: Auditability--the scheme incorporates a large number of requirements which cover the conditions of auditing. These audits would apply to the financial nature of transactions, the management of information, security considerations, accreditation and maintenance of accreditation status as a "trusted party" by the Registration Authority]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Johnson, LeMay, and Donald in order to perform well-known tasks in the art.

Conclusion

27. 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 JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. 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.

/J. M./
Examiner, Art Unit 2482

/CHRISTOPHER S KELLEY/
Supervisory Patent Examiner, Art Unit 2482

Notice of References Cited	Application/Control No. 13/137,299	Applicant(s)/Patent Under Reexamination ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2003/0022719	01-2003	Donald et al.	463/42
	B	US-			
	C	US-			
	D	US-			
	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
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q 30/0269	6/19/2014	J.M.

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
348	40	6/19/2014	J.M.
345	418	6/19/2014	J.M.
updated	above	1/9/2015	

SEARCH NOTES		
Search Notes	Date	Examiner
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.
updated above	1/9/2015	J.M.
EAST Workspace History Attached	1/9/2015	J.M.

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

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	"20020082077"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:14
L2	1	l1 and (internet or web or www)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:14
L3	3	"20030176213"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:32
L4	89	"7747730"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:32
L5	2	"7747730".pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:32
L6	1	(l1 or l3 or l5) and audit	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:32
L7	192	(financ$4 near2 audit) and (virtual)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:33
L8	29	(financ$4 near2 audit) same security and (virtual)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:34
L9	1	(financ$4 near2 audit) same security and (virtual) and @ad< "20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2015/01/09 14:34

EAST Search History (Interference)

< This search history is empty>

1/ 9/ 2015 2:41:10 PM

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014	01/09/2015							
	29	✓	✓							
	30	✓	✓							
	31	✓	✓							
	32	✓	✓							
	33	✓	✓							
	34	✓	✓							
	35	✓	✓							
	36	✓	✓							
	37	✓	✓							
	38	✓	✓							
	39	✓	✓							
	40	✓	✓							
	41	✓	✓							
	42	✓	✓							
	43	✓	✓							
	44	✓	✓							
	45	✓	✓							
	46	✓	✓							
	47	✓	✓							
	48	✓	✓							

OPAP
OCT 07 2014
PATENT & TRADEMARK OFFICE
AKIMA-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI

Group Art Unit: 2482

Application No.: 13/137,299

Examiner: Jonathan R. MESSMORE

Filed: August 4, 2011

Atty. Dkt No.: 71457.0014

Confirmation No.: 9462

Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

Sir:

In response to the Non-Final Office Action dated July 8, 2014, please amend the above-identified application as follows:

AMENDMENTS TO THE SPECIFICATION:

Page 27, the third full paragraph, is amended as follows:

Specifically, in one embodiment, the present invention may be presented in a client-server arrangement (see FIG. ~~3~~ 2), with a client system 200 including components such as a GUI 201, and which may contain a Quantum Imaging Environment (QIE) 202, and Thematic/Application Publishing Logic Libraries 203. The client system 200 interacts with the server system 205 via an Application Interface 204.

Page 27, the fourth full paragraph, is amended as follows:

The server system 205 includes a ~~GUI~~ QIE 211 (see FIG. [[4]] 2), Thematic/Publishing Logic (Engines) 206, a Communications module 207, Business Logic module 208, a Digital Content Library 209, and Data Storage 210, all interfacing with a QIE 211.

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.- 28. (Cancelled)

29. (Currently Amended) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment;

at least one digital content library module which provides content management on the virtual thematic environment; ~~and~~

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a display which displays the virtual thematic environment as images.

30. (Previously Presented) The system according to claim 29, further comprising:

at least one graphical user interface (GUI) module.

31. (Previously Presented) The system according to claim 29, further comprising:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (Previously Presented) The system according to claim 29, further comprising:

at least one data storage.

33. (Previously Presented) The system according to claim 29, further comprising:

at least one communication module which provides access to various network services and connection options.

34. (Previously Presented) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (Currently Amended) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and financial audit functions.

36. (Previously Presented) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (Previously Presented) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (Previously Presented) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (Previously Presented) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

REMARKS

Claims 29-48 are presently pending in this application. Claims 29 and 35 have been amended for reasons of clarity. No new matter has been entered. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

As a preliminary matter, Applicant respectfully submits that statements made or not made in the present Remarks should not be deemed as an admission, particularly with respect to any assertions set forth in the Office Action that are not specifically rebutted herein. Applicant attempts to keep their comments brief so as to narrow and focus issues for discussion, without necessarily explicitly rebutting each and every point in the Office Action. This does not mean that Applicant concedes any un-rebutted assertions. Further, all Remarks provided in previous responses to Office Actions, are hereby incorporated by reference.

Specification

The Specification has been amended for the purpose of clarity to correct minor typographical errors. No new matter has been entered.

Information Disclosure Statement

The Examiner alleges that the Information Disclosure Statement (IDS) filed August 4, 2011 fails to comply with 37 CFR 1.98(a)(2), since copies of the non-patent literature documents were not provided. However, Applicant's representative called the Examiner's Supervisory Primary Examiner (SPE), Mr. Kelley, on September 19, 2014, and pointed out to him that since the present case is a divisional application and the IDS simply listed the references cited in the parent case, no copies of any of the listed IDS documents were required to be submitted. The SPE agreed and indicated that the Examiner would send out a corrected Form SB/08B indicating that he has considered all the references.

Claim Interpretation Under 35 U.S.C. § 112, Sixth Paragraph

Claims 29, 31, 33, 34, and 40-47 invoke 35 U.S.C. § 112, sixth paragraph, because they allegedly use a generic placeholder coupled with a functional language without sufficient structure to achieve the function, and the placeholder is not preceded by a structural modifier.

At this time and in order to advance the prosecution, the Applicant accepts the Examiner's interpretation of the claimed elements. However, the Applicant reserves the right to amend the claims so as not to be interpreted under 112, sixth paragraph, in the future.

Claim Rejections Under 35 U.S.C. § 102

Claims 29-34 and 36-48 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated U.S. Patent No. 2002/0082077 to Johnson et al. (hereinafter "Johnson").

Claim Rejections Under 35 U.S.C. § 103

Claim 35 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of U.S. Patent Application Publication No. 2003/0176213 to LeMay et al. (hereinafter "LeMay") in view of U.S. Patent No. 7,747,730 to Harlow (hereinafter "Harlow").

For the following reasons, these prior art rejections are respectfully traversed.

Response

Applicant respectfully submits that Johnson, LeMay, and Harlow, whether taken alone or together, fail to teach or suggest a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules, the at least one thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the

virtual thematic environment; at least one digital content library module which provides content management on the virtual thematic environment; at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and a display which displays the virtual thematic environment as images, as recited in amended claim 1. For support, see, for example, page 31, line 22 through page 32, line 3; and page 69, lines 14-18, of the application as filed.

With respect to the rejection of claims 29-34 and 36-48 under § 102(e), Johnson discloses a perpetual universe server 202 that is configured to maintain and update (periodically, aperiodically, or continuously) any number of gaming environments 208 supported by system 100, and the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting (see paragraph [0041]). Moreover, Johnson discloses a Solomon engine 206 that may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In one embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition (see paragraph [0100]).

However, there is no teaching or suggestion in Johnson, or any of the remaining references, of a thematic/publishing logic module being configured to copy and grab data or objects from the worldwide web (WWW) to be utilized in the virtual thematic environment, by maintaining the original information of the data or objects and allowing use of the original information within the virtual thematic environment, as recited in amended claim 1. This feature allows data/objects to be grabbed from the web and used in the virtual thematic environment (e.g., a game).

For example, consistent with the present disclosure, as the user moves throughout the thematic environment, depending on the user's access of the music, video, animation, services, etc., each of the API's are seamlessly connected to the Libraries ready to either re-calculate or utilize whatever is stored in the Digital Content system or service libraries. The commands or programming are tightly coupled with each layer and with each service. If the user selects or touches a poster, for example, the program will connect the user seamlessly to the internet site that is tied to that component for either purchase, review, or any other instruction/operation. Upon completing any task at the sponsored site, the user is then exposed to a point of returning to the thematic application to continue where they had left the program or application. The entire thematic application is an integration between the internet (WWW), Business Logic, Thematic/Publishing Logic, and QIE, and the GUI. The QIE will determine the actual output as it sends information out to the device to determine its type and to re-calculate the objects from a viewing perspective to be manipulated to that specific device (see page 53, the second full paragraph, of the application as filed).

In another example consistent with the present disclosure, the user may be within the thematic environment, and the program may ask the user to "grab" an item from a sponsor's website (or from a competitor in game play) for use within the thematic environment. The program will instruct the user to connect to the worldwide web through another object or through specific sequences that are provided by the thematic application viewed on the screen, or in voice format. The program then will seamlessly connect the user to the WWW via a call that is directed from the thematic application or from a selected object within the thematic environment, to the sponsor's website. As stated above, the program may also provide the option of showing

the sponsor's website on the display screen within the thematic environment (see page 56, the third full paragraph, of the application as filed).

Thus, Claim 29 is not anticipated by, nor obvious over Johnson, and the rejection of Claim 29 should be withdrawn.

The dependent claims are patentable for the reasons giving upon with respect to independent claim 29 by virtue of their dependency therefrom, as well as based on their own recitations. For example, with respect to claim 35, while Harlow refers to an "audit" in column 19, line 15, clearly this is a system message audit to determine where an error originally occurred regarding operations carried out by both the client/server side of any message bus operation. The audit has nothing to do with a financial audit as recited in amended claim 35 (see, for example, page 35, lines 14-16 of the application as filed for support).

Thus, claims 29-48 are patentable.

Conclusion

If the Examiner believes that there is any issue that could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Applicant also hereby authorizes the USPTO to charge Deposit Account No. 50-5497 for any excess claim fees necessitated by this amendment, and any other fees required to maintain the pendency of this application.

Respectfully submitted,

Jean C. Edwards

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Date: October 7, 2014

Doc Code: TRAN.LET

Document Description: Transmittal Letter

OPAP AKIMA-8 OCT 07 2014 PATENT AND TRADEMARK OFFICE

JFW

PTO/SB/21 (07-09)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	13/137,299
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2482
Examiner Name	Jonathan R. MESSMORE
Attorney Docket Number	71457.0014

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):
  - Amendment Under 37 C.F.R. § 1.111 in response to Office Action dated July 8, 2014.

Remarks

Please charge any deficiences or credit any overpayments to deposit account no. 50-5497.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS NEILS PLLC		
Signature	Jean C. Edwards		
Printed name	Jean C. Edwards, Esq.		
Date	October 7, 2014	Reg. No.	41,728

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/137,299	08/04/2011	

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 10/07/2014	(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))	* 20	Minus	** 28	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 6	Minus	***6	= 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
/FELICIA R. FARMER/

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 10/02/2014

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EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
10/02/2014	ELECTRONIC

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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):

ipgeneral@edwardsneils.com

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/137,299	04 August, 2011	ALTIERI, FRANCES BARBARO	71457.0014

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
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EXAMINER	
JONATHAN MESSMORE	
ART UNIT	PAPER
2482	20140923

DATE MAILED:

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Commissioner for Patents

Non-Patent Literature as disclosed in IDS submitted 4 August 2011 and previously submitted with related, parent case has been considered.

/CHRISTOPHER S KELLEY/ Supervisory Patent Examiner, Art Unit 2482	/JONATHAN MESSMORE/ Examiner, Art Unit 2482

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 6,099,408	08-08-2000	Schneier et al.	
	2	US- 2002/0096831	07-25-2002	Nakayama et al.	
	3	US- 2003/0064807	04-03-2003	Walker et al.	
	4	US- 2002/0002076 A1	01-03-2003	Schneier et al.	
	5	US- 6,259,889	07-10-2001	LaDue, Christoph Karl	
	6	US- 6,749,432	06-15-2004	French et al.	
	7	US- 5,732,227	03-24-1998	Kuzunuki et al.	
	8	US- 6,409,599	06-25-2002	Sprout et al.	
	9	US- 5,509,806	04-23-1996	Ellsworth, Thayne N.	
	10	US- 2002/0158873	10-31-2002	Williamson, Todd	
	11	US- 2001/0045949 A1	11-29-2001	Chithambaram et al.	
	12	US- 6,396,497 B1	05-28-2002	Reichlen, Bruce A.	
	13	US- 2002/0090985 A1	07-11-2002	Tochner et al.	
	14	US- 2003/0144861 A1	07-31-2003	Misawa et al.	
	15	US- 2004/0216098 A1	10-28-2004	Roe et al.	
	16	US- 2003/0004743 A1	01-02-2003	Callegari, Jeff	
	17	US- 2003/0033150 A1	02-13-2003	Balan et al.	
	18	US- 2003/0125963 A1	07-03-2003	Haken, Jack E.	
	19	US- 2003/0191799 A1	10-09-2003	Araujo et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	20	US- 2005/0043097 A1	02-24-2005	March et al.	
	21	US- 7,229,288 B2	06-12-2007	Stuart et al.	
	22	US- 5,850,352	12-15-1998	Moezzi et al.	
	23	US- 5,846,086	12-08-1998	Bizzi et al.	
	24	US- 5,956,038	09-21-1999	Rekimoto	
	25	US- 5,993,319	11-30-1999	Aoyama	
	26	US- 6,227,974	05-08-2001	Eilat et al.	
	27	US- 6,243,104	06-05-2001	Murray	
	28	US- 6,471,586	10-29-2002	Aiki	
	29	US- 2002/0188678	12-12-2002	Edecker et al.	
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FOREIGN PATENT DOCUMENTS

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Examiner Signature		Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	30	Clark, Don "The Affluent Avatar" The Wall Street Journal, Col. 2, Pg., Sec. B (8 Jan. 2003).	
	31	Electronic Arts "EA.com Electronic Arts: get in the game [media kit]" <http://retailsupport.ea.com/webmediakit/pdf/mediakit.pdf> accessed 9 Jan. 2003 [publication date unkown]	
	32	Bonello, D. "Nike", New Media Age, pNA, Nov. 18, 1999, DIALOG, file 16, No. 06835000.	
	33	"Two million games...software", PR Newswire, Sept. 26, 2001. Dialog, File 20, No. 190 16252	
	34	www.TerraZones.com	
	35	www.90minutes.co.uk	
	36	www.soholondon.co.uk	
	37	www.nike.com	

Examiner Signature	/Jonathan Messmore/	Date Considered	09/26/2014

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This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.M./

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014	9462

13155 7590 07/08/2014

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, VA 20191

EXAMINER	
MESSMORE, JONATHAN R	

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
07/08/2014	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):

ipgeneral@edwardsneils.com

Office Action Summary	Application No. 13/137,299	Applicant(s) ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	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 _____.

☐ 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) *29-48* 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) *29-48* 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 *4 August 2011* 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

Information Disclosure Statement

1. The information disclosure statement filed 4 August 2011 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Interpretation - 35 USC § 112

2. The following is a quotation of 35 U.S.C. 112(f):

> (f) Element in Claim for a Combination. – An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

The following is a quotation of pre-AIA 35 U.S.C. 112, sixth paragraph:

> An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

3. Claim limitation “at least one digital content library module which provides content management”, “at least one quantum imaging environment module which interprets content”, "at least one content logic module directed to…”, “at least one communication module which provides access", “communication module… which provide integrity…”, "a thematic application/publication/game content component which provides a storage facility”, “a network interface which provides access”, “a thematic application/publishing/game logic and scripting component which takes data... and modifies...", "a new content information module which contains... data", "an accounting, billing, and customer support module which provides for information…”, “an administration/time information module which provides internal

support", "a reporting tools module which provides… reporting tools", and "a sponsor database and member database providing... information" has/have been interpreted under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, because it uses/they use a generic placeholder "module" coupled with functional language "which provides…" without reciting sufficient structure to achieve the function. Furthermore, the generic placeholder is not preceded by a structural modifier.

Since the claim limitation(s) invokes 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, claim(s) 29, 31, 33, 34, and 40-47 has/have been interpreted to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action.

If applicant does not intend to have the claim limitation(s) treated under 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112 , sixth paragraph, applicant may amend the claim(s) so that it/they will clearly not invoke 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites/recite sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph.

For more information, see MPEP § 2173 *et seq.* and *Supplementary Examination Guidelines for Determining Compliance With 35 U.S.C. 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of pre-AIA 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 –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims **29-34, and 36-48** are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Johnson et al. (US 2002/0082077 A1).

6. **Regarding Claim 29**, Johnson discloses a computer system having an interactive software application platform for providing a virtual thematic environment, comprising: at least one thematic/publishing logic module which contains virtual thematic environment rules **[Johnson: ¶ [0041]: the perpetual universe may include any number of thematic environments having different locations that combine to simulate a virtual world or a theme park setting; and ¶ [0100]: Solomon engine 206 may employ any number of techniques to determine the results of individual events and the ultimate outcome of the competition. In accordance with a simplified embodiment, Solomon engine 206 may be programmed with a number of predetermined decisions for specific conditions; such decisions dictate the results of the competition. Alternatively, the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**; at least one digital content library module which provides content management on the virtual thematic environment **[Johnson: ¶ [0109]: in response to the animation script file, the presentation device 102 generates a suitable animation graphics file formatted for presentation by the particular presentation device 102 (task 714)… Thus, the animation script file contains information related to the desired content of the animation and the individual presentation device 102 determines how best to render the animation in light of its particular display and playback capabilities; and FIG. 1: 108 Databases]**; and at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device **[Johnson: ¶ [0045]: Perpetual universe server 202 is preferably configured to manage the triggering of events and the passing of data between various components of video game system 100]**.

7. **Regarding Claim 30**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one graphical user interface (GUI) module **[Johnson: ¶ [0117]: receiving end user control data 220 from presentation devices 102]**.

8. **Regarding Claim 31**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment **[Johnson: FIG. 1: 112, 120, 121; and ¶ [0032]: For example, a corporate or private entity may sponsor competitions between game characters, specific competition venues maintained by video game system 100… and any number of web sites maintained by service site 104 may include links to sponsor web sites 121]**.

9. **Regarding Claim 32**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one storage **[FIG. 1: 108]**.

10. **Regarding Claim 33**, Johnson discloses all the limitations of Claim 29, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses at least one communication module which provides access to various network services and connection options **[Johnson: FIG. 1: 114]**.

11. **Regarding Claim 34**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors **[Johnson: FIG. 1: 110, 120]**.

12. **Regarding Claim 36**, Johnson discloses all the limitations of Claim 33, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system **[Johnson: ¶ [0027]]**.

13. **Regarding Claim 37**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a physics engine which controls behavior of objects affected by laws of nature **[Johnson: ¶ [0053]]**.

14. **Regarding Claim 38**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment **[Johnson: ¶ [0100]: the decisions made by Solomon engine 206 may be governed by various artificial intelligence methodologies, decision algorithms, fuzzy logic, or the like]**.

15. **Regarding Claim 39**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a mini-applications library **[Johnson: ¶ [0134]: Digenetic game or role playing characters can be deployed in any number of exclusively server-based applications, e.g., virtual pets, simulated societies, or any hosted game**

environment. Furthermore, digenomes can replace traditional computer opponents in computer games such as chess, checkers, backgammon, poker, or the like; and ¶ [0043]: Video game system 100 may support any number of different gaming environments 208 associated with any number of game genres. These are considered a library of applications.].

16. **Regarding Claim 40**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment **[Johnson: FIG. 1: 108]**.

17. **Regarding Claim 41**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a networking interface which provides access to various network services required to support a server environment **[Johnson: FIG. 1: 118]**.

18. **Regarding Claim 42**, Johnson discloses all the limitations of Claim 30, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said GUI module comprises: a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment **[Johnson: ¶ [0045]: Perpetual universe server 202 may utilize scheduler 215 to regulate: the transfer of digenome data, digenetic data, and/or game data to Solomon engine 206 or simulation engine 204; the processing of results files and animation script files (described below); and when animation script files or results files are transmitted to (or rendered by) the presentation devices 102]**.

19. **Regarding Claim 43**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

20. **Regarding Claim 44**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an accounting, billing, and customer support module which provides for information modification and customer support, including billing **[Johnson: ¶ [0031]: video game system 100 may communicate with any number of commerce verification sites 120. Such verification sites 120 may be desirable to enable system 100 to accept online credit card payments, electronic [fund] transfers, and other forms of remote payments. Verification sites 120 may be maintained by the entity responsible for maintaining video game system 100 or by a third party]**.

21. **Regarding Claim 45**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: an administration/time information module which provides internal support for the virtual thematic environment and administration **[Johnson: ¶ [0041]: The server-based nature of system 100 facilitates growth and modification of such thematic environments and the addition of new thematic environments as necessary to support additional users]**.

22. **Regarding Claim 46**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a reporting tools module which provides internal and external reporting tools **[Johnson: ¶ [0048]: As described above in connection with element 112, service site 104 is preferably configured to support a number of conventional messaging, email, and other communication tools]**.

23. **Regarding Claim 47**, Johnson discloses all the limitations of Claim 31, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said content logic module comprises: a sponsor database and a member database providing all sponsor and user information, and administration information **[Johnson: FIG. 1: 108, 121]**.

24. **Regarding Claim 48**, Johnson discloses all the limitations of Claim 32, and is analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said data storage comprises: a real-time thematic environment database which maintains a state of each user and the virtual thematic environment **[Johnson: ¶ [0049]]**.

Claim Rejections - 35 USC § 103

25. The following is a quotation of pre-AIA 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 pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.

3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

26. Claim **35** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (US 2002/0082077 A1) in view of LeMay et al. (US 2003/0176213 A1) and Harlow (US 7747730 B1).

27. **Regarding Claim 35**, Johnson disclose(s) all the limitations of Claim 34, and is/are analyzed as previously discussed with respect to that claim.

Furthermore, Johnson discloses wherein said security features include authentication functions **[Johnson: FIG. 1: 120]**.

Johnson does not explicitly disclose wherein said security features include anti-cheating mechanisms, and audit functions.

However, LeMay discloses wherein said security features include anti-cheating mechanisms functions **[LeMay: ¶ [0004]]**.

Harlow discloses disclose wherein said security features include audit functions **[Harlow: Col. 19, ll. 14-16]**.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the virtual thematic environmental creating methods and apparatus of Johnson, LeMay, and Harlow in order to perform well-known tasks in the art.

Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN MESSMORE whose telephone number is (571)272-2773. The examiner can normally be reached on Monday - Friday 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. 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.

/J. M./
Examiner, Art Unit 2482

/CHRISTOPHER S KELLEY/
Supervisory Patent Examiner, Art Unit 2482

Notice of References Cited	Application/Control No. 13/137,299	Applicant(s)/Patent Under Reexamination ALTIERI, FRANCES BARBARO	
	Examiner JONATHAN MESSMORE	Art Unit 2482	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0082077	06-2002	Johnson et al.	463/30
*	B	US-2003/0176213	09-2003	LeMay et al.	463/20
*	C	US-7,747,730	06-2010	Harlow, James D.	709/224
	D	US-			
	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.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	4	(thematic with virtual with environment) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:06
L2	4	L1	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:06
L3	0	L1 and cheat$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:07
L4	112	(logic with virtual with environment) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:07
L5	6	L4 and cheat$4	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:07
L6	0	L4 and cheat$4 and audit	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:07
L7	5	L4 and audit	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:07
L9	2	"20110292167"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/19 14:55
S2	112	(logic with virtual with environment) and @ad<"20021016"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:18
S3	0	S2 and (library) and (QUI or quantum)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:18
S4	55	S2 and (library)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:18
S5	0	S2 and (library) and ((access$3 and manipulat$4) with content)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:19
S6	8	S2 and (library) and ((access$3 or manipulat$4) with content)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:19
S7	21	S4 and gui	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:20
S8	18	S7 not S6	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	AND	ON	2014/06/18 18:21
S9	4	(thematic with virtual with environment) and	US-PGPUB; USPAT; USOCR; EPO; JPO;	AND	ON	2014/06/18 18:21

		@ad<"20021016"	DERWENT			

EAST Search History (Interference)

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	Art Unit
	JONATHAN MESSMORE	2482

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q 30/0269	6/19/2014	J.M.

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
348	40	6/19/2014	J.M.
345	418	6/19/2014	

SEARCH NOTES		
Search Notes	Date	Examiner
EAST Workspace History Attached	6/19/2014	J.M.
NPL Search	6/19/2014	J.M.
Inventor Name Search	6/19/2014	J.M.
Reviewed with TQAS Justin Rider for 112f and 101 issues	6/30/2014	J.M.

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

/JONATHAN MESSMORE/ Examiner.Art Unit 2482	

PTO/SB/08A (01-08)
Approved for use through 03/31/2008. OMB 0651-0031
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 6,099,408	08-08-2000	Schneier et al.	
	2	US- 2002/0096831	07-25-2002	Nakayama et al.	
	3	US- 2003/0064807	04-03-2003	Walker et al.	
	4	US- 2002/0002076 A1	01-03-2003	Schneier et al.	
	5	US- 6,259,889	07-10-2001	LaDue, Christoph Karl	
	6	US- 6,749,432	06-15-2004	French et al.	
	7	US- 5,732,227	03-24-1998	Kuzunuki et al.	
	8	US- 6,409,599	06-25-2002	Sprout et al.	
	9	US- 5,509,806	04-23-1996	Ellsworth, Thayne N.	
	10	US- 2002/0158873	10-31-2002	Williamson, Todd	
	11	US- 2001/0045949 A1	11-29-2001	Chithambaram et al.	
	12	US- 6,396,497 B1	05-28-2002	Reichlen, Bruce A.	
	13	US- 2002/0090985 A1	07-11-2002	Tochner et al.	
	14	US- 2003/0144861 A1	07-31-2003	Misawa et al.	
	15	US- 2004/0216098 A1	10-28-2004	Roe et al.	
	16	US- 2003/0004743 A1	01-02-2003	Callegari, Jeff	
	17	US- 2003/0033150 A1	02-13-2003	Balan et al.	
	18	US- 2003/0125963 A1	07-03-2003	Haken, Jack E.	
	19	US- 2003/0191799 A1	10-09-2003	Araujo et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.M./

PTO/SB/08A (01-08)
Approved for use through 03/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	20	US- 2005/0043097 A1	02-24-2005	March et al.	
	21	US- 7,229,288 B2	06-12-2007	Stuart et al.	
	22	US- 5,850,352	12-15-1998	Moezzi et al.	
	23	US- 5,846,086	12-08-1998	Bizzi et al.	
	24	US- 5,956,038	09-21-1999	Rekimoto	
	25	US- 5,993,319	11-30-1999	Aoyama	
	26	US- 6,227,974	05-08-2001	Eilat et al.	
	27	US- 6,243,104	06-05-2001	Murray	
	28	US- 6,471,586	10-29-2002	Aiki	
	29	US- 2002/0188678	12-12-2002	Edecker et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	30	Clark, Don "The Affluent Avatar" The Wall Street Journal, Col. 2, Pg., Sec. B (6 Jan. 2003).	
	31	Electronic Arts "EA.com Electronic Arts: get in the game [media kit]" <http://retailsupport.ea.com/webmediakit/pdf/mediakit.pdf> accessed 9 Jan. 2003 [publication date unkown]	
	32	Borcello, D. "Nike", New Media Age, pNA, Nov. 18, 1999, DIALOG, file 16, No. 06835000.	
	33	"Two million games software" PR Newswire, Sept. 26, 2001, Dialog File 20, No. 190 16252	
	34	www.TerraZones.com	
	35	www.90minutes.co.uk	
	36	www.soholondon.co.uk	
	37	www.nike.com	

Examiner Signature	/Jonathan Messmore/	Date Considered	06/19/2014

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.M./

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13137299	ALTIERI, FRANCES BARBARO
	Examiner	**Art Unit**
	JONATHAN MESSMORE	2482

✓	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	06/19/2014								
	29	✓								
	30	✓								
	31	✓								
	32	✓								
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	45	✓								
	46	✓								
	47	✓								
	48	✓								

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BIB DATA SHEET

CONFIRMATION NO. 9462

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/137,299	08/04/2011 RULE	348	2482	71457.0014

APPLICANTS

INVENTORS

Frances Barbaro Altieri, Belmont, MA;

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

This application is a DIV of 12/073,967 03/12/2008 PAT 8225220
which is a DIV of 10/805,415 03/22/2004 PAT 7373377
which is a CIP of 10/272,408 10/16/2002 PAT 8458028

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
08/19/2011

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /JONATHAN R MESSMORE/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		MA	7	28	6

ADDRESS

Edwards Neils PLLC
12020 Sunrise Valley Drive, Suite 200
Reston, VA 20191
UNITED STATES

TITLE

Interactive virtual thematic environment

FILING FEE RECEIVED		
1083	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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI	Group Art Unit: 2486
Application No.: 13/137,299	Examiner: Alina A. BOUTAH (Parent)
Filed: August 4, 2011	Atty. Dkt No.: 71457.0014
Confirmation No.: 9462	Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

PRELIMINARY AMENDMENT

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

INTRODUCTORY REMARKS

Sir:

Prior to the examination of the present application, the Examiner is respectfully requested to enter the following amendments:

IN THE CLAIMS:

This listing of claims replaces all prior versions, and listings, of claims in this application:

1.-28. (Cancelled)

29. (New) A computer system having an interactive software application platform for providing a virtual thematic environment, comprising:

at least one thematic/publishing logic module which contains virtual thematic environment rules;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device.

30. (New) The system according to claim 29, further comprising:

at least one graphical user interface (GUI) module.

31. (New) The system according to claim 29, further comprising:

at least one content logic module directed to accounting, sponsor and users, transactions, and collecting content in real-time and injecting said content into the virtual thematic environment.

32. (New) The system according to claim 29, further comprising:

at least one data storage.

33. (New) The system according to claim 29, further comprising:

at least one communication module which provides access to various network services and connection options.

34. (New) The system according to claim 33, wherein said communication module includes network and security features which provide integrity of users and secure interaction between the virtual thematic environment and sponsors.

35. (New) The system according to claim 34, wherein said security features include authentication, anti-cheating mechanisms, and audit functions.

36. (New) The system according to claim 33, wherein said communication module connects to at least one of a satellite system, a voice recognition system, a business intelligence system, a language translation system, a weather system, a GPS system, and a smell system.

37. (New) The system according to claim 30, wherein said GUI module comprises:

a physics engine which controls behavior of objects affected by laws of nature.

38. (New) The system according to claim 30, wherein said GUI module comprises:

an Artificial Intelligence (AI) engine which controls behavior of objects and the virtual thematic environment.

39. (New) The system according to claim 30, wherein said GUI module comprises:

a mini-applications library.

40. (New) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publication/game content component which provides a storage facility for all thematic content required in the virtual thematic environment.

41. (New) The system according to claim 30, wherein said GUI module comprises:

a networking interface which provides access to various network services required to support a server environment.

42. (New) The system according to claim 30, wherein said GUI module comprises:

a thematic application/publishing/game logic and scripting component which takes data from a rule set and from external sources and modifies the virtual thematic environment.

43. (New) The system according to claim 31, wherein said content logic module comprises:

a new content information module which contains all new audio, video, rules and scripts for use within the virtual thematic environment.

44. (New) The system according to claim 31, wherein said content logic module comprises:

an accounting, billing, and customer support module which provides for information modification and customer support, including billing.

45. (New) The system according to claim 31, wherein said content logic module comprises:

an administration/time information module which provides internal support for the virtual thematic environment and administration.

46. (New) The system according to claim 31, wherein said content logic module comprises:

a reporting tools module which provides internal and external reporting tools.

47. (New) The system according to claim 31, wherein said content logic module comprises:

a sponsor database and a member database providing all sponsor and user information, and administration information.

48. (New) The system according to claim 32, wherein said data storage comprises:

a real-time thematic environment database which maintains a state of each user and the virtual thematic environment.

REMARKS

Claims 29-48 are presently pending in this application. Claims 1-28 have been canceled without prejudice or disclaimer. Claims 29-48 are based on the originally filed claims 65-84 of the grandparent application No. 10/805,415, which are Group III as Restricted by the Examiner on August 16, 2005. No new matter has been entered.

Entry of this Preliminary Amendment prior to examination of the above-identified application is respectfully requested.

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
11710 Plaza America Drive
Suite 2000
Reston, VA 20190
Telephone: 703-466-0150
Facsimile: 703-871-5209
Date: June 12, 2012

Electronic Acknowledgement Receipt

EFS ID:	12991802
Application Number:	13137299
International Application Number:	
Confirmation Number:	9462
Title of Invention:	Interactive virtual thematic environment
First Named Inventor/Applicant Name:	Frances Barbaro Altieri
Customer Number:	13155
Filer:	Paul F. Neils/Kenneth Sowers
Filer Authorized By:	Paul F. Neils
Attorney Docket Number:	71457.0014
Receipt Date:	12-JUN-2012
Filing Date:	04-AUG-2011
Time Stamp:	16:08:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	71457-0014_Preliminary_TTL.pdf	19381 42d4dc67b5691ded775d2755705f09cbf5223d1f	no	1

Warnings:	
Information:	

2		71457-0014_Preliminary-Amendment.pdf	32310 edf0a19de1aae63cc5c7c8462e77a311fff33856	yes	6

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Preliminary Amendment	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	6

Warnings:	
Information:	
Total Files Size (in bytes):	51691

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI	Group Art Unit: 2486
Application No.: 13/137,299	Examiner: Alina A. BOUTAH (Parent)
Filed: August 4, 2011	Atty. Dkt No.: 71457.0014
Confirmation No.: 9462	Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

TRANSMITTAL LETTER

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

Sir:

Please find enclosed:

- Preliminary Amendment.

Please charge any deficiencies or credit any overpayments to Deposit Account No. 50-5497.

Respectfully submitted,

/Jean C. Edwards/
Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
11710 Plaza America Drive, Suite 2000
Reston, VA 20190
Telephone: 703-466-0150
Facsimile: 703-871-5209
Date: June 12, 2012

PTO/SB/06 (07-06)
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
13/137,299	08/04/2011	

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	165		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			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 $250 ($125 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	165		TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	06/12/2012	(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 ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 28	= 0	X $30 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 6	Minus	***6	= 0	X $125 =	0	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	0	OR	TOTAL ADD'L FEE	

AMENDMENT		(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 ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	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 number found in the appropriate box in column 1.

Legal Instrument Examiner:
/TAMMY MCBETH BROWN/

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/137,299	08/04/2011	Frances Barbaro Altieri	71457.0014

CONFIRMATION NO. 9462

13155
Edwards Neils PLLC
11710 Plaza America Drive, Suite 2000
Reston, VA 20190

PUBLICATION NOTICE

Title: Interactive virtual thematic environment

Publication No.US-2011-0292167-A1
Publication Date:12/01/2011

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/137,299

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	165		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	270		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	110		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	28 minus 20 =	* 8	x 26 =	208	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	6 minus 3 =	* 3	x 110 =	330			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $270 ($135 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	1083		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	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
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".

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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
13/137,299	08/04/2011	2443	1083	71457.0014	28	6

CONFIRMATION NO. 9462

13155
Edwards Neils PLLC
11710 Plaza America Drive, Suite 2000
Reston, VA 20190

FILING RECEIPT

OC000000049432086

Date Mailed: 08/23/2011

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**

Applicant(s)

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Assignment For Published Patent Application

Barbaro Technologies, Belmont, MA

Power of Attorney:
Jean Edwards--41728

Domestic Priority data as claimed by applicant

This application is a DIV of 12/073,967 03/12/2008
which is a DIV of 10/805,415 03/22/2004 PAT 7,373,377
which is a CIP of 10/272,408 10/16/2002

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 08/19/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/137,299**

Projected Publication Date: 12/01/2011

Non-Publication Request: No

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

Title

Interactive virtual thematic environment

Preliminary Class

715

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2443 (Parent)

Application No.: Not Yet Assigned | Examiner: Alina A. BOUTAH (Parent)

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: Not Yet Assigned | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

CLAIM OF PRIORITY

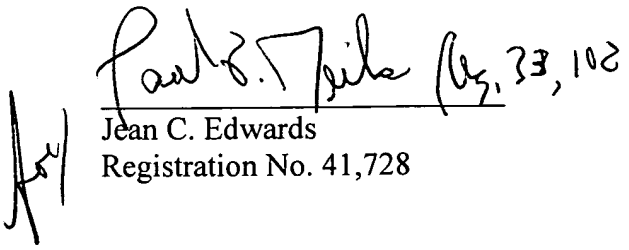
MAIL STOP APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present application is a divisional application of **U.S. Patent Application No. 12/073,967**, filed **March 12, 2008**, which is a divisional application of **U.S. Patent Application No. 10/805,415**, filed **March 22, 2004**, which is a continuation-in-part of **U.S. Patent Application No. 10/272,408**, filed **October 16, 2002**, the contents of all of which are herein incorporated by reference in their entirety.

No fee is believed to be required. Should any fee be required, please charge any deficiency to Deposit Account No. 50-5497.

Respectfully submitted,



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INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

CROSS-REFERENCE TO RELATED APPLICATIONS

The present application is a divisional application of U.S. Patent Application No. 12/073,967, filed on March 12, 2008, which is a divisional application of U.S. Patent Application No. 10/805,415 filed March 22, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/272,408, filed Oct. 16, 2002, the contents of all of which are herein incorporated by reference in their entirety.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to an interactive software application platform which can be used in entertainment, business, publishing, and other applications to provide a virtual and real world experience to the user by integrating audio, video, two dimensional (2D), and three dimensional (3D) technology, and other applications or services.

2. Description of the Related Art

Virtual environments are increasingly of interest to users for entertainment (i.e. games) and educational purposes. Based on this increase, the business world is finding new ways to access users through virtual environments, for product placement and to offer services. In addition, the use of virtual environments to illustrate medical procedures etc., or for business training purposes, are used routinely.

However, the virtual environments, especially those present on the internet, for example, have not provided the user with a real world experience. Accordingly, a way to integrate audio,

video, 2D and 3D technology in order to maximize the real world experience for the user, is desired.

SUMMARY OF THE INVENTION

The present invention is directed to an interactive software application platform which can be used in entertainment, business, publishing, and other applications to provide a virtual and real world experience to the user by integrating audio, video, two dimensional (2D), and three dimensional (3D) technology, and other applications or services.

In one embodiment consistent with the present invention, a method of integrating real-time information into a virtual thematic environment using a computer system, includes downloading real-time information from a source external to the virtual thematic environment; inserting real-time information into the virtual thematic environment; and providing access to the real-time information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, the real-time information is at least one of audio, video, chronological, text, and GPS, and the real-time information is provided to the user via a mobile device.

In another embodiment consistent with the present invention, the real-time information is product placement information from a sponsor.

In another embodiment consistent with the present invention, the external source is the internet and the real-time information is retrieved via cable or satellite.

In another embodiment consistent with the present invention, the user is provided with mini-applications within the virtual thematic environment which operate in real-time with real-time information.

In another embodiment consistent with the present invention, the real-time information is language translation.

In another embodiment consistent with the present invention, the virtual thematic environment is holographically projected.

In another embodiment consistent with the present invention, a method of integrating information into a virtual thematic environment using a computer system, includes accessing a database where the information is stored; retrieving the information from the database; inserting the information into the virtual thematic environment; and displaying the information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, the virtual thematic environment is a game.

In another embodiment consistent with the present invention, a method of providing product placement in a virtual thematic environment using a computer system, includes retrieving information on a sponsored product from a database where product information is stored; and displaying the sponsored product within the virtual thematic environment.

In another embodiment consistent with the present invention, the method further includes providing a selection mechanism to a user such that the product can be accessed by use of the selection mechanism; and automatically providing the product information on the product to the user after selection of the product.

In another embodiment consistent with the present invention, automatically providing the product information includes the step of: automatically directing the user to a website which provides information on the product.

In another embodiment consistent with the present invention, the method further includes returning the user to the virtual thematic environment at a point where the user left the virtual thematic environment.

In another embodiment consistent with the present invention, the method further includes tracking movements and purchases of the user at each website visited by the user and within the virtual thematic environment.

In another embodiment consistent with the present invention, the computer system of the present invention has a program for integrating real-time information into a virtual thematic environment, including means for downloading real-time information from a source external to the virtual thematic environment; means for inserting the real-time information into the virtual thematic environment; and means for providing access to the real-time information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, the computer system of the present invention has a program for integrating information into a virtual thematic environment using a computerized system, including means for accessing a database where the information is stored; means for retrieving the information from said database; means for inserting the information into the virtual thematic environment; and means for displaying the information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, the computer system of the present invention has a program for providing product placement in a virtual thematic environment using a computerized system, including means for retrieving information on a sponsored product from a database where product information is stored; and means for displaying the sponsored product within the virtual thematic environment.

In another embodiment consistent with the present invention, the computer system of the present invention integrates real-time information into a virtual thematic environment, and includes at least one memory containing at least one program including the steps of: downloading real-time information from a source external to the virtual thematic environment; inserting said real-time information into the virtual thematic environment; and providing access to the real-time information to a user within the virtual thematic environment; and at least one processor for running the program.

In another embodiment consistent with the present invention, the computer system of the present invention integrates information into a virtual thematic environment, and includes at least one memory having at least one program including the steps of: accessing a database where the information is stored; retrieving the information from said database; inserting the information into the virtual thematic environment; and displaying the information to a user within the virtual thematic environment; and at least one processor for running the program.

In another embodiment consistent with the present invention, the computer system of the present invention provides product placement in a virtual thematic environment, including at least one memory having at least one program including the steps of: retrieving information on a sponsored product from a database where product information is stored; and displaying the sponsored product within the virtual thematic environment; and at least one processor for running the program.

In another embodiment consistent with the present invention, a method of integrating holographic images into a virtual thematic environment using a computerized system, includes displaying images from a virtual thematic environment; and projecting the images as holographic projections using a holographic projection system.

In another embodiment consistent with the present invention, the method further includes integrating audio and video into the holographic projections.

In another embodiment consistent with the present invention, the method further includes integrating real-time information into the virtual thematic environment.

In another embodiment consistent with the present invention, the method further includes tracking a location of a user within the holographically projected virtual thematic environment.

In another embodiment consistent with the present invention, the tracking is performed using a GPS system.

In another embodiment consistent with the present invention, the method further includes integrating at least one of a voice recognition system, a synthetic smell system, a weather system, and a GPS system into the holographically projected virtual thematic environment.

In another embodiment consistent with the present invention, a computer system having a program for integrating holographic images into a virtual thematic environment using a computerized system, includes means for displaying images from a virtual thematic environment; and means for projecting the images as holographic projections using a holographic projection system.

In another embodiment consistent with the present invention, a computer system for integrating holographic images into a virtual thematic environment using a computerized system, includes at least one memory having at least one program including the steps of: displaying images from a virtual thematic environment; and projecting the images as holographic projections using a holographic projection system; and at least one processor for running the program.

In one embodiment consistent with the present invention, an apparatus for providing holographic images into a virtual thematic environment, includes a computer system which runs a program including displaying images from a virtual thematic environment; and a holographic projection system which projects the virtual thematic environment as holographic images.

In another embodiment consistent with the present invention, the apparatus further includes an integration of at least one of audio, video, a voice recognition system, a synthetic smell system, a weather system, and a GPS system into the holographically projected virtual thematic environment.

In another embodiment consistent with the present invention, the apparatus further includes a plurality of sensors to track movement of a user within the virtual thematic environment.

In another embodiment consistent with the present invention, real-time information is integrated into the virtual thematic environment.

In another embodiment consistent with the present invention, a computer system having an interactive software application platform for providing a virtual thematic environment, includes at least one thematic/publishing logic module which contains virtual thematic environment rules; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that the content is manipulated and accessed by any device.

In another embodiment consistent with the present invention, the system further includes at least one graphical user interface (GUI) module; at least one business logic module directed to

accounting, sponsor and users, transactions, and collecting content in real-time and injecting the content into the virtual thematic environment; and at least one data storage.

In another embodiment consistent with the present invention, the system further includes at least one communication module which provides access to various network services and connection options.

In another embodiment consistent with the present invention, a computer system for providing a virtual thematic environment, includes at least one memory having at least one program including the steps of: retrieving information on the virtual thematic environment; inserting said information into the virtual thematic environment; and displaying the information to a user within the virtual thematic environment; and at least one processor for running the program.

In another embodiment consistent with the present invention, there is a computer-readable medium whose contents cause a computer system to integrate real-time information into a virtual thematic environment, the computer system having a program including the steps of: downloading real-time information from a source external to the virtual thematic environment; inserting the real-time information into the virtual thematic environment; and providing access to the real-time information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, there is a computer-readable medium whose contents cause a computer system to integrate information into a virtual thematic environment, the computer system having a program including the steps of: accessing a database where the information is stored; retrieving the information from the database; inserting the information into the virtual thematic environment; and displaying the information to a user within the virtual thematic environment.

In another embodiment consistent with the present invention, there is a computer-readable medium whose contents cause a computer system to provide product placement in a virtual thematic environment, the computer system having a program including the steps of: retrieving information on a sponsored product from a database where product information is stored; and displaying the sponsored product within the virtual thematic environment.

In another embodiment consistent with the present invention, there is a computer-readable medium whose contents cause a computer system to integrate holographic images into a virtual thematic environment, the computer system having a program including the steps of: displaying images from a virtual thematic environment; and projecting the images as holographic projections using a holographic projection system.

In another embodiment consistent with the present invention, an apparatus for providing holographic images into a virtual thematic environment, includes a computer system which runs a program including displaying images from a virtual thematic environment, the computer system including: at least one thematic/publishing logic module which contains virtual thematic environment rules; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that the content is manipulated and accessed by any device; a holographic projection system which projects the virtual thematic environment as holographic images; and at least one of audio, video, a voice recognition system, a synthetic smell system, a weather system, and a GPS system into the holographically projected virtual thematic environment.

In another embodiment consistent with the present invention, an apparatus for providing holographic images into a virtual thematic environment, includes a room containing a plurality of

display screens; a computer system which runs a program including displaying images from a virtual thematic environment, the computer system including: at least one thematic/publishing logic module which contains virtual thematic environment rules; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that the content is manipulated and accessed by any device; a projection system which projects the virtual thematic environment as images on the displays screens; and a user-accessible control panel which provides access to the computer system.

In another embodiment consistent with the present invention, an apparatus for providing holographic images into a virtual thematic environment, includes a room containing a plurality of sensors for at least tracking movement of a user through said room; a computer system which runs a program including displaying images from a virtual thematic environment, the computer system including: at least one thematic/publishing logic module which contains virtual thematic environment rules; at least one digital content library module which provides content management on the virtual thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that the content is manipulated and accessed by any device; and a holographic projection system which projects the virtual thematic environment as holographic images in the room.

Thus been outlined, some features consistent with the present invention in order that the detailed description thereof that follows may be better understood, and in order that the present contribution to the art may be better appreciated. There are, of course, additional features consistent with the present invention that will be described below and which will form the subject matter of the claims appended hereto.

In this respect, before explaining at least one embodiment consistent with the present invention in detail, it is to be understood that the invention is not limited in its application to the details of construction and to the arrangements of the components set forth in the following description or illustrated in the drawings. Methods and apparatuses consistent with the present invention are capable of other embodiments and of being practiced and carried out in various ways. Also, it is to be understood that the phraseology and terminology employed herein, as well as the abstract included below, are for the purpose of description and should not be regarded as limiting.

As such, those skilled in the art will appreciate that the conception upon which this disclosure is based may readily be utilized as a basis for the designing of other structures, methods and systems for carrying out the several purposes of the present invention. It is important, therefore, that the claims be regarded as including such equivalent constructions insofar as they do not depart from the spirit and scope of the methods and apparatuses consistent with the present invention.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a schematic showing one embodiment of the six-level logical architecture of an interactive software platform consistent with the present invention.

FIG. 2 is a schematic showing one embodiment of the interactive software platform consistent with the present invention, in a client-server arrangement.

FIG. 3 is a schematic of a client-side server, according to one embodiment of the interactive software platform consistent with the present invention.

FIG. 4 is a schematic showing one embodiment of the interactive software platform of the present invention, in a server-side arrangement.

FIG. 5 is a schematic showing one embodiment of the interactive software platform of the present invention, in a client-side arrangement.

FIG. 6 is a schematic showing a cinematic room according to one embodiment of the interactive software platform consistent with the present invention.

FIG. 7 is a schematic showing a warehouse environment according to one embodiment of the interactive software platform consistent with the present invention.

DETAILED DESCRIPTION OF THE INVENTION

The present invention relates to an interactive software application platform which can be used in entertainment, business, publishing, and other applications to provide a virtual and real world experience to the user by integrating audio, video, 2D and 3D technology, and other technologies that may enhance the user's experience. In particular, the program of the present invention injects real time data, such as sports scores, live sports events, film, news, etc., into a virtual thematic environment which includes both audio and video, and also integrates mini-applications, such as word processing, mutual fund calculators, spreadsheets, static purchasing (i.e., static e-commerce applications, and any other type of application that can be scaled or as a demo), e-mail, and the like, into the virtual thematic environment, without a noticeable delay. The present system can be both a rich graphic environment, and may also include a holographic system and technology, mirror imaging technology, and high-level algorithms. The present invention can provide a virtual 2D and/or 3D environment, which can include not just audio,

music and video, but sensitivity to touch, the sensing of odors etc., so that the user can experience a real world environment in which the user can move through in real-time.

In one embodiment consistent with the present invention, a thematic computerized environment, such as the gaming environment described in U.S. patent application Ser. No. 10/272,408, can be accessed by one or more users over the internet. The user enters the thematic environment, whether it is a game, or a particular website, such as a museum website, store, school, hospital etc., and is taken into a 3D virtual world.

For example, in the gaming environment, the 3D world can be sectioned into unique "zones" which could be geographic, related to hobbies, interest groups, or a specific game genre. In a geographic environment, for example, the program would request that the user choose a city, and the program would take the user to a starting point in that city. Real world photographs, including satellite photographs, video, and/or 2D and/or 3D graphics would provide the cityscape. Once the user, whether in first person or third person view, is at the starting point at a particular city street, the program would allow the user to move through the 2D and/or 3D and/or integrated graphical representation of the actual real world environment and interact with it.

Since product placement is one feature consistent with the present invention, as described in U.S. patent application Ser. No. 10/272,408, the storefronts viewed by the user at the starting point on a city street, for example, could be representations of actual stores, such as coffee stores, bookstores, etc., which are "rented" by the corporate sponsors. If the user decides to "enter" a bookstore by using the mouse to "hot click" on the bookstore front, for example, or by any other selection means (i.e., voice recognition mechanism, keyboard, etc.), the program can automatically direct the user to the bookstore website, where the user may purchase books, look up information and or "grab" an item to be used in the game, or gain intelligence on those

products or informational data etc. The program will provide the user with an icon, URL address etc., so that the user can return to the virtual world when desired.

Alternatively, the user may "enter" a coffee store and the program will provide a representation of the actual store to the user. If the user "hot clicks" the mouse, for example, on a particular item, such as a bag of ground coffee, the user can be directed to the coffee store or coffee manufacturer website, for example, for product information and purchasing information.

Although storefronts have been discussed above with respect to product placement, product placements within the virtual environment are not just with respect to real estate, but can be any type of real world item visible or accessible to a user, whether passive or interactive. For example, passive advertising or product placement is the use of billboards, banners, storefronts or restaurant fronts. Interactive product placement includes experiencing the product itself in the virtual world (i.e., taking and reading a newspaper from a newspaper machine, or a magazine from a magazine stand, driving an automobile parked on the street, turning on a radio to listen to a particular radio station, typing into a computer, using a PDA, turning on a TV set, flying in or piloting an aircraft, etc.).

As stated above, in the interactive product placement, the user can "hot click" on an automobile on the street, for example, and then the program will direct the user to a real world website, such as the automobile manufacturer's sponsored website, to review the latest car models, or even make a purchase. As stated above, the user can return to the virtual world via an icon, URL address, etc., to recommence in the virtual world, at the moment the user left the environment for the sponsored website.

While at the sponsor's website, the program may initiate the user to perform certain actions (i.e, visiting certain sites, being first at those sites, following certain directions,

completing an educational or informational quiz, participate in an auction etc.) before returning to the virtual world, and before advancing in that world (i.e., before advancing in game play, if the virtual world is a game). Another example of actions initiated at the sponsored website and/or throughout the thematic application, such as a game, are the listing and answering of clues, etc. A timing mechanism can be added to the program such that these actions must be performed within a certain period of time or on a competitive level with one or more opponents (other users).

Depending upon the sponsors, and the thematic storyline, the points that are achieved at the sponsored website for the required actions, can be redeemed for cash rewards, prizes, coupons etc., either at the sponsor's website, and at other websites in the real world (i.e., to obtain concert tickets, clothing etc.), or within the virtual world environment.

The user is not only required to use real world credit cards to purchase items at sponsored websites accessed through the virtual world environment, but may also be directed by the program to either a real world or a virtual world store to purchase items needed within the virtual world (i.e., supplies needed in a game environment), using a virtual credit card.

The program keeps statistical information on all the sites accessed by the user, purchases made, and tracks movement within the thematic environment and real-world websites, etc., so that the sponsors can be provided with statistical data on the users for marketing purposes.

In another embodiment consistent with the present invention, the virtual environment can be a travel website, for example, such that when the user accesses different cities, the program can take the user to that city so that the user can have the real world experience of walking down a street and seeing the actual buildings that would be represented in the real world environment. The user may be able to enter a building in a thematic environment such as a store, hotel, or

museum and can view the surroundings as if walking through the real world building. The user may be able to "enter" a museum gift shop, for example, using a selection means (i.e., hot click using a mouse, voice recognition etc.), and then the program may direct the user to the website of the museum gift shop such that the user may make real world purchases, for example.

In other applications which integrate audio and video into the virtual thematic environment, the user may "enter" a store, for example, and be able to choose a DVD or a CD, and make a particular video or musical selection, and the program will show the video in the virtual thematic environment and play the audio over the user's computer system. Thus, the user may be able to watch films, movies, etc. on a screen, for example, within the thematic environment. It is also a part of the present invention that TV programs, videos, etc., are available and running within the thematic environment, and visible to the user, without any interaction from the user.

Thus, the user can choose to change the TV program being shown, or the music being played in the thematic environment, by accessing the options available (i.e., displayed on the screen). The choice of TV program or music, etc., may be through corporate sponsorship (i.e., product placement) and thematic environment setup for that particular geographic location.

In other applications, the user may "hot click" on a poster or a static photo, and the program will access a database to show the subject of the poster or photo (for example, a rock band, models in a fashion show, sports figures, racing cars, etc.) in a video, or other 3D action.

Further, in another embodiment consistent with the present invention, the user may keep, for example, a radio, Global Positioning System (GPS), clock, Personal Digital Assistant (PDA), and other devices on the user's desktop while the user is interacting with the thematic

environment. Each of these devices can be turned on/off or removed by the user from the main viewing screen, or enlarged on the screen, when desired.

In another embodiment consistent with the present invention, the virtual thematic environment can interface with a GPS system, which will show the user a map showing the user's (or any other) location, and provide details down to street and house. The program will allow the user to view either real world satellite maps/street photographs, etc., or a virtual representation of the same, showing buildings, grounds, landmarks etc. The user, in a tie-in with the product placement and other information, can "hot click" on a building, for example, and information, such as description, telephone number, directions, sponsored information etc., can be provided on that building.

In other integrations between real world and virtual world environments which take place in real time, real time data is downloaded by the program and provided to the user in the virtual environment. For example, real time information, such as sports scores, stock prices, and auction information, can be provided in an appropriate manner in the virtual thematic environment (i.e., on TV screens, computer screens, by cell phone etc.). In addition, the program allows real time video to be received and viewed in the virtual environment, such as TV programs, sports games, film concerts, etc., from satellite and cable systems. Thus, in an integration of real world and virtual world environments, the user may enter a room where he can "hot click" on a radio, for example, and choose a particular radio station, and the program will allow real-time audio of that radio station to play for the user.

In another embodiment consistent with the present invention, the user can compete in real-time in a gaming environment, for example, with other players others around the world. All the players will have their own internet connections, be logged onto a world server or a set of

servers with a unique account and password, and will be able to interact with one another in the thematic environment on a real-time basis. Each player will receive dynamic content (i.e., information in real time) based on the other players' actions. For example, the other players may be directed to "pick someone's pocket" by "grabbing" an object from their competitor, and may gain points by getting to a certain location first, by opening and reading certain information first, or by "hot clicking" on an item first, to obtain points etc.

The present invention also provides the feature of allowing "mini-applications" to be accessible within the virtual world such that the user can utilize word processing programs, e-mail, spreadsheets, attend and participate in an auction, etc. In addition, these mini-applications, such as e-mail, chat rooms, video messaging, are performed by the program in real time, without a noticeable delay to the user.

The program is also designed to provide real time translations into multiple languages within the virtual environment, so that the virtual environment is international in accessibility.

In another embodiment consistent with the present invention, the thematic application can be presented in a holographic environment. In one example of a thematic application in a holographic environment, a "cinematic room" can be provided, housing large non-intelligent display screens or digital displays, plasma screens, LCD or intelligent screens/displays or the like, and chairs or other seated- or standing-accessible structures with embedded controllers. The computer system or film recorder projects images onto the display screen and the images can be manipulated via the embedded controls in the chair or through the voice recognition systems located therein or those found in a separate unit similar to a head piece, microphone, 3d helmet etc. The user may also experience the images in a 3D environment via the use of 3D goggles or other 3D devices.

In another embodiment consistent with the present invention, the interactive software application of the present invention can be connected to a holographic projection system in a gaming environment, for example. The system of the present invention could be set up in a warehouse environment, such that the holographic projections can be viewed in full size, or on a smaller scale. When the virtual world is activated, the user will be able to walk through the environment, such as a geographic zone, and images would be projected from a particular street for the user to view and interact with.

For example, in a holographic embodiment, the user may be presented with a holographic life-size image of a singer, and the program will allow the user to experience the audio and video of that singer as if the user were attending an actual concert by the singer.

In addition, the program would allow the virtual thematic environment to react to the presence of the user. For example, in a holographic environment, the program would show holographic images of the streets of New York City, and if those holographic images are disrupted by the touch of the user, this disruption would be sensed by the program, and the program would change the image appropriately (i.e., the user touches a door to enter through it into a store, and a sensor notifies the computer system of the present invention, of the disruption in the holographic image, wherein the program changes the images projected to show the inside of the store).

In another embodiment of the holographic application, a GPS system may be connected to the computer software of the present invention, which would allow the user to see a change in environment as the user physically "walks" or moves a 3D representation (i.e., avatar) through the environment. The program may initiate automatic updates to change the environment viewed by the user, as appropriate. The GPS system can be provided in all applications for the user to access, as stated above, whether in a thematic environment on a computer screen, or in a

holographic application. The data that is provided by the GPS system is recorded and the program will provide that data in a business intelligence format to sponsors for marketing purposes.

In an educational scenario, the program could project historical events as holographic images, and the user can walk through the virtual environment and experience the historical drama of the event in a first-hand way. The user could also experience other events, such as virtually "traveling through space", whether flying a virtual aircraft, or traveling through the solar system, etc., in a real-world manner. In business applications, for example, a user could use the holographic projection system to view real estate before purchasing, etc. In medical applications, the program could allow doctors to see a virtual holographic operation, in order to advise on the conduct of certain medical procedures from a remote site, etc.

In a consumer-oriented sense, holographic images of a user can be displayed so that the user can try on clothing without ever going to a store. Books and magazines could be put into holographic images so that they are "living books". Concerts could be holographic images tied in with audio so that the user has a real-world experience of the musicians and the music. In other applications, the user may be able to view holographic images for online dating purposes, to learn dance steps from a holographic dance teacher, etc.

The present invention can also be integrated with a synthesized smell device, which can output odors such as smells for ingredients in a virtual cooking class, for example. This synthesized smell device and the present invention can be connected via the internet and currently available supportive devices.

The present invention can also be integrated with a virtual weather system (i.e., for fog, wind, or rain etc.), which can output weather patterns in a virtual environment. In a holographic

environment, the virtual weather system can be tied to real-world fog or rain-producing systems such as those used on movie sets, so that a walk through a holographic thematic environment could include the actual experience of fog or rain etc.

The sheer number of applications is limitless, and it can be seen that one of ordinary skill in the art would be able to apply the basic technology of the present invention to almost any virtual or holographic environment to advance a user's thematic application experience.

Logical Architecture

The present invention is implemented in software which can be provided in a client, client and server environment, or in a distributed system over a computerized network (the physical architecture is described below), or embedded in a controller that activates both the computer system and/or other devices.

In particular, the program of the present invention is in a Quantum Imaging Environment (QIE). Thus, the logical architecture of the virtual platform of the present invention is implemented on a 6-tier modular system (i.e., six layers), and at least six (6) service area modules, which are fully distributed across the internet (see FIG. 1).

The six layers of the virtual platform include 1) a graphical user interface (GUI) **100**, 2) a Thematic/Publishing Logic 101 and a Digital Content Library 102, 3) a Business Logic 103, 4) a thematic or zone application builder and interpreter (i.e., a Quantum Imaging Engine 104), 5) Communications 105, and 6) a Data Storage 106. Each level of the 6-tier system is designed around Open Source technologies, but can include custom software developed in an open standards environment. By using Open Source and proprietary technologies with generic APIs,

the present invention is scalable as the numbers of users increase, and the advances can be programmed as Open Source technologies.

The six service area modules of the logical architecture of the virtual platform include 1) voice recognition 107, 2) language translation services 108, 3) business intelligence 109 , 4) satellite transmission 110, (5) a synthesized smell system 111, and (6) a GPS system 112, fully distributed across the world wide web (WWW) 113. A weather system 114, can also be provided as another service area module.

Additional services are a subset of the Business Logic module, and include e-mail, chat, order entry, purchasing, billing, and sponsor fulfillment modules.

The virtual platform of the present invention may use the support of PCs, or any other type of hardware that can support specific tasks at the Business Logic and Thematic Logic levels. This may take the form of Grid, Artificial Intelligence (AI), or other technology advanced servers, or the entire system may be hosted on a very high level supercomputing system that can calculate very complicated algorithms and manage all processes supporting well over millions of users simultaneously.

In particular, the present invention may be used in a client-server context, or may be a distributed system across a number of client systems. Thus, in the present invention, a particular operation may be performed either at the client or the server, at the edge of a network or at the center, or both. Therefore, at either the client or the server, or both, corresponding programs for a desired operation/service are available.

In a client-server environment, at least one client and at least one server are each connected to a network such as a Local Area Network (LAN), Wide Area Network (WAN), and/or the Internet, over a communication link. The steps in the methods consistent with the

present invention are carried out at the client or at the server, or at both, the server (if used) being accessible by the client over for example, the Internet using a browser application or the like. Note that at times the system of the present invention is described as performing a certain function. However, one of ordinary skill in the art would know that the program is what is performing the function rather than the entity of the system itself.

The physical architecture of the present invention may include at least one co-located hosting site having racks containing server hardware blades running operation systems, and other necessary applications. The present application's co-located hosting sites may be deployed at two additional locations, providing full geographic diversity. These sites may be near major private or public peering points. The server hardware blades may be connected to storage devices using network attached storage (NAS); but could also be a combination of local disks and a Storage Area Network (SAN), and redundant Gig-E connectivity. The racks may be connected to the co-location hosting providers switches providing direct connectivity to the Internet or contained. The present application co-location site may be fully redundant with multiple egress paths to the Internet. Interaction with the corporate sponsors and active users may be through secure and non-secure internet connectivity.

If there are separate administrative servers for billing and general customer care, they may be maintained in physically separate locations from the main servers.

The underlying technology allows for replication to various other sites. Each new site can maintain "state" with its neighbors so that in the event of a catastrophic failure, other server systems can continue to keep the application running, and allow the system to load-balance the application geographically as required.

Physical Architecture

a. Client System

As stated above, the client may be a PC, a mobile terminal, such as a mobile computing device, a mobile phone, or a mobile data organizer (PDA), operated by the user accessing the program remotely from the client (see FIG. 1), or any other digital device that has a screen and storage.

The client computer typically includes a processor as a client data processing means, the processor including a central processing unit (CPU) and an input/output (I/O) interface, a memory with a program having a data structure, all connected by a bus, as well as an input device or means, a display, and may also include a secondary storage device. The bus may be internal to the client and may include an adapter to a keyboard or input device or may include external connections.

The processor at the client may be internal or external thereto, and executes a program adapted to predetermined operations. The processor has access to the memory in which may be stored at least one sequence of code instructions comprising the program and the data structure for performing predetermined operations. The memory and program may be located within the client or external thereto.

The program can include a separate program code for performing a desired operation, or may be a plurality of modules, such as those described below, performing sub-operations of an operation, or may be part of a single module of a larger program providing the operation.

The processor may be adapted to access and/or execute a plurality of programs corresponding to a plurality of operations. An operation rendered by the program may be, for example, supporting the user interface, performing e-mail applications, etc.

The data structure may include a plurality of entries, each entry including at least a first storage area that stores the databases or libraries mentioned above with respect to the logical architecture.

The storage device stores at least one data file, such as text files, data files, audio, video files, etc., in providing a particular operation. The data storage device as storage means, may for example, be a database, including a distributed database connected via a network, for example. The storage device may be connected to the server and/or the client, either directly or through a communication network, such as a LAN or WAN. An internal storage device, or an external storage device is optional, and data may also be received via a network and directly processed.

Methods and systems consistent with the present invention are carried out by providing an input means, or user selection means, including hot clickable icons etc., selection buttons, in a menu, dialog box, or a roll-down window of an interface provided at the client, and the user may input commands through a keyboard, pen, stylus, mouse, speech processing means, touch screen, or other input/selection means. The selection means may also be constituted by a dedicated piece of hardware or its functions may be executed by code instructions executed on the client processor, involving a display unit for displaying a selection window and a keyboard for entering a selection, for example.

In methods and systems consistent with the present invention, the client is connected to other clients or servers via a communication link as a client communication means, using a communication end port specified by an address or a port, and the communication link may include a mobile communication link, a switched circuit communication link, or may involve a network of data processing devices such as a LAN, WAN, the Internet, or combinations thereof. The communication link may be an adapter unit capable to execute various communications

protocols in order to establish and maintain communication with the server, for example. The communication link may be constituted by a specialized piece of hardware or may be realized by a general CPU executing corresponding program instructions. The communication link may be at least partially included in the processor executing corresponding program instructions.

b. Server System

In one embodiment consistent with the present invention, if a server is used in a non-distributed environment, the server would include a processor having a CPU which is a server data processing means, and an I/O interface, but may also be constituted by a distributed CPU including a plurality of individual processors on one or a plurality of machines. The processor of the server may be a general data processing unit, but preferably a data processing unit with large resources (i.e., high processing capabilities and a large memory for storing large amounts of data).

The server also includes a memory with program having a data structure all connected by a bus. The bus or similar connection line can also consist of external connections, if the server is constituted by a distributed system. The server processor may have access to a storage device for storing preferably large numbers of programs for providing various operations to the users.

The data structure may include a plurality of entries, each entry including at least a first storage area which stores information on the sponsors, for example, but may also have alternative embodiments including that associated with other stored information as one of ordinary skill in the art would appreciate.

The server may be a single unit or may be a distributed system of a plurality of servers or data processing units, and may be shared by multiple users in direct or indirect connection to

each other. The server performs at least one server program for a desired operation, which is required in serving a request from the client.

The communication link from the server is preferably adapted to communicate with a plurality of clients.

The server program may relate to providing a number of operations related to thematic applications.

c. Client-Server Environment

Specifically, in one embodiment, the present invention may be presented in a client-server arrangement (see FIG. 3), with a client system 200 including components such as a GUI 201 , and which may contain a Quantum Imaging Environment (QIE) 202 , and Thematic/Application Publishing Logic Libraries 203 . The client system 200 interacts with the server system 205 via an Application Interface 204.

The server system 205 includes a GUI 211 (see FIG. 4), Thematic/Publishing Logic (Engines) 206, a Communications module 207, Business Logic module 208, a Digital Content Library 209, and Data Storage 210, all interfacing with a QIE 211.

The client system 200 includes communications 212 via a wireless service connection 213. The server system 205 includes communications 214 with network/security features, via a wireless server 215, which connects to, for example, satellite 216, voice recognition 217, business intelligence 218, language translation service 219, GPS system 220, and smell system 221. However, one of ordinary skill in the art would know that other systems may be included, such as a weather system, etc.

In particular, with respect to the client system 200 , the GUI 201 is a lightweight client application written to run on existing computer operating systems which may be ported to other personal computer (PC) software, personal digital assistants (PDAs), and cell phones, and any other digital device that has a screen or visual component and appropriate storage capability. The GUI 201 contains an engine for providing graphic hardware capabilities, graphic memory and structures, controls graphic object rendering on hardware, creates/manipulates 2D and/or 3D objects, video objects, streaming video, web objects, lines, rectangles, spheres, vectors, matrices, etc., manipulates animation, colors, bitmaps, textures, images, defines coordinate system and defines world boundaries, defines frames, bounding boxes, camera angles and views, lighting and shadowing etc., provides plug-in extensions, user input stream, event triggers, error handling, management of voice, music, and other graphic and voice formats, voice recognition, and translation services drivers.

In particular, the graphics engine of the GUI 201 is responsible for manipulating graphic content including rendering 2D and/or 3D objects, avatars, and background images. The graphics engine of the GUI 201 takes such objects and renders them into a 2D/3D space for display on the output device, or it can display the objects in a system that provides a holographic environment for the manipulation of images. The graphics engine is also responsible for handling lighting, camera positioning, and shading. The graphics engine of the GUI 201 takes into consideration graphic device display capabilities and acceleration features. One side task of the graphics engine of the GUI 201 is to collect user input and provide it to the Thematic/Publishing Logic 206, for example.

The GUI engine 201 pours in real world content rendered in HTML, XML, RDF, and/or QIE-rendering format or any content format. The user interacts completely with the GUI 201,

beginning with login, playing the game in a gaming environment, where applicable, in user help, and user subscription renewals. The GUI 201 also interacts or connects to the Thematic/Application Publishing Logic Libraries 203 and an object oriented database management system (ODDBM), and/or content management system. The GUI 201 also has all the data related to the user's manipulation of the selection means, including any keyboard strokes, use of a pen, joystick, interactive goggles, touch screen, or any other interactive hardware component that would allow the user the ability to move objects, people, etc.

The QIE 202 / 211 is both part of the client and the server components in the embodiment of FIG. 2. The QIE 202 / 211 includes an interpreter that will allow data to be transmitted to any device, and is the basis for the design structure and layout for applications. The QIE 202 / 211 allows developers to develop objects and applications from the interpreter. For gaming or other thematic environments, the representation of the layout and design may be in the representation of "zones", and the layout and design may be set up as zones and content, for medical, retail, educational purposes, etc. The QIE 202 / 211 pertains to the most common denominator—the application architecture, and the content. QIE 202 / 211 is an interpreter that will take all of the rich content, interpret the information into objects to be manipulated and accessed via any device and place these objects or information in the appropriate format that is designed or will be designed by the developer.

On the server side, the QIE 211 interacts with the Business Logic 208, Digital Content Library 209, Thematic/Publishing Logic 206, Data Storage 210, Communications 207, and via, the Communications/Network/Security 214, to the service modules 216 - 221. The data may be manipulated in object form or some other form that would be accessed, manipulated and interpreted on any digital device.

Two technologies that may be used in conjunction thereof or separately, to manipulate the data and access the data, are mirror imaging technology and holographic imaging technology. In addition, other technology language-based algorithms can be used in recalculating the content, shapes, graphics, images, music, and video (every type of media), in order that the data can be exposed, manipulated, and accessed on any device.

The Thematic/Application Publishing Logic Libraries 203 on the client system 200 , include all the libraries that are needed for the interactive components of the applications such as animation, graphics, artwork, overall content, web content, and utilizes the services of translation, currency, satellite transmission, video, music, synthesized smell, and voice-over libraries. In addition, the Thematic/Application Publishing Logic Libraries 203 contain the profile of the active users, their current states, individual histories, associations between other active users when in a game format (i.e., team members), and associations within the virtual world, such as with non-game characters (i.e., characters within the game).

In addition, the Thematic/Application Publishing Logic Libraries 203 are designed for the sponsors in order to incorporate product placement, video feeds, and mini-applications, web sites, e-commerce, music, voice, and GPS system information into the virtual world. The Thematic/Application Publishing Logic Libraries 203 may also be used for the development of mini-applications that are dictated by the sponsor, and will allow a developer to build a simulated e-mail, spreadsheet, database, and any type of application that is sponsor-based or pertains to the overall thematic application.

The Thematic/Publishing Logic 206 on the server system 205 is accessed through the GUI 201, and contains the environmental game rules. The Thematic/Publishing Logic 206 also ties into the QIE engine 211 and Business Logic 208 layers.

The Thematic/Publishing Logic 206 is the director of all previous components by working with a pre-defined (but modifiable) set of rules and events from objects, and coordinates further actions to be taken as to what will constitute the thematic environments. In particular, the Thematic/Publishing Logic 206 initializes global memory structures, validation of thematic objects and engines, startup procedures for all engines, collects objects for all engines, initializes the default thematic environment, provides user information, interacts and validates the engines' status, provides access and execution to thematic environment rules, controls and creates events from engines, provides state change to all engines, provides scripting language for explicit object modification, and provides shutdown for all engines.

The Thematic/Publishing Logic 206 also interacts directly with the Data Storage 210, obtaining and updating information (i.e., states, profiles and history) on the active users. The Thematic/Publishing Logic 206 will interact with the Digital Content Library 209 and pass information back and forth to the specific subfolders and document management system.

The Thematic/Publishing Logic 209 also ties directly into e-mail or chat systems and other Business Logic 208 applications that are necessary to the thematic applications or which may be used directly in the thematic applications. The Thematic/Publishing Logic 206 will also tie directly to the Business Logic 209 for calculating the time, rewards, points, order, purchase, billing and shipping components. As the Thematic/Application Publishing Logic Libraries 203 need information, the Thematic/Publishing Logic 206 will pull that data from the Business Logic 208 and Digital Content 209 libraries, or the reverse, depending upon the needs of the application environment.

In a gaming environment, the Thematic/Publishing Logic 206 may be programmed to "grab" data/objects from the web to be utilized in the game. Any objects on the web will be

"copied and grabbed" by maintaining the original information of the data or objects and will allow the use of that image, while maintaining the data and integrity of the object, within the application.

The Thematic/Publishing Logic 206 may be written in C, C++, C#, Java, and/or Assembler, or any another language that is suited for this type of interaction and/or libraries.

The Digital Content Library 209 ties into the QIE engine 211. The Digital Content Library 209 is a content management application or database that interacts with the Thematic/Publishing Logic 206 , that will be laid out into sections or subsets and its own respective groups similar to a filing cabinet (i.e., document management system, for example, Zone 1: USA, Zone 1A: New York, Zone 1A1: New York City, etc.). Within each zone are a subset of data and another subset of data. Each will include, for example, the layout of the streets, buildings, stores, historic locations, rivers, streams, oceans, etc. It will also include the video, music, GPS information, and images relating to each city.

The Digital Content library 209 includes all information such as data, codes, binary files, web content, event notification, and other information. The Digital Content library 209 may also include scheduling directions for when the web site access and identification of where to place the web content or advertising, e-commerce, video, etc. are to be placed.

The Business Logic 208 is tied into the Thematic/Publishing Logic 206 and the Data Storage 210. The Business Logic 208 is made up of several modules, which are directed to: accounting (i.e., ordering, billing, shipping, and payment processing) for both the sponsors and users, including all member information accumulated within the application (i.e., rewards, points, time (based on time zones), stopwatch or timer); creating/maintaining user profile information; a transaction database which tracks business intelligence data, licensing, rewards,

points, time, and user info; maintaining a sponsor database of business information; a member database (i.e., order configuration, encryption & compression, library data); electronic messaging (i.e., e-mail, chat, or other applications); and interacts with the Business Intelligence service module 218 .

The Business Logic 208 maintains the profiles of the active users, their current states, individual histories, associations between active users (i.e., team members), and associations with non-users (i.e., characters within the thematic virtual world). The Business Logic 208 interacts with the Thematic/Publishing Logic 206 as well as the other layers on an as-needed basis to update the profiling for the thematic applications, as well as information needed for business intelligence reporting.

The thematic virtual world interacts with the sponsors at this layer. The Business Logic 208 collects content from the real world (i.e., content from the sponsor's websites, information on time, weather, late-breaking news, etc.) and injects this content into the thematic virtual world through the Thematic/Publishing Logic 206.

The Business Logic 208 interacts with the Business Intelligence service module 218 for business intelligence data, supplying the information to the sponsor in real time offering all of the latest data which is tracked within the applications. The Business Logic 208 component interacts with the corporate sponsor, providing relevant information (i.e., raw data, canned reports, etc.) to the sponsor on the active user's consumer behaviors, including likes, dislikes, purchases, etc. Maintenance fees for upgrades and updates are automatically sent to the sponsors.

The Business Logic 208 interacts with the Data Storage 210 to update information on the active users, determining what information is relevant today vs. yesterday. The Business Logic

208 ties back into the Thematic/Application Publishing Logic Libraries 203 and then to the zone application builder and interpreter (QIE engine 202 / 211).

The Business Logic 103 is written in C, C++, C#, Java and/or Assembler, or any other type of language appropriate to achieve the above-described features.

The logical architecture of the present invention is designed to provide future consideration for APIs 204 at the Thematic/Publishing Logic 206 and Business Logic 208 components. Using software development kits (SDKs), corporate sponsors using professional services, are able to make customer modifications to the themaitc application or game.

The Data Storage 210 includes distributed databases containing all relevant information on the active user's profile in their current state, history, and real world content. The Data Storage 210 interacts directly with the Thematic/Publishing Logic 206 and the Business Logic 208.

The database tables will be distributed using an appropriate database application that will support grid-based logical architecture or other appropriate database architecture.

The Communications module 207 of the server system 205 can handle a multiplayer network and will use standard internet communications tie into existing libraries or with custom modifications.

The client Communications 212 interface provides access to various network services required to interact with other users (such as a messaging service, system administration service, user/group administration service, chat service, thematic state tracking, and character profile service 214), and controls dynamic features as applied by the central servers. The client Communications 212 may provide alternate connection options, and controls termination of the connections.

The server Communications Network/Security 214 interface, addresses the security of the logical architecture at two levels. The integrity of the active user is maintained, and secure interaction between the system of the present invention and the corporate sponsor is maintained.

The server Communications Network/Security 214 interface provides access to various network services required to interact with other users and control dynamic features as applied by the central servers. The server Communications Network/Security 214 may include maintaining the state of the thematic environment amongst various users, providing anti-cheating mechanisms, providing messaging services between users, and passes information to and from the client applications and other internal server side applications.

The server Communications Network/Security 214 interface may require interaction with the server Business Logic 208. The server Communications Network/Security interface 214 may also require access to other client software during use, and direct access to various database information for performance reasons.

The server Communications Network/Security 214 provides security functions such as user authentication and anti-cheat algorithms, and may also provide methods for secure billing and rewarding systems to users with audit functions. Security is maintained within the virtual environment to ensure that users adhere to virtual world rules. The server Communications Network/Security 214 prevents hackers from accessing, modifying, or corrupting data (i.e., modifying their current state and history or the data of others), thus preventing sabotage for the active user population.

Security is also incorporated using encryption between the Business Logic 208 and the sponsors to ensure that there is no back-door entry into the sponsors' websites, nor that proprietary consumer data is intercepted.

With respect to the service modules 216 - 221, these modules are state-of-the art systems which are conventionally available.

In another embodiment consistent with the present invention, the client side system can be a server which, instead of having all the libraries etc. on a component such as the Thematic/Application Publishing Logic Libraries 203 of FIG. 2, instead are all placed on a GUI 250 of client side server 240 (see FIG. 3).

The GUI 250 of the embodiment of FIG. 3 includes a graphics library 251 , a translation library 252 , a film/video library 253 , a mini applications library 254 , a voice library 255 , a physics library 256 , an Artificial Intelligence (AI) library 257 , a music library 258 , a sponsor library 259 , a thematic application/publication/game content library 260 , drivers 261 , a thematic application/publication/game state component 262 , a networking interface 263 , and a thematic application/publishing/game logic and scripting component 264 .

The graphics component/library 251 is discussed in detail above. The translation library 252, the film/video library 253, mini applications library 254, and a voice library 255, are all related to the engines and/or services associated with the libraries that support both a client, such as a client-server, or server-based model. In this example, the program runs from a client only, which can be connected to a server, but in most cases is limited to the client. In this example, the translation library will include program code that will allow the translation of one language into a different language—for example, Chinese to English. The information or data of the translations will be stored or can be located in the Thematic Application/Publishing/Game Content library 260.

The Film/Video library 253 includes programming code that will allow the present system to re-create and maintain the attributes of a number of film strips or video in its

appropriate format using the appropriate code or language(s). The Film/Video library 253 will interact with the GUI 250 and Sponsor Library 259, and possibly the QIE 202 and/or the Graphics library 251 for processing and display through the appropriate drivers 261 to the screen. The information or data will be stored or can be located in the Thematic Application/Publishing/Game Content library 260.

The mini-applications library 254 will consist of programming code to create the appropriate application selected by the user. The mini-applications library will interact with the GUI 250, Sponsor Library 259, and the Graphics library 251 for processing, and possibly the QIE 202 and/or the Graphics library 251 for processing and display through the appropriate drivers 261 to the screen. The information or data will be stored or can be located in the Thematic Application/Publishing/Game Content library 260. The amount of information is determined based on the set of instructions, programming code, and sponsorship.

The Voice library 255 or audio will allow for the programming, and/or generation of the audio particular to a frame or to the 2D/3D images. The Voice library 255 will interact with the GUI 250, Sponsor Library 259 and possibly the QIE 202 and/or the Graphics library 251, and the appropriate drivers 261 will process the information for output. Voice is also used in this sense to take information via a microphone or some type of input device into the system, which is processed through the GUI 250, passed to the QIE for processing and/or to the Voice library 255 for instruction to be passed back to the Graphics library 251 and back through the GUI 250 and drivers 261 to be outputted through a set of speakers or output device. The information or data will be stored or can be located in the Thematic Application/Publishing/Game Content library 260.

The Music engine/library 258 maintains the specifications for the music, music state, and all the properties, data, logic, and rules and programming that are associated with the integration and output of music in the thematic applications. The Music library 258 will allow for the programming, and/or generation of music particular to a frame or to the 2D/3D images. The Music library 258 will interact with the GUI 250, Sponsor Library 259, business logic, drivers, and possibly the QIE 202, and/or the Graphics library 251. After the Music library 258 finds the appropriate piece of music, the program will transfer the data back to the GUI 250 and Drivers 261, to an output device or set of speakers. The information or data will be stored or can be located in the Thematic Application/Publishing/Game Content library 260, or can be pulled from a satellite transmission via the satellite service module. The Music engine may release the memory used upon completion of its task.

Each of the libraries—Translation 252 , Film/Video 253 , Mini Applications 154 , Voice 255 , Music 258 , and Sponsor 259 , will obtain the appropriate information for data, voice, music etc., from the storage area or disk and/or the Thematic Application/Publication/Game content 260 , and will maintain all the information for the profiling, "game" state, and business information and tracking, by accessing the Thematic Application/Publication/Game state component 262 , and via connecting to the Thematic Application/Publishing/Game Logic and Scripting component 264 . The libraries will process the information, voice, data, music, etc. as appropriate or through the QIE, for display on the screen or throughput to the digital devices speaker or speaker system, utilizing the drivers 261 and networking interface(s) 263. This option allows the user the use of the thematic application directly on his/her digital device without connecting to the internet.

The physics engine of the physics component/library 256 controls the behavior of objects as they would be affected by various laws of nature. The physics engine of the physics component/library 256 provides mathematical manipulation to objects as how they would react to gravity, rapid deceleration, and chaotic behaviors. The physics engine of the physics component/library 256 may inform the Thematic Application/Publishing/Game Logic & Scripting component 264 when the object should be changed given the current set of physics logic. The physics engine component/library 256 may interact directly with the Thematic Application/Publishing/Game Logic & Scripting component 264.

The physics engine component/library 256 controls releasing memory, relates physics objects to game objects, provides physics object duplication, maintains the physics object state, and provides data on object modification due to equations and the Thematic Application/Publishing/Game Logic & Scripting 264 . The physics engine component/library 256 disables the local physics code when in multi-user mode and assumes those tasks. The physics engine component/library 256 may interact directly with the Thematic Application/Publishing/Game Logic & Scripting 264 for all networked users, and also may rely on a real-time thematic database for partial and context information.

The AI engine component/library 257 interacts directly with the Thematic Application/Publishing/Game Logic & Scripting component 264. For performance reasons, it may also act directly with the Thematic Application/Publishing/Game Content component 260.

The AI engine component/library 257 controls the behavior of objects that exhibit intelligence beyond that of the user's or the thematic environment on the network. The AI 257 may be used to manipulate objects, for example, such as NPCs (non-player characters) when in a thematic/gaming context, animal characters in thematic environments, and simple games within

the game. The AI 257 informs the Thematic Application/Publishing/Game Logic & Scripting component 264 when the object should be changed given the current set of AI logic. The AI engine component/library 264 disables local AI code when in multi-user mode, and assumes those tasks. The AI engine component/library 264 may interact directly with the Thematic Application/Publishing/Game Logic & Scripting component 264 for all networked users. The AI engine component/library 264 may also rely on the real-time thematic database for spatial and contextual information.

The AI engine component/library 257 may provide AI object duplication, relates AI objects to thematic environment objects, maintains the AI object state, provides data on object modification due to AI rules and thematic logic, provides secure transport of data to/from clients and servers, receives data from the server, if provided, checks for errors in data, collects thematic environment state information from the client, and makes thematic environment state information available to the Thematic Application/Publishing/Game Logic & Scripting 264 , provides messaging services, and real-time file loading services.

The Sponsor library 259 maintains the specifications for the sponsor's product placement, storefronts, state, and all the properties, data, logic, and rules and programming that are associated with the integration and output of the sponsor components or 2D/3D images in the thematic applications. The sponsor library 259 may interact directly with the Thematic Application/Publishing/Game Content component 260, the Graphics library 251, Translation library 252, Film/Video library 253, Voice library 255, Music libraries 258, mini-applications library 254, the business logic, drivers 261, and the QIE. The data may be stored in the data storage, digital content library, or pulled from a satellite transmission via the satellite service

module. It will tie directly into the Thematic Application/Publishing/Game Logic & Scripting component 264, and will release the memory used upon completion of its task.

The Thematic Application/Publishing/Game Content component 260 may provide a storage facility for all thematic content required in the virtual environment. Objects may include video, audio, images, rule sets and default values for all objects used in the thematic environment. The Thematic Application/Publishing/Game Content component 260 may also provide multiple methods for accessing the objects and maintains a record of where objects are located. Other tasks may include providing caching of commonly used objects and a method to update objects.

The Thematic Application/Publishing/Game Content component 260 may control releasing memory, initialize data access protocols, provide access to objects on local hardware and remote hardware, caching services, compression services, versioning services, updating of objects, error checking, a framework for sub-AI engines, and error handling.

The Thematic Application/Publishing/Game Content component 260 may interact directly with the client server Thematic Application/Publishing/Game Logic & Scripting component 264, the graphics component 251, AI component 257, as well as the Network Interface 263.

The server drivers 261 are instructions, connections, or translation that allows the input or output of data to be recognized by certain hardware for example a screen, phone, microphone, keyboard, pen, the internet etc.

The server Thematic Application/Publishing/Game state component 262 maintains the state or information of the play. If the character moves to the right and stops, the Thematic Application/Publishing/Game state component 262 tracks the actual movements of what it took

to make that character move and stop. If the object is transformed to a different object, the component 262 tracks the steps that it took for that image to be transposed. The Thematic Application/Publishing/Game state component 262 will maintain the exact location of where the thematic application is stopped, such that the user can return to this same spot upon the user's return to the thematic application. The Thematic Application/Publishing/Game state component 262 also maintains the imaging, data, music, voice, film, etc. for that location. However, the content may indeed change depending upon other users/players/etc. and or the update of information that has been added to or removed from the main system on the server. Although the user may be able to return to the same location and begin again, the program may change the quests, questions, object(s), stores, product placement etc.

The server Networking Interface 263 provides access to various network services required to support the server 240, such as a messaging framework, etc., and includes maintaining the server component framework. The server Networking Interface 263 is responsible for extracting in real-time, real world information and normalizing it for the thematic environment. Data sources may consist of XML, SOAP, HTML, FTP, Telnet, or any other commonly available method of data transfer. Normalized rule sets are sent to the server Thematic Application/Publishing/Game Logic & Scripting component 264 for implementation in the thematic environment. The real world Networking Interface 263 is also responsible for maintaining rules that affect the thematic environment when no other real world data is available.

The server Thematic Application/Publishing/Game Logic & Scripting component 264 takes data from a rule set as well as from external sources and modifies the thematic environment. Rules may be static and retrieved from a data source, or they may be dynamically created from an application tool. External rules will come from various sources and will arrive in

moralized manner. All real time modifications to the thematic environment may be routed through the Thematic Application/Publishing/Game Logic & Scripting component 264.

In another embodiment consistent with the present invention, the client system may be a basic system, and the server may include all of the components necessary to support the interactive software platform of the present invention.

In FIG. 4, for example, which shows such a system, a server 300 includes a Thematic/Publishing component 301 having a Graphics module 302, an Audio/Voice module 303, an AI module 304, a Music module 305, a Physics module 306, and a Sponsor module 307. The Thematic/Publishing component 301 interacts with a Digital Content Library 308, which includes a Document Management sub-module 309, and a Zones module 310.

The Thematic/Publishing component 301 also interacts with the Business Logic module 325 via the QIE 314. The Business Logic 325 includes a New Content information module 316 , an Accounting, Billing, & Customer Support module 317 , an Administration/Time Information module 318 , a Points/Rewards Information module 319 , a Business Rules module 320 , a Reporting Tools module 321 , a Gamer Profile or Character Play Information module 322 , a Character State Information module 323 , a Sponsor Database 324 , a Member Database 325 , Electronic Messaging 326 , an E-mail, Chat & other applications module 327 , and a Data Storage 328 .

The Graphics module 302 has been discussed previously. The Audio/Voice 303, AI 304, Music 305, Physics 306, and Sponsor 307 modules, and the Thematic Application/Publishing component 301 have also been discussed previously, as well as the Digital Content Library 308. The Document management 309 and Zones 310 modules are a subset of the Digital Content Library 308. The document management application 309 allows for the actual storage of data,

information, music, video, audio, film, etc. and divides the information in the appropriate sections by web content, and ZONES (geographic locations i.e., country, state, city, street, etc.; genre, market, social, hobby, etc.). The Digital Content library 308 contains all the grandfather, father, son etc., level of maintaining information.

The Business Logic module 325 and QIE 314 modules have been discussed previously. The New Content Information module 316 is the new content database which contains all new audio, video, rules and scripts for use within the thematic environment. It also maintains versioning information as well as any new security rules/code required for the thematic environment.

The Accounting, Billing, & Customer Support module 317 is a web based interface to all users' and sponsors' information. The Accounting, Billing & Customer support module 317 allows for add/change/delete of information as well as general customer support. The front end goes to the Help Desk and 1st/2nd level engineering support, for example. The Accounting, Billing & Customer Support module 317 may provide general billing information only.

The Administration/Time Information module 318, provides internal support for all thematic environments and administration. The Administration/Time Information module 318 provides for web access to the thematic environment and provides modification as necessary, and may also provide direct access to the state of each user. Other functions may include the modification of business rules and administration access.

The Points/Rewards Information module 319 is programmed to calculate and maintain the number of points that a user has accumulated or lost in the thematic application. The Points/Rewards Information module 319 also maintains the rewards that have been distributed or "awarded" to a user, and information on whether the user has accepted the award, or if the award

is still available for another user to claim. The Points/Rewards Information module 319 provides the information to the GUI 302 via the thematic application, to be displayed on the screen, and also updates the sponsor and member databases 324, 325, as well as updates the business intelligence services via the QIE 314. The QIE 314 transmits the information to the Business Logic's 315 Sponsor database 324, Member database 325, and Reporting tools 321, that ties into the Business Intelligence server with the information for tracking the developments of how the points were obtained, the award(s) selected, and the partial profile of the user.

The Business Rules module 320, is a rule-based component of business processes for e-commerce, such as advertising, billing, profiling, etc., and integrates easily with all the networked components, libraries, QIE, and business intelligence. The rules are developed using Java, C, C++ or any other programming language. It includes, XML, HTML or any markup language or other method for communication to connect and communicate with the internet and it will be extensible. The Business Rules module 320 handles the translation of rules to and from heterogeneous commercially important rule systems/languages, as well as to and from the existing components and external services performing actions and testing conditions and maintains the status of the entire QIE environment and keeps its services supported. The Business Rules component 320 consists of intelligent agents for the following: e-commerce, procurement, catalogs, storefronts, auction, configuration, financial—billing and shipping, connecting to the services etc.

The Reporting Tools module 321 is a web interface to both internal and external reporting tools. Internal reports may include online usage, system usage, network usage, system problems, billing information, marketing statistics, and other information as required. External reports may include campaign statistics, impressions, trending, and various data-mining sets. All

reports are dynamically created for both internal and external use only limited by the data retained by the reporting database. The reporting database contains information required to generate reports for users/sponsors. The reporting database is schema dependent on user/sponsor needs.

The Gamer Profile or Character Play Information module 322, maintains all the data regarding the character that the user chooses to be or use within his/her application. The choice of characters and their profiles are maintained in the Digital Content Library 308. This information will be catalogued within the gamer profile or character play and can be used with another thematic application, or the user may change the selection of characters depending on the choice that the user makes for the thematic application of choice.

The Character State Information module 323 includes information on the character state of play. The Character State Information module 323 maintains all the information regarding the character moods, facial expressions, positions, modes of movement such as combat, standing, running, jumping, turning etc. The Character State Information module 323 allows the object or character to alter its behavior depending upon either an outside influence such as another user, the computer (using AI), or the actual gamer or user.

The Sponsor Database 324 and the Member Database 325 are a highly secure databases having all sponsor and user information, respectively, including contact information, which contains, for example, billing information, business rules, administration information, and ancillary information. The Sponsor and Member databases 324, 325 contain all the sponsor/user profiles such as age, sex, credit card information, market likes and dislikes, purchases, and tracking information. The Member database 325 is set up during the logging-in process of the thematic application. As the information is updated via any purchases or tracking throughout the

thematic application, the information is immediately stored for that particular user. The Sponsor database 324 maintains the information to tie into the sponsor's web site, and on the sponsor's products and product placements.

The Electronic Messaging 326 component includes conventional state-of-the-art applications that is a service that connects to the Business Logic and to the QIE for processing when a user makes the specific request through the GUI.

The E-mail, Chat & other applications module 327 includes conventional state-of-the-art applications in communications, such as e-mail, chat rooms, etc. They are all application services that transfer the information through the Business Logic and to the QIE for processing when a user makes the specific request through the GUI. The applications are based on the thematic application "storyline".

The Data Storage 328 may include, among others, a real-time thematic environment database, an auditing database, and a meta database. The real-time thematic environment database is located in the Digital Content Library 308 (also described above), and is a very efficient real-time database that maintains the state of each thematic environment, user, and the thematic virtual world. The schema is dependent on the networking tool provider. The real-time thematic environment database is tied to an Object Oriented Database that is located on the database server with connections to the Business Logic 315.

The meta Database contains all thematic environment/user/sponsor information that is not dedicated elsewhere. The meta Database includes information having data that is necessary for maintaining billing/high level secure information, and profiling or information pertaining to the thematic environment/user/sponsor.

The auditing database which handles the security system/environment, and is a near real-time database used for auditing the user's movements in the thematic environment, and security. The auditing database may also provide data to various other databases via replication in such a way as to not affect the responsiveness of the thematic schema. The auditing database may or may not be a complete replication of the thematic environment database.

In another embodiment consistent with the present invention, FIG. 5 shows a client-server arrangement similar to that of FIG. 2, with the server system 409 having the same components as that of FIG. 2 (i.e., Thematic Application/Publishing Logic (Engines) 411 , QIE 410 , Digital Content Library 412 , Business Logic 413 , Data Storage 414 , and Communication 415). The client system 400 is connected to the server system 409 via Application Interface 408. However, the client system 400 includes not only a GUI 401 , Thematic Application/Publishing Logic Libraries 402 , and QIE 407 , but also includes components similar to that of the server (i.e., a Thematic Application/Publishing Logic (Engines) 416 , Digital Content Library 403 , and Data Storage 406).

In addition, as with the embodiment of FIG. 2, the client system 400 is connected to Communications 416 having a wireless service connection 417, and the server system 409 is connected to a Communications Network/Security 418 having a wireless server 419, which accesses satellite 420, voice recognition 421, business intelligence 422, language translation 423, GPS system 424, and smell system 425 modules. However, one of ordinary skill in the art would know that other modules may be accessed, such as weather system modules 426.

The present client-server system of FIG. 5 is arranged such that the client system 400 can operate independently of the server system 409, but that the server system 409 can be optionally

connected. In the former situation, the additional modules 420 - 425 would instead be connected to the client system 400.

In the latter situation of an exemplary client side system 400 with option to connect to the server 409, the system is set up such that the user does not have the capability to interact with the WWW and does not have the capability to engage in a multiplayer environment. This set up allows the user to play the game that has been written or is on a CD or other storage medium.

For example, the CD is inserted into the CD Drive, and the user can select the loading, onto the system, of all the engine, library, content, communication, driver, and GUI, etc. Information is then transferred to the PC's hard disk. If it is one of the "boxes" of the system, information is transferred to those boxes, hard drives, disks, etc. in the same manner. The thematic application is then launched on that particular device by either pushing a button or by selecting an icon on the screen. The user will be able to experience the thematic application with the limitations of the following: any mini-applications will be simulated, all music, video, film, content will be self contained on the system and pre-selected, and there will be no connection to any live data transferred to the PC or "box" unless connected to the internet.

In another embodiment consistent with the present invention, the client system 400 and server system 409 of FIG. 5 can be disposed in one system, rather being separated into two systems.

Although the above physical architecture has been described above as client-side or server-side components, one of ordinary skill in the art would know that the above components of the physical architecture may be in either client or server, or in a distributed environment. Further, although the above-described features and processing operations may be realized by dedicated hardware, or may be realized as programs including code instructions executed on data

processing units, it is further possible that parts of the above sequence of operations are carried out in hardware, whereas other of the above processing operations are carried out using software.

Further, although aspects of one implementation of the present invention are described as being stored in memory, one of ordinary skill in the art will appreciate that all or part of the methods and systems consistent with the present invention may be stored on or read from other computer-readable media, such as secondary storage devices, like hard disks, floppy disks, CD-ROM, a carrier wave received from a network such as the Internet, or other forms of ROM or RAM either currently known or later developed. Further, although specific components of the system have been described, one skilled in the art will appreciate that the system suitable for use with the methods and systems consistent with the present invention, may contain additional or different components.

Operation

In one embodiment consistent with the present invention, the user accesses the virtual platform which is any type of thematic environment, such as a game, and accessed in any manner, such as by a dedicated website, or via a link on a host website over the Internet (i.e., worldwide web (WWW)). In some applications, the program may request the user to log in and enter a username, password, and to create a profile, which may include personal information, such as gender, age, address, etc., or a virtual profile, if desired. The information is stored by the program in the Business Logic database (208, see FIG. 2, for example) for use later by the Thematic/Publishing Logic 206.

Further, the program may request payment methods to enter certain types of thematic environments. Payment methods may include credit card information, invoice information (for

sponsors), or a gift card. The program may then present the user with predetermined options prior to entering the thematic environment (i.e., level of difficulty, or game challenges, in a game environment).

Thus, in one embodiment consistent with the present invention, the user enters the thematic environment, such as a travel website or a geographically themed game, and the Graphics libraries of the Digital Content/thematic content system of the program displays a world map and offers the user the choice of a particular state, country, or city, and the choice of a first person or third person (i.e., avatar) perspective. The geographic thematic environment may be based on modular-based zones with different levels of content. All content in the thematic environments are updated every few months by the program.

Once the user chooses the geographical environment and user perspective, the GUI 200 of FIG. 2, for example, transmits information directly through an API to the Business Logic of the server 205, to display the avatar, for example, through specific APIs 204 to the QIE 211. (Note that although FIG. 2 is used as an example to describe the operation of the present invention, one of ordinary skill in the art would know that any of the other exemplary Figures may be used). The QIE 211 processes the information to determine the type of device and thematic environment, and may re-rasterize the information to format to that device and thematic environment.

Once the avatar and the geographical environment are chosen, the program will provide a prompt on the display screen so that the user may begin the thematic application.
Since all the graphics reside in the Digital Content system, the graphics libraries are ready to accept commands by the user once the user moves, or directs the avatar to move through the

application. The Digital Content library 209 maintains all the information in a content management database that is utilized when requested by the GUI 200.

In a specific example of the operation of the present invention, the user may choose a thematic application which includes a geographic environment, and may select the city of entry as Rome, for example. Based on this premise, the program of the thematic application may have the user face fighting lions in a scene in the Coliseum, taking a train to another part of the city, enjoying a soccer match or any other sport, visiting a museum/church or any other type of building, attending a concert, or shop etc. The user will be able to interact with the holograms, other individuals/and or avatars, and other 2D/3D images, including photos, film/video, 2D graphics and 3D graphics. The user will also be able to purchase goods from that city in real time from a store or place of choice. The user will be able to hear the music based on a city's culture, hear the people speaking in their own languages, and in a holographic warehouse environment, for example, smell the foods that are cooking in that part of the world, in order to learn everything about that particular culture, region, and/or history.

The stores that appear as the avatar walks down the street in the thematic environment, for example, are 3D models which are stored in the Digital Content library 209 and displayed by the graphics engine of the program. For example, when the user enters a street in a desired location, such as Rome, the graphics engine of the program will show the street with the actual buildings which exist on that street. If the storefronts on the street are sponsored by a corporate customer, the user may see a well-known restaurant, coffeehouse, bookstore etc. Thus, depending on the level of corporate sponsorship, the user may only be able to view a storefront or a banner, or may be able to fully access the building or a product (such as a car), to have a virtual experience with the physical environment.

Thus, as the user moves the avatar down the street, the graphics library located in the Thematic/Publishing Logic Libraries 203 allows for the avatar's simple movements such as walking, turning etc. In particular, the movement of the avatar/user is generated by the GUI 200 transmitting data through a standard communications system 212 to the server 205. The data is transmitted to the QIE 211 which processes the information and sends the information to the appropriate library for processing. In this case, it is the Thematic/Publishing Logic Libraries 203 and within this layer, the Graphics application library, which is connected to the QIE 202 via the APIs 204 , for example, for requests for information and processing.

Thus, as the user moves throughout the thematic environment, depending on the user's access of the music, video, animation, services, etc., each of the API's are seamlessly connected to the Libraries ready to either re-calculate or utilize whatever is stored in the Digital Content system or service libraries. The commands or programming are tightly coupled with each layer and with each service. If the user selects or touches a poster, for example, the program will connect the user seamlessly to the internet site that is tied to that component for either purchase, review, or any other instruction/operation. Upon completing any task at the sponsored site, the user is then exposed to a point of returning to the thematic application to continue where they had left the program or application. The entire thematic application is an integration between the internet (WWW), Business Logic, Thematic/Publishing Logic, and QIE, and the GUI. The QIE will determine the actual output as it sends information out to the device to determine its type and to re-calculate the objects from a viewing perspective to be manipulated to that specific device.

The user may move the avatar into a 3D model of a store, for example, the building which is stored in the Digital Content library. The Digital Content library maintains all the

information in a content management database that is utilized when requested by the GUI. All the information in the content management database includes data, codes, binary files, web content, event notification, and other information. It may also contain scheduling directions for when the web site access and identification of where to place the web content or advertising, e-commerce, video, music, etc are to be placed.

In one example, if the avatar enters the store and speaks to a store employee within the thematic environment, the GUI transmits the appropriate information entered by the user via a speech processing means, keyboard, or other input means, and an API, to the AI library and to the voice libraries of the thematic content for both movement, high level action, and the processing of the voice data. The GUI will transmit the information to the Thematic/Publishing Logic via an API to contact the Sponsor library. The information request is transferred through the GUI to the Thematic Application library via an API to again contact the Sponsor library for a simulated web connection to the sponsor site. The information is then submitted back to the GUI for display showing the Sponsors web site. The Sponsor library will then send a call directly to the Digital Content library for the information requested. The voice library will then transmit this information in a recognized data form to the standard communication device for output to the screen, or to speakers or other device, and any movement of the avatar and NPC store employee will be displayed on the screen via an API to the GUI for display.

Once in the store, if the user moves the avatar to touch a product in the store (i.e., by hot click), the movement is regulated by the graphics library located in the Thematic/Application Publishing Logic Libraries 203 , and the Communication component 212 will connect to an API 204 that activates the sponsor library located in the Thematic/Publishing Logic 206 , and the GUI 200 of the program will automatically take the user temporarily out of the current environment to

a dedicated sponsor website. The sponsored website may be connected to the thematic environment via standard internet channels. Alternatively, the sponsored website may appear within the thematic environment as a display on the screen.

In one example, once at the sponsored website, the program may request that the user purchase products utilizing conventional "shopping cart" systems and standard transaction interfaces with respect to billing, shipping, etc. The program may ask that the user pick the products for purchase, enter the quantity, complete the transaction and then enter the method of payment, using the standard "shopping cart" model and standard transaction interfaces.

Any information on purchases by the user, whether "virtual" (if part of a thematic environment task), or real-world, will be sent by the program via the QIE and APIs for processing in the accounting and billing components of the Business Logic 208. The information will be processed in the accounting, billing, user, and sponsor components of the Business Logic. The information to ship the product, and billing information, will be transferred directly to the sponsor from the Business Logic via an API that transmits the information through the Communications component and then directly to the sponsor, if this is the information that has been stored for that particular sponsor; and distributed to the billing and administration component of the Business Logic that is handled by the existing server and not by the sponsor's server environment.

Once the user makes a purchase, the program may display a prompt to return the user to the thematic environment at the point at which it was left. The user enters the information via the GUI that gets stored in the Business Logic. Thus, the user may click on the return prompt that forwards an instruction to the Graphics library to return to the previous state.

All security for purchase, rewards, points, and profile is maintained in the Communications component. As purchases are made, points are accumulated or rewards are awarded (i.e., coupons, etc.). The security system program is constantly maintaining the state of the user checking for any hackers, corruption of data, sabotage, or modification of data.

In addition, the program may be tracking the avatar's movement throughout the thematic environment in order to trigger a simulated award mechanism as the avatar moves in a predetermined direction. The award mechanism may be points to be awarded to the user based upon a predetermined calculation scheme. In order to obtain the points, the system will send a request to the Thematic Application logic via an API and to the AI Engine to determine an outcome. The AI Engine then transfers the information to the Business Logic engine via an API for calculation of the points and will submit that information back through the APIs to the GUI for display.

In one embodiment consistent with the present invention, the user may be within the thematic environment, and the program may ask the user to "grab" an item from a sponsor's website (or from a competitor in game play) for use within the thematic environment. The program will instruct the user to connect to the worldwide web (WWW) through another object or through specific sequences that are provided by the thematic application viewed on the screen, or in voice format. The program then will seamlessly connect the user to the WWW via a call that is directed from the thematic application or from a selected object within the thematic environment, to the sponsor's website. As stated above, the program may also provide the option of showing the sponsor's website on the display screen within the thematic environment.

In another embodiment consistent with the present invention, the program may provide information and instructions for the user to read while in the thematic environment by means of

the AI library located in the Thematic/Publishing Logic 206 layer. The information from the AI library is sent to the Digital Content library 209, which interfaces with the QIE 211 for interpretation and display via an API 204. Then, the API 204 sends or transmits the information to the GUI 200 which displays the information on the display via a standard communications and drivers protocol. The information displayed by the program may be read by the user for later use in the thematic application for answering questions to achieve points, for example.

The points may be calculated by the program through the Business Logic 208 and the Thematic/Publishing Logic 206 application. If points are obtained by the user, the points are calculated and held in the Business Logic 208 layer, and the data is shared with the user profile retained by the user/sponsor specific database. The points information is also transmitted via an API 204 through the QIE 202 to the display such that the user can view the points. The display of the points may be shown on a PDA, or other small electronics device that is conventional or specifically designed for this purpose.

In one example of this embodiment, the user reads the information and is provided with an object for the user to "grab" using a "hot click" or other selection means at the sponsor's website or elsewhere, and then return the user to the thematic environment for use of the object. The object may have certain characteristics that will be retained by the program, including all the meta data and any other data associated with this object in the "grabbing" of the object. The Thematic/Publishing Logic 206 of the program is associated with the "grabbing" of the object, and the Digital Content library 209 stores the information on the object. To view the component and to use it, the graphics component of the Thematic/Publishing Logic 206 will interface with the Digital Content library 209 to retrieve the object via an API 204 and pass it to the QIE 202 via an API 204 to be rasterized or transferred to the GUI 200 via another API.

In another example of this embodiment, the program may provide information to the user in the thematic environment to generate points by touching, rather than "grabbing" an object, by walking down the street, purchasing an item, using a mini-application, or any other action. The points may be "cashed in" by the user for real life rewards. The rewards are stored in the user/sponsor specific database. The program, using the GUI 200 via the APIs 204 connected to the QIE 211, can display or list the rewards for the user to view at the end of the game. The actual "cashing in" process may be handled through the accounting function of the Business Logic 208.

As the avatar continues to move around the streets and stores of the thematic environment or at websites on the WWW, the GUI 200 transmits the data on the avatar's or user's movements to the Business Logic 208 via the WWW, which sends data/information through the API 204 to the Business Intelligence tracking service 218 and tracks the information in a database in the Business Intelligence layer 218.

For example, the user may pass by a record store and hear music and watch a video coming from the store. This audio and video is activated by the movement of the avatar and the action of passing the store. As the avatar is passing the store, an instruction is sent by the GUI to the Thematic application library to obtain the appropriate music piece for that scene. The Thematic application library transmits the request to the Digital Content or Sponsor components for the appropriate music piece and video component. The music is then transmitted via an API to the GUI to transmit the sound via the speakers and the video component information is transmitted to the screen display via the GUI. The user may either save the data to disk to return to that point, connect to the internet via standard communication channels, or log off. If the user decides to save the data, the information will be maintained in the data storage layer by the

program. If the user decides to connect to the internet the information that has been tracked for that particular geographical area, for example, will be transferred and the profile information updated for that particular user by the program. This information will be transferred by the program via standard communications to the internet server and the program will update the Business logic.

In one embodiment of the present invention, the user may be in a thematic environment on the internet that is based on the QIE technology platform. Since the QIE platform is device and resolution independent, it gives the thematic applications the ability to reformat or re-rasterize its output to any device. The device may be a cell phone, projector, large screen, small display, etc. This also allows the user to continue the thematic application at the point of last interaction. The user can continue the application from any location where there is access to the internet or to a QIE platform that ties into the thematic application.

In another embodiment consistent with the present invention, real-time information can be integrated into the thematic environment. For example, the avatar/user in the thematic environment may view a screen that has a real-time televised event on display, or may use a mini-application, such as e-mail, which occurs in real time. Video transmissions, and e-mail applications, etc., may be sponsored by a corporate sponsor, or may be provided by the thematic application.

The program obtains real time information through the WWW from the satellite server service 216. For example, the server 205 will poll the satellite service 216 for any new or updated information to any of the video, live sports, live concerts, or film that is being requested by the QIE 211. The program is such that the QIE 211 will be continuously connected to and

requesting updates from the satellite service 216 via an API which connects the QIE 211 to the satellite system service 216.

The request for real-time information, which will be recognized when the user sees or "hot clicks" on a television screen, or invokes a mini-application, such as e-mail, will be accomplished by the GUI 200 that transmits the information to the graphics library of the Thematic/Publishing Logic 206 via an API 204 . The QIE 211 will in turn request information from the digital Thematic/Publishing Logic 206 database via an API to retrieve the existing video or short film etc. If the QIE 211 requires data that is larger than a specific size, or the time has expired for running real-time information, the program (via the QIE 211) will send a request to the satellite system 216 for the new or updated information. The new or updated information may be inputted as a pure satellite transmission tied directly to the particular screen or display that needs the information.

If the transmission is live data, the program will have the satellite transmission expire upon the completion of being televised on the display in the thematic environment. A message from the satellite system 218 will transmit the information back to the QIE 211 that the transmission is complete and the QIE 211 will submit a command or message to go to the Digital Content Library or sponsor library for stored data, information, video, or film that may be shown on the display in the thematic environment. Once the command has been accepted by the Digital Content Library to update the display, the Digital Content Library will transfer the content to the graphics engine via an API for processing and then will pass the content to the QIE for processing, formatting, or rasterization. Upon completion, the program will show a video or film clip in place of the live satellite transmission. This can take the form of music, sports, film, etc.

In a first example of the above real-time application, the user may be within a thematic environment, and may direct an avatar to a pub in a large city. The program would present an image of the pub on the screen using the GUI 200 via the Thematic/Publishing Logic 206. The user may then direct the avatar to enter the pub. The display will show the user a pub environment with a large digital screen in the pub, where a video of a musician or a band is playing, or a game is being broadcast, or a film is being shown, or some other type of video, whether live, stored video data, or simulated.

If the pub screen is "sponsored" by a corporate sponsor, for example, depending on the "sponsorship" or the contractual agreement, when the avatar is inside the pub or within vicinity of the screen, a call for that specific sponsor's updated information will be made from the GUI 200 via an API to obtain the information from graphics library of the Thematic/Publishing Logic 206. As stated above, the program will then "pull down" or obtain the particular information that should be viewed on the screen—i.e., music video, direct satellite transmission of a sports event, film clip, movie, etc.

If new or updated information is requested by the QIE 202, this information may be received by the program as a pure satellite transmission tied directly to that particular screen in the pub, that needs the information. In this case, where the information is live data, the transmission will expire upon the completion of being televised. After live transmission has ended, the program will retrieve stored data, information, video, or film etc., from the Digital Content Library or sponsor library, and show this information on the screen. The video transmission will be displayed only as long as the user is in the vicinity of the screen, otherwise, this application will not be sent to the display for viewing.

In a second example, the user may enter the thematic environment and choose a geographical "zone" such as a particular country and city. Upon the user's choice, the program will connect to the Www via standard internet connections or communications. The user may then enter a "headquarters" environment that displays content for that particular city. The content could be shown by the program in the form of 2D—i.e., photographs, 3D images or a combination thereof. The program will also show a very large digital screen in the center of the user's display. In this case, the screen is not "sponsored", and thus, is available and "programmed" to accept any type of live video, film, real life sports events, or any other type of satellite transmission, etc. However, the screen may have channels associated with it that are sponsored; therefore, the transmission, video, film, satellite, sports, music etc. may be programmed to that specific sponsor. In addition, product placement can be integrated into the real-time transmissions (i.e., advertisements etc.).

As with the first example, the program is such that the GUI 200 is connected using standard network connections to the internet via the QIE 202. The user may input a request via the GUI 200 for a particular type of transmitted data to be shown in the screen, and the graphics engine of the GUI 200 will request from the QIE 202 a location for the data. The QIE 202 will in turn request information from the Thematic Publishing Logic, and/or Digital content library or may also request information in the Data Storage area located in the Business Logic via an API, requesting input to retrieve the existing video or short film etc. If the QIE 211 does not find existing data, live data, or the data files are larger than a specific size, or the time has expired for running real-time information, the program (via the QIE 211) will send a request to the satellite system 218 for the new or updated information for display back to the QIE 202, then to the GUI 200, which places it on the display.

In one embodiment consistent with the present invention, there may be a button or channel button on the bottom of the screen in the thematic application, which allows the user to change the "channel" to a different selection—i.e., a sporting event, movie, film, or concert—or back to the thematic application menu screen. This button will be limited to the number of selections based on sponsorship, for example, and based on the thematic application. Upon the user selecting the button or "clicking" on the button by any selection means, the program will display on the screen, one or a number of channels, for the user's selection. The user may then choose a particular channel and the program will transmit this information through the GUI 200 via standard internet connections for the QIE 211 to begin the search process once again for the requested data either through satellite transmission or through the Business Logic 103 that ties directly to the Data Storage 106 .

In another embodiment consistent with the present invention, a real-time application would be presenting a clock or other timer within the thematic application. Thus, the program would provide the user with a section in the thematic application that shows time. The clock information is tied to the user's system and operating system. If the user selects a particular country and city within the thematic application, the clock will display the information that is specific to that time zone via standard communications with the internal operating system. If the user selects a different country, the clock will display both the existing timezone from the internal clock and will forward information to the GUI 200, and will also, through standard internet connections, request information regarding the country specific timezone that is selected. The request is made to the server 205 and from the QIE 211 to obtain the clock information. The QIE 211 will then put in a request to the Business Logic 208 for the updated information and

pass it back to the QIE 211 for interpretation or rasterization to a particular display or device and to the programmed or displayed 2D/3D object, image or "clock".

In another example of real-time applications, the program may also provide captions on the television screen within the thematic environment, that would translate the language of the program, for example, from Italian, into English. The information on the screen is transmitted via the WWW through a communication portal that sends the information directly to the satellite service 218 and the translation service component 219 that services the Digital Content library 209. To further this example, the information that is transmitted via the WWW routes to the Translation service component 219, services both the Digital Content library 209 and the Business Logic 208. Thus, information in one language is simultaneously translated into another language and displayed to the user.

In another embodiment consistent with the present invention, the user may be able to select audio channels (i.e., radio, talk radio, music channels etc.) to listen to while accessing and using the thematic application. The program would display a 2D or 3D interactive radio on the screen which the user can activate using any selection means, including "clicking" on the radio. A list, menu, or a knob, for example, may be displayed to the user via the GUI 200, so that the user may change channels on the "radio". As with the video setup, the GUI 200 connects to the internet via standard internet connections, and the QIE 211 determines the location of the requested data. The QIE 211 passes on the information to the Graphics engine via an API requesting input to retrieve existing audio files etc. The Graphics engine sends the request to the QIE 211 to obtain the information located either in the Business Logic 208 for real world data, via an API, requesting input to retrieve the audio.

If the QIE 211 does not find existing data, live data, or the data files are larger than a specific size, or the time has expired for running real-time information, the program (via the QIE 211) will send a request to the satellite system 218 for the new or updated information for display, back to the QIE 211, then to the GUI 200 and the speakers or other audio device to project the voice, music, etc. for the user to hear.

In another embodiment consistent with the present invention, a GPS system 220 is integrated with the thematic application. In this embodiment, the GPS system 220 may be integrated in stored form in a database which is updated by the satellite service 216, or the GPS system 220 may be connected to the thematic application via standard internet connections, from which information is downloaded.

In this embodiment, the program is such that the GUI 200 is connected using standard network connections to the internet via the QIE 211. The user may input a request for location information via the GUI 200, and the graphics engine of the GUI 200 will request a location for the data from the QIE 211. The QIE 211 will in turn request information from the graphics library via an API requesting input to retrieve the existing location information etc. If the QIE 211 does not find existing data, live data, or the data files are larger than a specific size, or the time has expired for obtaining real-time information, the program (via the QIE 211) will send a request to the satellite system 218 for the new or updated information for display back to the QIE 211, then to the GUI 200, which places the GPS information on the display.

The location information provided by the GPS component 220 may be incorporated into the thematic application itself, or provided within a programmed GPS-type display device that simulates a GPS system in the thematic application. The GPS images are stored in the Thematic Application/Publishing Logic Libraries 203 in the sponsorship component and the

Thematic/Publishing Logic 206 interacts in conjunction with the Digital Content Library 209 for obtaining the location information.

The program allows the GPS system 220 to either view the content in map mode, or actual 3D/Visual mode depending upon the preference of the user. The program may provide the user with a display button as a selection means, for example, to select either the map information or the visual information. Upon selecting the visual mode, for example, the GUI 200 connects to the internet via standard internet connections, and interfaces with the QIE 211 for the determination of where to obtain the location data. The QIE 211 passes on the information request to the Graphics engine via an API, and the Graphic engine sends the request to the QIE 211 to obtain the information located in the Digital Content Library 209 for that particular area, building, etc. In the visual mode, the user also has the option of obtaining live information regarding each building in the thematic application or elsewhere, including, for example, a sponsored site. The GPS information may include at least a description of the building, telephone number, and street address.

In another embodiment consistent with the present invention, the user may use a mini-application within the thematic environment, for calculating, e-mailing, purchasing, educational, and other purposes. The applications may be either simulated or live, such as e-mail. The simulated applications are written in any of the following languages or programs: C, C++, Java, PostScript, or other language which would allow the development and viewing of a simulated but interactive application that is viewed on a display.

In one example of the use of a mini-application, the user may decide to use either a thematic application that is viewed on the user's display as part of game play, for example, or a current working application. The user may also "click" on a portion of the screen that will call up

or bring into view, the selected simulated application, making it accessible to the user. At this point, the AI library is activated and the program will type the request or instructions with respect to the mini-application, on the display to the user. The user then selects the mini-application that is being highlighted, pointed to, etc. The mini-application information is then transmitted to the server through the GUI 200 and through normal communication channels (over the internet, for example), activating the QIE 211 to forward or communicate the information to the AI library for processing. The AI library processes the information and makes a request to the Thematic/Publishing library and sponsor component to send the correct graphical display and interactive mini-application in a format that the thematic application can recognize for use therein. The program rasterizes and/or processes if necessary, the mini-application for use on the desired particular display or device. This is performed by the passing of information, data, or the mini-application from the APIs that connect the QIE 202 to the GUI 200. Any information that is created in the mini-application can be stored in an area that holds information for a temporary period of time in memory, or may be closed out and not saved.

In a second example of using a mini-application within a thematic application, the program may provide an instruction on the user's display, which may request that the user utilize a certain mini-application—for example, to continue to the next level in a gaming format. The instructions are automatically programmed to appear on the user's display based on the movement of the user/avatar within the thematic application (i.e., the user/avatar arriving at a particular section of the street in a geographically-themed application). In another embodiment, instead of instructions that are displayed on the user's display, other information relaying means, such as voice commands, can be used. Thus, the written instructions and/or the voice commands

may be activated in the thematic application when the user/avatar arrives at an area, or interacts with a certain device, which are programmed for the use of a particular mini-application.

As soon as the user/avatar approaches within the proximity of this "programmed" location within the thematic environment, the AI library is activated via the information/data sent over normal communication channels to the server through the internet. The AI library requests both the voice library and the Digital Content Logic database to pull or obtain specific information that is viewed on the display by the user. The information is transmitted via an API to the QIE 211 for either rasterization or passing to the GUI 200 for viewing and voice.

The QIE 211 activates and passes on the information from the AI library to the appropriate component where the mini-application is located—such as the sponsor component library located in the object server of the Thematic/Publishing Logic layer 206. The Thematic/Publishing Logic sponsor component then displays the mini-application via the QIE 211 and the GUI 200, such that the mini-application will be available for viewing etc. on the display, and available for use by the user.

Examples of mini-applications within a thematic environment include the actual use of email, chat, etc., that can be naturally integrated with the thematic application. At any time, the user may select a mini-application or part thereof, which can be interfaced with other users over standard network or internet connections. The selection of such a mini-application may require interaction with the Business Logic 208, and the program will allow the mini-application to be accessed within the thematic application by using standard communications and APIs.

In another embodiment consistent with the present invention, the thematic application can be presented in a holographic environment. In one example of a thematic application in a holographic environment, a "cinematic room" (see FIG. 6) can be provided, housing large non-

intelligent display screens or digital displays 500, plasma screens, LCD or intelligent screens/displays or the like, and chairs 501 or other seated- or standing-accessible structures with embedded controllers 502. The chair, for example, provides the user with a comfortable environment that contains an area or enclosure for the head for connecting a headset with a voice recognition system 219 (i.e., microphone or speaker system leading to the computer system 503), that allow for no interference. The voice recognition systems may be open and allow the users to converse with each other. The computer system or film recorder projects images onto the display screen 500 and the images can be manipulated via the embedded controls 502 in the chair 501 or through the voice recognition systems located therein. The user may also experience the images in a 3D environment via the use of 3D goggles or other 3D devices. However, a chair is not necessary, and other devices, such as handsets and headsets, could contain the appropriate systems. Depending on the screen or display type, the configuration of the equipment may change to be appropriate to that structure.

In one embodiment consistent with the present invention, a screen display with no intelligence is used, and the thematic application is projected from a projection system connected to a computer system (i.e., in a client and/or server environment). In another embodiment, the display is a smart digital display, and the thematic application is projected directly from the smart digital display. In both embodiments, the controls for interacting with the screen or display are embedded controllers (i.e., embedded in a chair arm), and may include a mouse, joystick, ball, pen, or any other user-controlled device that allows the user to manipulate data or images on a very large screen. The embedded controller contains the driver information or embedded QIE 211 software. The QIE 211 software will transmit the information via wireless technology or

cable. The system will be connected to a film recorder or computer either via wireless technology or through cable.

In the chair arm example, for instance, the user embedded controls 502 are built directly into the chair arm having a mouse, joystick etc., and the embedded controls are connected to an interface and standard communication device or connection that will connect back to the server 205 and the GUI 200 of the thematic application platform. The smart screen may have an internet connection component that is embedded therein, that allows it to act as simply a "dumb terminal", with the standard internet connections allowing the holographic thematic application system to maintain all data and processing on the server itself, or the system may have a controller that incorporates the QIE 211 and other programs that will allow for the connection via a standard communications device, to the internet, and which allows the system to interpret information both at the display screen 500 and at the server 205 via the GUI 200 .

In another option, fold up screens are provided on the chairs, the screens which are connected via a wireless or standard connection to the controller in the chair, and to the main computer system 503. The user may flip up a screen to access an application such as e-mail, or to track other thematic applications that are not on the screen, or perhaps to zoom in for a closer look at another thematic application that is currently on a larger screen within the cinematic room.

In one example of the use of a cinematic room, the room may be designed to contain as many as 50 or more users that will work together as a team on the thematic application (i.e., game), or compete with other users who may be located anywhere remotely around the world. Each of the embedded controllers 502 may also contain a chip that contains the QIE 211,

allowing the chip to communicate directly to the server 205 forwarding commands to the GUI 200.

In one example, a large team of users may be working together or in competition, and the connection from the chairs to the computer system or server of the holographic thematic application may be via cable, standard communication networks, or through a wireless network. The computer system may contain the entire thematic application platform and storage information for the profiles that are being created for the large teams of users that connect to the thematic application server (which is perhaps located in a separate building). As the information is updated and tracked by the program, the program may perform profile information updates on a local sever, and then after a set period of time, the program may update the main server 205 via the GUI 200 , transferring updates to the QIE 211 and then to the Business Logic 208 .

Further, in the above example of a large team of users, the computer system of the cinematic room of the present invention may also be set up to communicate directly through a standard internet connection to the host server, where all the information on the profiles is stored on the server itself and tracked via the Business Logic 208 and user database. In this example, the users log into the system and select the country of game or other play. The GUI 200 then transmits a request for information through a standard internet connection to the server, to the QIE 211 and to an API connecting to the Digital Content library 209, for obtaining the requested information. Once obtained, the information is sent through an API to the QIE 211 for interpretation and display, with the information being sent or transmitted via an API to the GUI 200 which displays, via a standard communications and drivers protocol, on the display device.

In the example of the operation of the team of users, the user selects the thematic application desired, and the program may request information on the number of active players in

the thematic application at that particular location. As stated above, this information is displayed on the display screen via the GUI 200, which interacts with the QIE 211 and Business Logic 208 via APIs. Each of the locations around the world where the users are located, will allow for the same configuration.

The program may allow for up to at least ten (10) main users on a team, with the others being included in a support function in directing the 10 main users in obtaining their mission in the game, for example. Each group of main users will be able to select an avatar that is displayed on the screen. In order to select an avatar, the users are shown samples and profiles of different avatars.

Each user may be able to communicate via headsets, for example, or may be able to email/chat directly to their team mates. The email and chat applications are servicing the platform via the WWW which is connected to the Thematic/Publishing application server and Business Logic 208. The users will be able to see other players that interact with their thematic environment, on the display, via the connection of the QIE 211 and a multiplayer communications application that is licensed from an open source or standard application vendor.

Each of the groups of users will be able to interact through the QIE 211 that will direct the flow of information to the multiplayer network software and back to the QIE 211 for instruction that will be delivered to the Thematic/Publishing Logic 206, Business Logic 208, GUI 200, Digital Content Library 209, and any of the services such as translation, satellite, voice, business intelligence, GPS, smell etc.

In another embodiment consistent with the present invention, the holographic thematic application platform may be provided in a warehouse environment. The holographic and/or thematic application warehouse 600 would be rented by users on a time basis, for example. The

warehouse rooms 601 may be set up in a maze design, and the number of rooms are dependent on the size of the warehouse. There may be a minimum requirement of, for example, three rooms, based on the particular thematic application.

In each room 601 of the warehouse, there will be several projection systems 602 for the visualization and maneuvering of holograms. Each room 601 may contain sensors connected to embedded controllers 603 located in the walls and floors, for example, that sense touch and movement. The controllers are programmed to connect to the main computer system 604 that may be located on the premises or offsite. The sensors are designed to transmit information to the main system following the user's response (i.e., voice activated response), touch, or movement through the rooms. As the user touches the walls or moves through the rooms, the program makes the walls and floors change with the thematic application. In effect, the user becomes the avatar and can participate in a unique and real-world way, in the thematic application.

In an alternative embodiment, personal computers (PCs, PDA's or some equivalent device) are provided in the warehouse so that the users may connect to the internet or other applications while they walk through the digital or thematic warehouse. The PCs can be connected via wireless or direct connection, cable or standard connections.

Depending on the geographic location or the thematic storyline, the program may incorporate "synthetic smells" with each room or change. A "smellerizer" 605 or other synthetic smell system can be connected to the computer system 604 and the odor emitters connected to the smellerizer 605 may be placed in the walls of the rooms 601 of the warehouse. For example, the user may be walking through the warehouse room 601 in a thematic application, viewing

holographic projections of a bakery, for example, and the program will issue a smell of baked goods through the odor emitters of the smellerizer such that the user has a "real life" experience.

In other examples, an artificial weather system 606 , such as those commonly used in movie-making, which can produce a fog, rain, or other weather event, may be connected to the main computer system 604 using standard communications, with the weather system outlets being provided in the warehouse rooms 601 . Therefore, if the user is in a thematic application, such as London in a pea soup fog, for example, the fog will be released from the artificial weather system outlets within the warehouse rooms, so that the user has a "real life" experience. The computer system 604 can be programmed to change weather patterns based on changes in the thematic application.

In addition to the artificial weather system 606 disposed in the walls, ceilings, or floors of the warehouse, speakers 607 are placed therein to issue sounds (i.e., music, weather, background etc.) to simulate reality. The sound system 607 may operate in conjunction with the artificial weather system 606, etc.

For the warehouse application example, a separate computer system 604 is needed for the programming and maintenance of the sensors, weather system 606, synthetic smell system 605, holograms, and other technologies needed to maintain the thematic application system. The user will completely interact with a 2D/3D world, and experience a "real life" immersion of the thematic application. The walls and floor and all of its components would act as the GUI. The warehouse holographic thematic application system may also contain the QIE environment for local storage, processing, and communication and also use mirror imaging technology to assist in the display of the 2D/3D images/video/text/graphics/etc. The system may be any size from a

Grid type system up to a supercomputer for calculating all the processes. Artificial intelligence algorithms and applications may also be used for the processing and intelligence.

In operation of the warehouse example of the present invention, the user would approach the warehouse, and log into the computer system 604 , the program login would connect to the main computer system via the WWW, and to the server, for example, through standard communication technology and applications. The connection is accomplished by the GUI transmitting information to the QIE via the standard internet communication channels, to update the Business Logic regarding the login. The user logging in could be either a registered individual or a newly registered individual. The main computer system 604 maintains the person's profile information, and the program will ask the user to select his/her persona (or profile). A selection of avatars and their profiles will be generated on the display, screen or wall by the program for the user to select from. This is generated by the GUI connecting to the QIE for data. The QIE makes a request to the Thematic Application/Publishing Logic for the appropriate information that is transferred back via the QIE to re-rasterize or process for its appearance on the display. This information could be a set of buildings, a street, a store, museum, historic site, etc. It also will display all sponsor based advertising, videos, movies, or any other information provided by the sponsor component. The program passes the information back to the GUI and is displayed with the correct attributes for that wall, screen, display.

Once the object or avatar has been selected by the user, the program stores this information in the main computer system 604 to update the internet thematic application play at the main computer system 604. The main computer system 604 is tied to all systems internationally via the multi-player communication application/server/etc.

Depending on the system set up (i.e., screens, weather system etc.), the GUI will be transmitting information to the server and the QIE, by connecting through specific APIs. The QIE processes the information to determine the type of device and may re-rasterize the information to format to the particular device and screen size.

In a geographic thematic application, the program may provide the user with a selection of countries before entry into the rooms 601 of the warehouse 600. Each room 601 of the warehouse 600 is programmed to continue the exploration of the thematic applications that are located on the main thematic application system server, for example, that is accessible via the internet.

Upon the completion of the login, the program may ask the user to proceed either by voice command generated by the computer system, or via a display on the display screen. The voice is transmitted through speakers that are connected to the computer system.

If voice is chosen, then the user can use voice commands to guide the object/avatar through the thematic environment (warehouse or on computer system), such as streets, stores, etc., and to communicate with other avatars or NPCs in the thematic environment. The voice process is initiated via a microphone or some type of device that will accept voice data and transmit the voice through the GUI and through normal communications channels via the internet to the voice recognition service. The information is processed and passed through the QIE for direction to the Thematic Publishing Logic to activate one of the libraries based on the command given. For example, if the command involves a physical action, such as making the avatar jump, the physics library, which handles physical rules, is activated. If the instructions are to "take a left", the graphics library is activated. The information is then passed back to the QIE via APIs and is passed to the GUI for display on the screen.

The user may then proceed to follow the program's directions for entry into the warehouse by walking on a "boardwalk" or following a path to a doorway, for example. The user may open the door and a hologram of a person may appear, greeting the user, for example. The hologram is generated by a projector that is connected to the main computer system 604 in the warehouse. The hologram is programmed to appear based on the movement/touch/voice/data entry of the user.

Thus, in the warehouse application, the user may enter the warehouse in order to have a "real life" experience, such as becoming a part of a geographical scene, by acting as an object or avatar in a thematic digital application. As the user walks through the warehouse, the sensors disposed in the floors, etc., follow the user's footsteps. The sensors are controllers containing the necessary chipsets and software to monitor movement, and they track the user's steps, sending the information to the QIE for processing. The sensors are connected to the main computer system 604 via standard communication cables and/or devices and communication software and will transfer the information to the main computer system 604 by submitting the information through an API connected to the QIE.

The QIE will take the information that is being tracked and transferred and determine if it needs to go to the Thematic/Publishing Logic, the Business Logic, the Digital Content, or all of the above. In this case, the QIE will transfer the information to both the Thematic/Publishing Logic and the Business Logic for processing. The Thematic/Publishing Logic will determine which library will be used for processing—Graphics, AI, Physics, Music, Video, Voice, etc.—or if there will be calls upon the Digital Content Library for the information stored in its database. In this example, the Thematic/Publishing Logic and its libraries will work simultaneously with the Digital Content logic databases to call on the appropriate information or data.

While this is occurring, an additional process is being managed, by sending the data to the business intelligence service engine that is servicing and monitoring the QIE for constant updates of information for storage, retrieval, report generation, etc. These operations occur in every thematic application, not just the holographic thematic applications. The data collected, which is useful for the sponsor of any part of the thematic application, will be sent via standard APIs to an intranet site and stored. This data is accessible only if the sponsor has the appropriate login and password to retrieve the information.

In the example of the warehouse holographic environment, the user/avatar may address a NPC in the thematic environment. The NPC could be a hologram generated by the footsteps, voice or position of the avatar in the thematic environment. In the background, music particular to the environment (i.e., location, city, country etc.) may be playing. The music is activated based on the thematic application storyline that is tied to specific display content or activated by the avatar/user. The music is obtained by a request made by the GUI for information/data from the QIE to locate a music piece that either has been stored in the Digital Content database or can be accessed via the satellite service system.

The voice is generated by the GUI which requests the appropriate information via an API to the AI library and to the voice libraries for both movement, high level action, and the processing of the voice data. The voice library will then transmit this information in some type of recognized data form back through a standard communication device and output to the speakers or other device and the movement will be displayed on the screen via the GUI.

As the avatar is moving around the streets and stores in the holographic environment, an information request is made by the sensor controllers connected via cable or standard communication devices/application to the main computer system, to the GUI, which transmits

the data to the Business logic via the WWW. The data/information is sent back to the client system through the API, to the Business Intelligence tracking service, which tracks the information in a database in the Business Intelligence layer.

If the user/avatar touches a bag of coffee beans, it will take the user to the sponsor website. This information is transmitted through the communication channel and connects to an API that activates the sponsor library located in the Thematic/Publishing logic. The information is processed and passed back by the program through the QIE for processing or re-rasterization depending upon the device.

To further the example, the user/avatar may view a display screen within the thematic environment that shows a game in progress, for example, being televised from a foreign country. The program will show captions on the screen that translate the broadcast language from one language to another. Again, the movement of the avatar is generated by the GUI transmitting data through a standard communications pipe to the server. The data is transmitted to the QIE, which processes the information and sends the information to the appropriate library for processing. In this case it is the Thematic Application layer and within this layer the Graphics application library connected to the QIE via APIs. The information on the screen is transmitted via the WWW through a communication portal that sends the information directly to the Satellite service component that services the Digital content library. To further the example with respect to the translation mechanism, the information is transmitted via the WWW and routes to the Translation service component that services both the Digital content library and the Business Logic.

In another embodiment of the holographic system consistent with the present invention, the system may use holographic technology in a "globe" type of screen or terminal. A user

would be able to alter or manipulate the holograms by touching the globe, and thereby change the holograms, despite where the globe is touched.

For example, the user may select an option in the globe to display a certain DNA sampling. The user may touch the globe to pull out a level of the DNA—therefore, the sampling will automatically change. The globe may also be designed for 3D simulation and may be used to move objects, to display and manipulate the objects within the globe as a terminal.

In another example of the holographic environment, one application is playing chess with holographically projected chess pieces in the digital warehouse. The user could move the chess pieces/players and compete against another person in the digital warehouse. In order for this to occur, there would be a board or large ½ inch type of flooring that is raised above the floor. To activate the full sized chess match, the user would select the chess game as they are walking by that area either through a voice command, selection of a menu item, or by stepping on the board and activating the sensor in the controller to allow for holographic chess players to appear. The user may then use voice activation to move his/her objects. The chess game would appear using holographic technology. If the chess game is in an enclosed "globe" like a PC, the holograms would be manipulated by the touching of the screen and the objects.

In all the above types of applications, a sponsor can place his product within the thematic application for advertisement and access by a user of the thematic application. Specifically, the sponsor is provided with a login and password by the licensor of the thematic application, and the licensor can manage the processes, generate logins and passwords, manage the security of the system, update the system, and manage the overall maintenance. These operations are all performed by the licensor through a menu generated by the program on the screen or display via the GUI. The GUI then transmits the information to the appropriate operating system, software,

and hardware environments. This data is stored in the Business Intelligence component of the QIE in the sponsors' library. The information is ready to be accessed either in a screen display format or in a report form.

Once the sponsor logs into the thematic application system, the sponsor can decide if they wish to receive a printed report or a report that is displayed on the screen. Depending upon what the sponsor selects, the information will be send through standard internet connections to the QIE and to the Business Logic and then to the Business Intelligence service for processing. If the program is instructed to display to the screen, the information will be passed through the QIE for processing to that particular display screen and sent to the GUI for actual display. If the information is to be printed, the information will be processed from the Business Logic connecting to the Business Intelligence service, and a printed report is requested by the program. The Business Intelligence service may send the information directly to the GUI and the drivers for a particular device that will be displayed on the screen for printing. The user now has the option of selecting the appropriate print engine and may print to that device. The information displayed or printed is constantly being updated in "real time".

It should be emphasized that the above-described embodiments of the invention are merely possible examples of implementations set forth for a clear understanding of the principles of the invention. Variations and modifications may be made to the above-described embodiments of the invention without departing from the spirit and principles of the invention. All such modifications and variations are intended to be included herein within the scope of the invention and protected by the following claims.

What is claimed is:

1. A method of integrating holographic images into a virtual thematic environment using a computerized system, comprising:

displaying images from a virtual thematic environment; and

projecting said images as holographic projections using a holographic projection system.

2. The method according to claim 1, further comprising:

integrating audio and video into said holographic projections.

3. The method according to claim 1, further comprising:

integrating real-time information into said virtual thematic environment.

4. The method according to claim 1, further comprising:

tracking a location of a user within said holographically projected virtual thematic environment.

5. The method according to claim 4, wherein said tracking is performed by a GPS system.

6. The method according to claim 1, further comprising:

integrating at least one of a voice recognition system, a synthetic smell system, a weather system, and a GPS system into said holographically projected virtual thematic environment.

7. An apparatus for providing holographic images into a virtual thematic environment, comprising:

a computer system which runs a program including displaying images from a virtual thematic environment; and

a holographic projection system which projects the virtual thematic environment as holographic images.

8. The apparatus according to claim 7, wherein at least one of audio, video, a voice recognition system, a synthetic smell system, a weather system, and a GPS system are integrated into said holographically projected virtual thematic environment.

9. The apparatus according to claim 7, further comprising:

a control system accessed by a user to control said holographicically projected images within the virtual thematic environment.

10. The apparatus according to claim 9, wherein said projection system projects said holographic images in 3D.

11. The apparatus according to claim 7, further comprising:

a plurality of sensors to track movement of a user within the virtual thematic environment.

12. The apparatus according to claim 7, wherein real-time information is integrated into the virtual thematic environment.

13. The apparatus according to claim 12, wherein said real-time information is downloaded from one of cable and satellite.

14. The apparatus according to claim 13, wherein said real-time information is automatically downloaded based on actions of a user within the holographically projected virtual thematic environment.

15. The apparatus according to claim 13, wherein a user is provided with objects within the holographically projected virtual thematic environment that operate in real-time with real-time information.

16. The apparatus according to claim 13, wherein a user is provided with mini-applications within the holographically projected virtual thematic environment which operate in real-time with real-time information.

17. A computer-readable medium whose contents cause a computer system to integrate holographic images into a virtual thematic environment, the computer system having a program comprising the steps of:

displaying images from a virtual thematic environment; and

projecting said images as holographic projections using a holographic projection system.

18. An apparatus for providing holographic images into a virtual thematic environment, comprising:

a computer system which runs a program including displaying images from a virtual thematic environment, said computer system including:

at least one thematic/publishing logic module which contains virtual thematic environment rules;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device;

a holographic projection system which projects the virtual thematic environment as holographic images; and

at least one of audio, video, a voice recognition system, a synthetic smell system, a weather system, and a GPS system into said holographically projected virtual thematic environment.

19. The system according to claim 18, wherein said computer system obtains and displays content information in real-time.

20. An apparatus for providing holographic images into a virtual thematic environment, comprising:

a room containing a plurality of display screens;

a computer system which runs a program including displaying images from a virtual thematic environment, said computer system including:

at least one thematic/publishing logic module which contains virtual thematic environment rules;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device;

a projection system which projects the virtual thematic environment as images on said displays screens; and

a user-accessible control panel which provides access to said computer system.

21. The system according to claim 20, wherein said projection system is a holographic projection system.

22. The system according to claim 20, further comprising at least one of audio, video, and a voice recognition system.

23. The system according to claim 20, wherein the virtual thematic application includes real-time content.

24. An apparatus for providing holographic images into a virtual thematic environment, comprising:

a room containing a plurality of sensors for at least tracking movement of a user through said room;

a computer system which runs a program including displaying images from a virtual thematic environment, said computer system including:

at least one thematic/publishing logic module which contains virtual thematic environment rules;

at least one digital content library module which provides content management on the virtual thematic environment; and

at least one quantum imaging environment (QIE) module which interprets content such that said content is manipulated and accessed by any device; and

a holographic projection system which projects the virtual thematic environment as holographic images in said room.

25. The system according to claim 24, further comprising at least one of audio, video, a voice recognition system, a synthetic smell system, a weather system, and a GPS system.

26. The system according to claim 24, wherein said room is in a warehouse.

27. The system according to claim 24, further comprising a computer system disposed within at least one room such that the user may at least one of perform other application and connect to a network.

28. The system according to claim 24, wherein the virtual thematic environment includes real-time content.

ABSTRACT OF THE DISCLOSURE

The present invention is directed to a method of integrating information, including real-time information, into a virtual thematic environment using a computer system, including accessing the stored information from a database or downloading the real-time information from a source external to the thematic environment; inserting the real-time information into the thematic environment; and displaying the information to a user within the thematic environment. In one embodiment, the computer system is connected to a holographic projection system such that the images from the thematic environment can be projected as holographic projections. The computer system includes an interactive software application platform having at least one thematic/publishing logic module which contains thematic environment rules; at least one digital content library module which provides content management on the thematic environment; and at least one quantum imaging environment (QIE) module which interprets content such that the content is manipulated and accessed by any device.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2443 (Parent)

Application No.: Not Yet Assigned | Examiner: Alina A. BOUTAH (Parent)

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: Not Yet Assigned | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

SUBMISSION OF FORMAL DRAWINGS

MAIL STOP APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find attached seven (7) sheets of formal drawings (Figs. 1-7). The Examiner is respectfully requested to acknowledge receipt of these drawings.

Respectfully submitted,

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Registration No. 41,728

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Facsimile: 703-871-5209
Date: August 4, 2011

FIG. 1

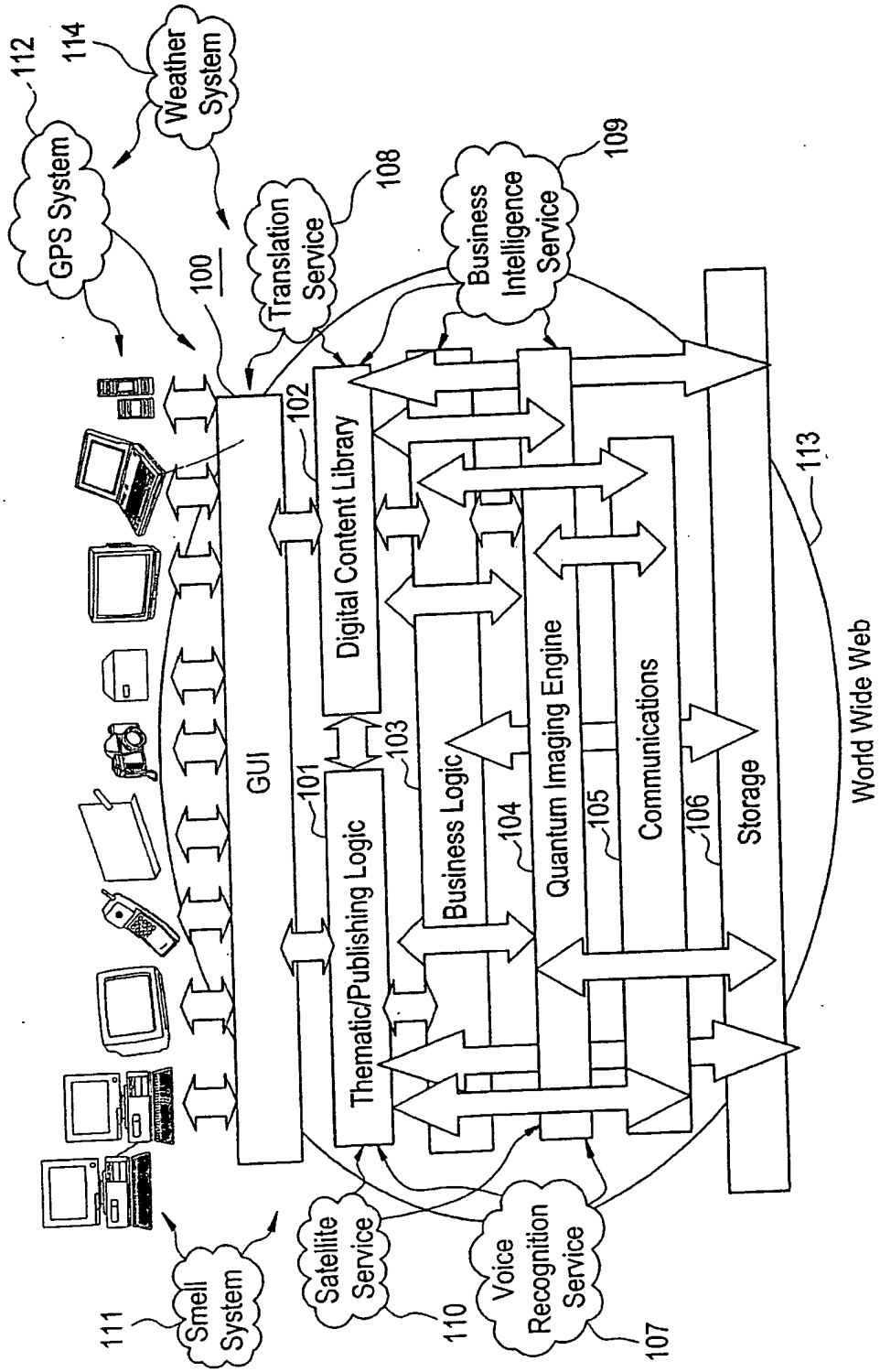

112
114
Weather System
GPS System
100
Translation Service
108
Business Intelligence Service
109
102
Digital Content Library
GUI
101
103
Thematic/Publishing Logic
Business Logic
104
Quantum Imaging Engine
105
Communications
106
Storage
113
World Wide Web
111
Smell System
Satellite Service
110
Voice Recognition Service
107

FIG. 2

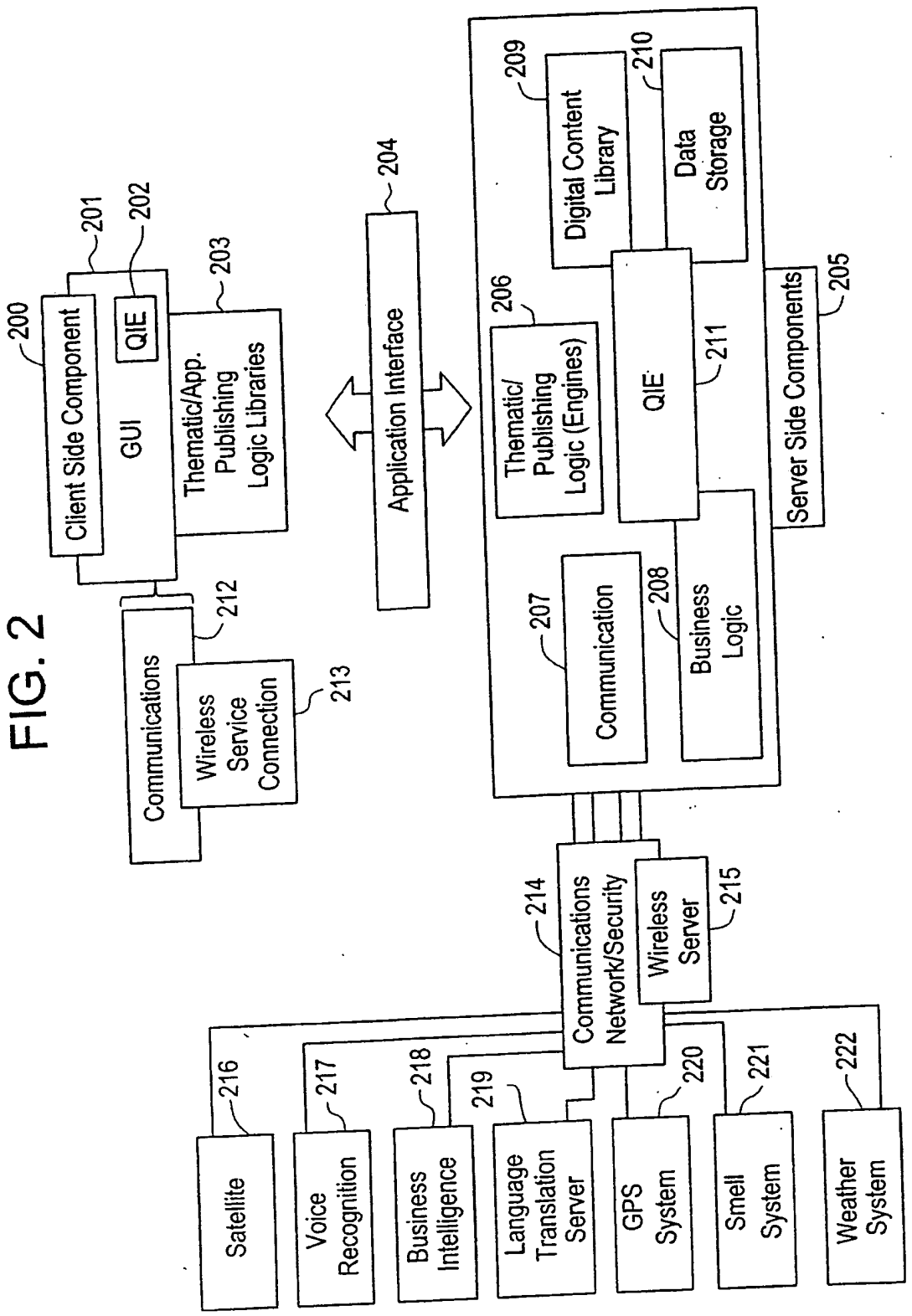

200
Client Side Component
GUI
201
QIE
202
Thematic/App. Publishing Logic Libraries
203
Communications
212
Wireless Service Connection
213
204
Application Interface
Server Side Components
205
Thematic/ Publishing Logic (Engines)
206
QIE
211
Digital Content Library
209
Data Storage
210
Communication
207
Business Logic
208
214
Communications Network/Security
Wireless Server
215
216
Satellite
217
Voice Recognition
218
Business Intelligence
219
Language Translation Server
220
GPS System
221
Smell System
222
Weather System

FIG. 3

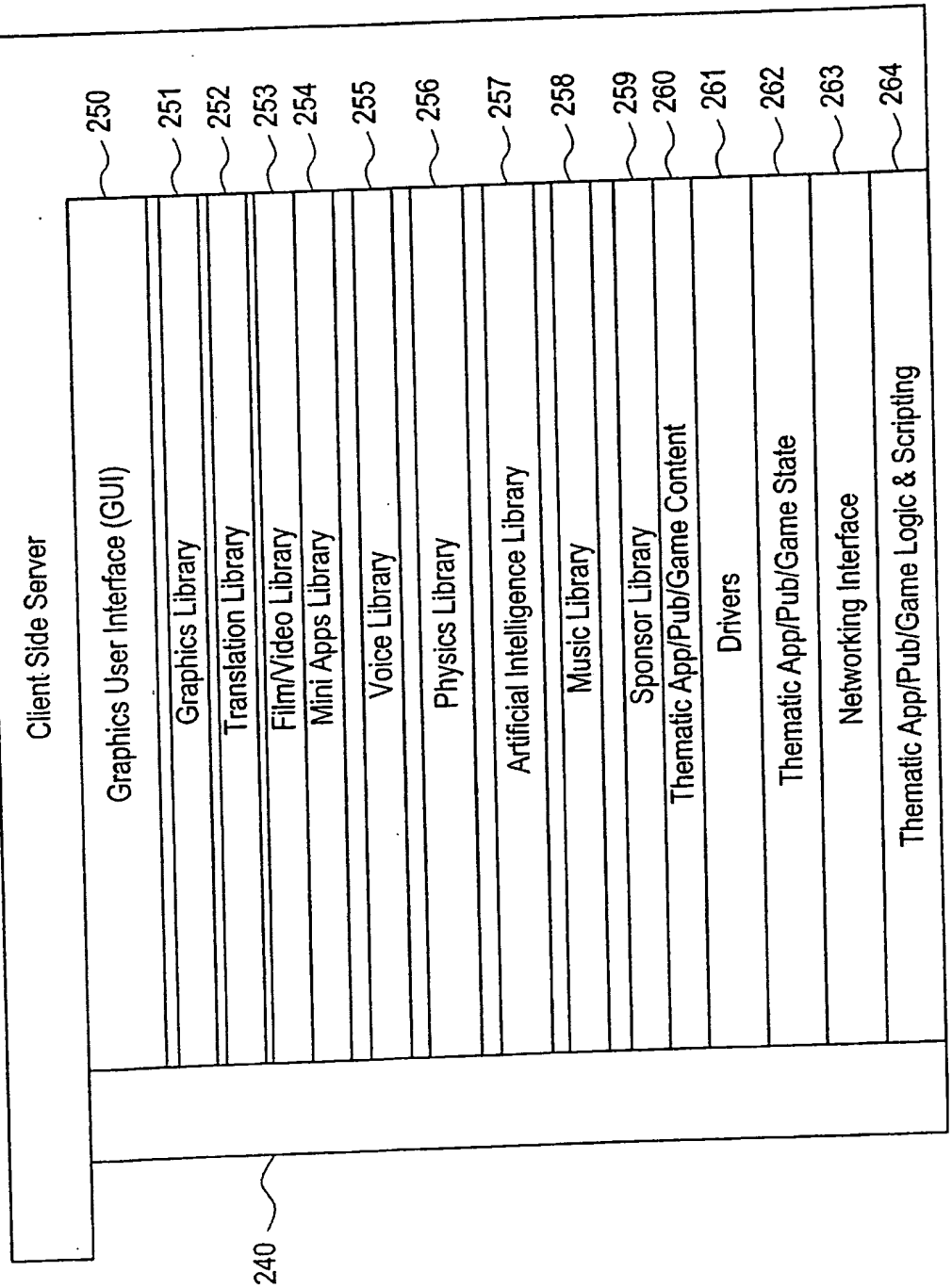

Client Side Server
240
Graphics User Interface (GUI)
250
Graphics Library
251
Translation Library
252
Film/Video Library
253
Mini Apps Library
254
Voice Library
255
Physics Library
256
Artificial Intelligence Library
257
Music Library
258
Sponsor Library
259
Thematic App/Pub/Game Content
260
Drivers
261
Thematic App/Pub/Game State
262
Networking Interface
263
Thematic App/Pub/Game Logic & Scripting
264

FIG. 4

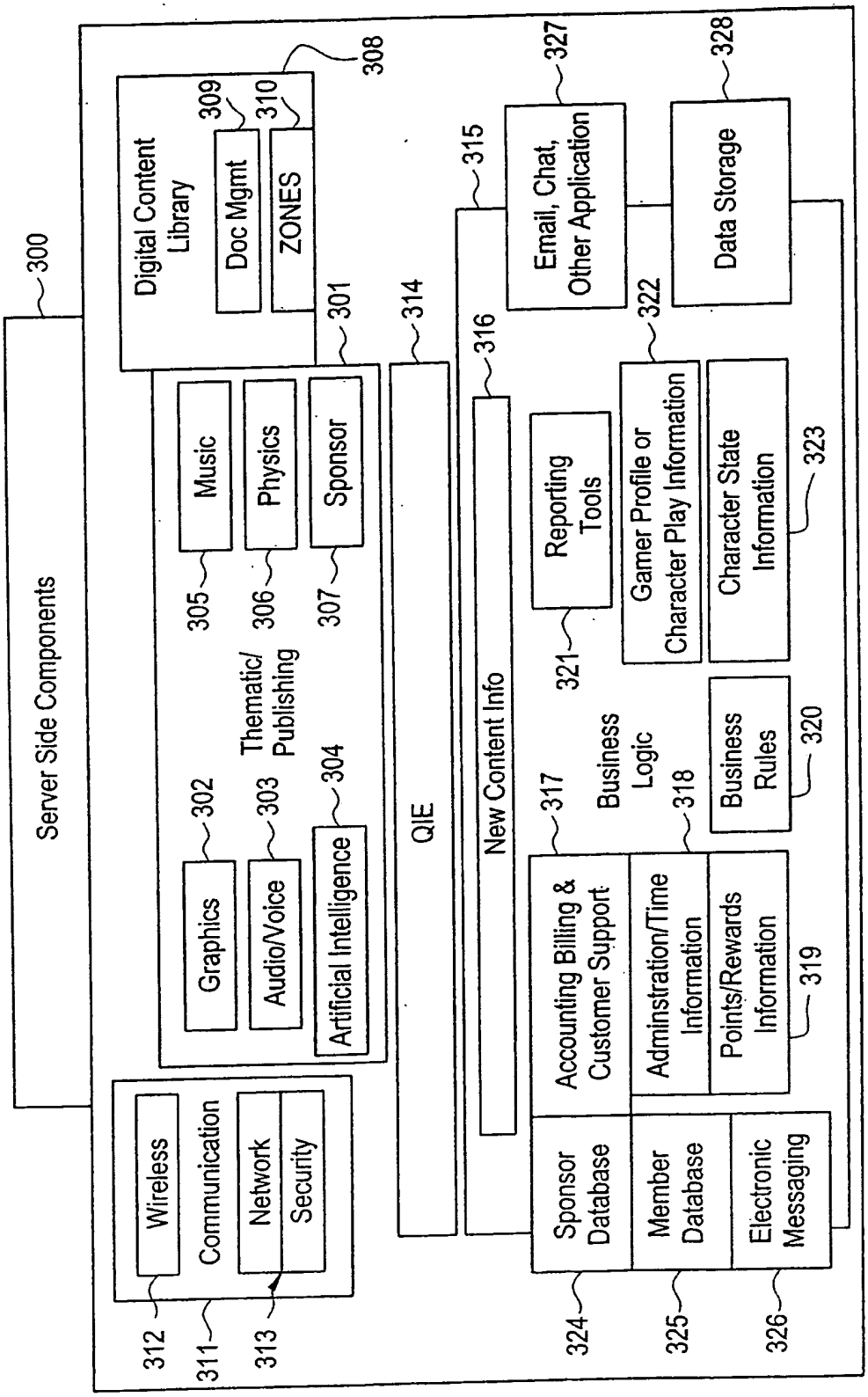
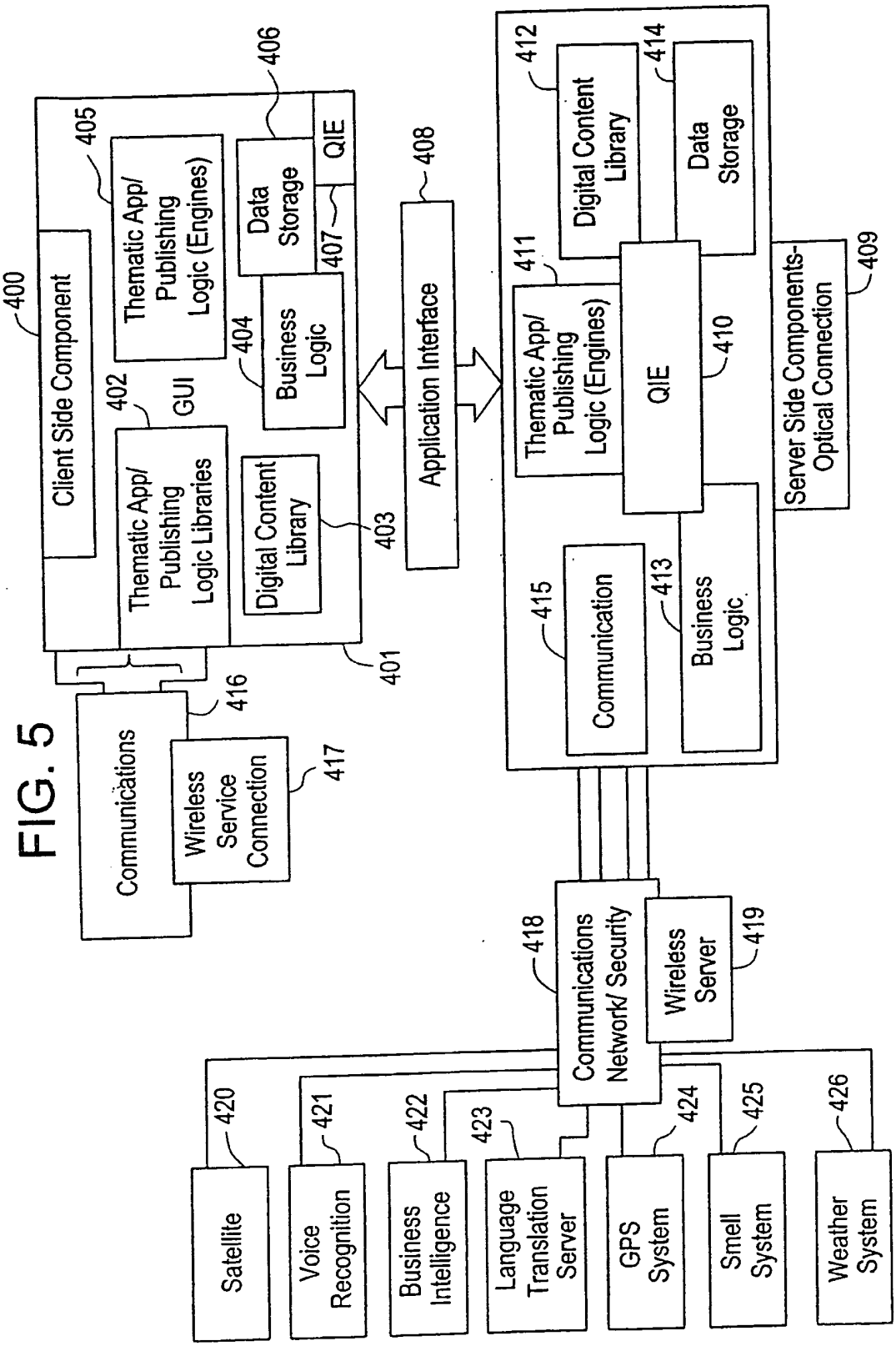

300
Server Side Components
Digital Content Library
309
Doc Mgmt
310
ZONES
308
301
Music
Physics
Sponsor
305
306
307
Thematic/ Publishing
Graphics
Audio/Voice
Artificial Intelligence
302
303
304
314
QIE
315
Email, Chat, Other Application
327
316
New Content Info
322
Reporting Tools
Gamer Profile or Character Play Information
Data Storage
328
321
323
Character State Information
317
Business Logic
318
Business Rules
320
Accounting Billing & Customer Support
Adminstration/Time Information
Points/Rewards Information
319
Communication
Wireless
Network
Security
312
311
313
Sponsor Database
Member Database
Electronic Messaging
324
325
326

FIG. 5


400
Client Side Component
405
Thematic App/ Publishing Logic (Engines)
406
Data Storage
QIE
407
402
GUI
Thematic App/ Publishing Logic Libraries
404
Business Logic
Digital Content Library
403
401
408
Application Interface
412
Digital Content Library
414
Data Storage
411
Thematic App/ Publishing Logic (Engines)
QIE
410
409
Server Side Components- Optical Connection
415
Communication
413
Business Logic
416
Communications
Wireless Service Connection
417
418
Communications Network/ Security
Wireless Server
419
420
Satellite
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Voice Recognition
422
Business Intelligence
423
Language Translation Server
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GPS System
425
Smell System
426
Weather System

FIG. 6

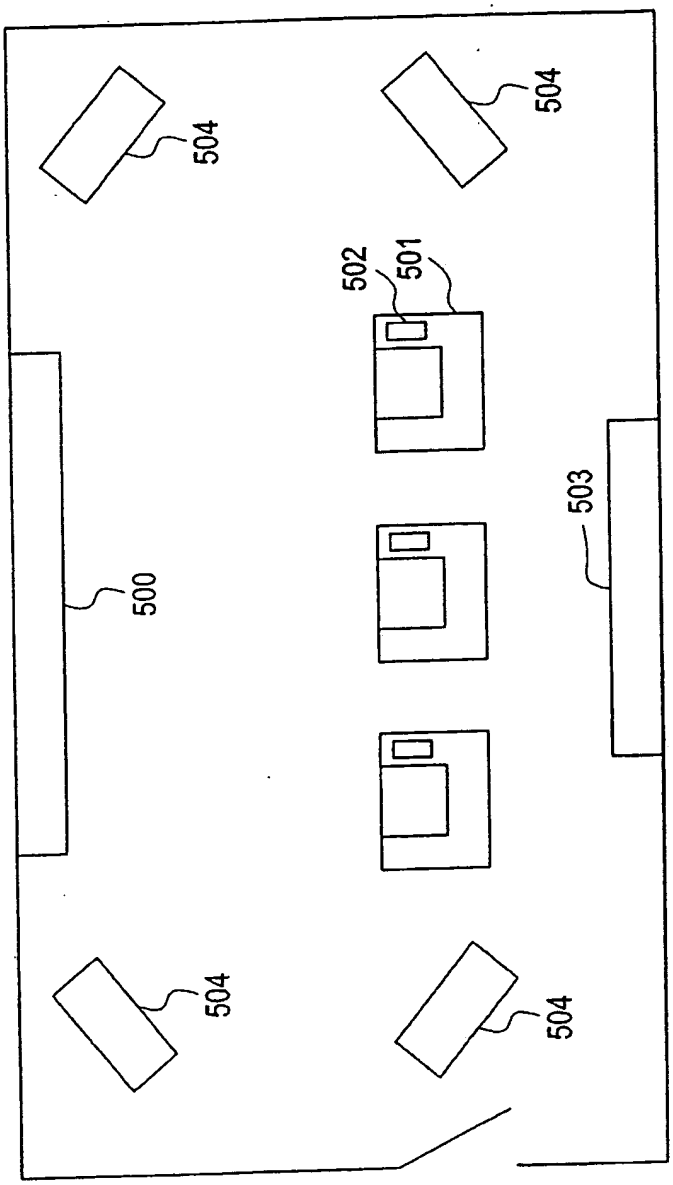
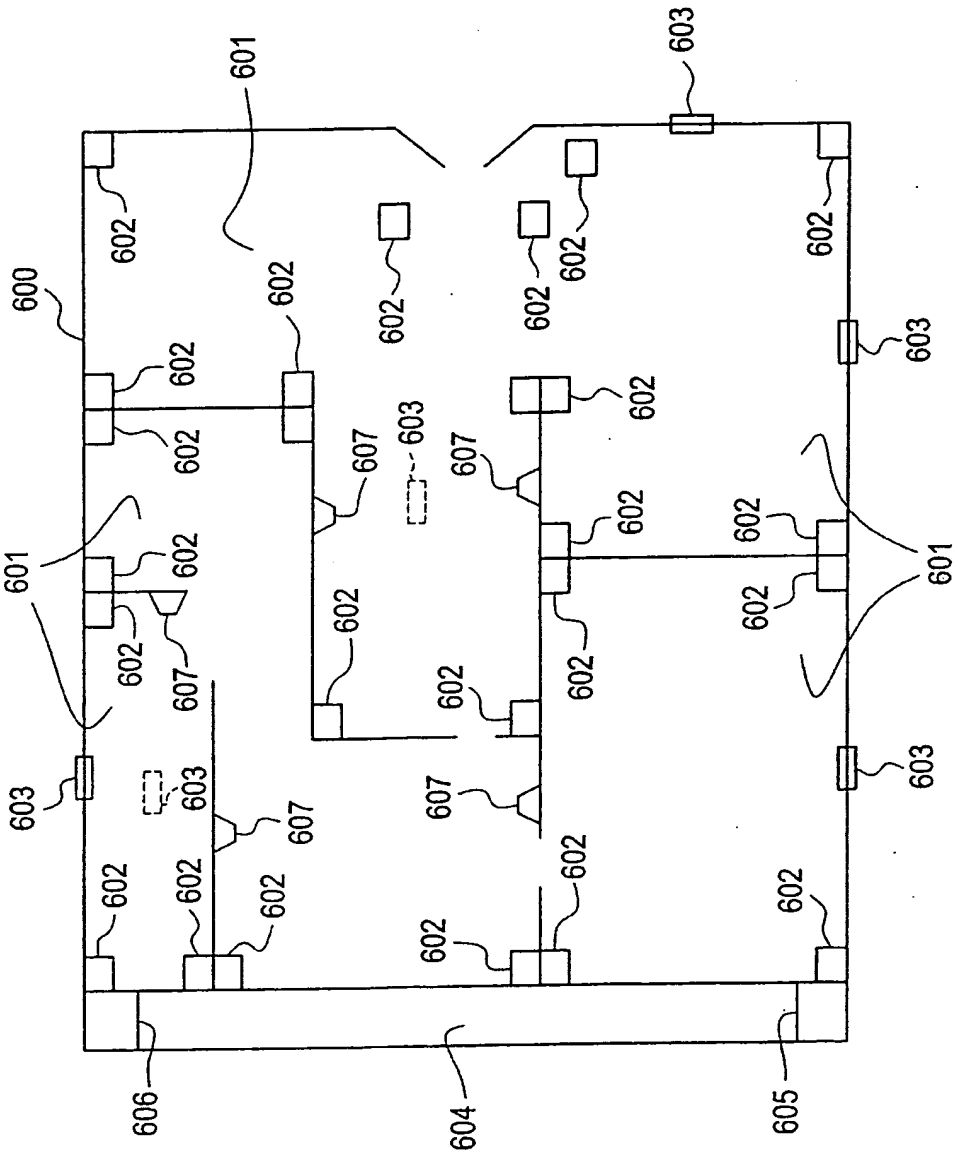


FIG. 7



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

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

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

the specification of which is filed concurrently herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.[1]

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

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Prior Provisional Application(s):

Number	Country	Date

[1] (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
(1) It establishes, by itself or in combination with other information, a *primafacie* case of unpatentability of a claim; or
(2) It refutes, or is inconsistent with, a position the application takes in:
(i) opposing an argument of unpatentability relied on by the Office, or
(ii) asserting an argument of patentability.
A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

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Attorney Docket No.: 71457.0008
Customer No.: 57362

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Prior U.S. Applications Or PCT International Applications Designating The U.S. For Benefit Under 35 USC 120

U.S. Applications		Status (Check One)		
U.S. Applications	U.S. Filing Date	Patented	Pending	Abandoned
10/805,415 (Parent)	**March 22, 2004**		X	
10/272,408	**October 16, 2002**		X	

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Prior Foreign Application(s):

Number	Country	Date

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Prior Foreign Application(s):

Number	Country	Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s):

Number	Country	Date

I hereby appoint the following attorneys, power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: and request that all correspondence and telephone calls in respect to this application be directed to:

Jean C. Edwards 41,728

AKERMAN SENTERFITT
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Washington, DC 20004
Tel: (202) 393-6222

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Attorney Docket No.: 71457.0008
Customer No.: 57362

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Washington, DC 20004
Tel: (202) 393-6222

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor	Frances Barbaro ALTIERI
Inventor's signature	_____ Date 3/7/08
Residence	United States of America
Citizenship	US
Mailing Address	58-60 Waverly Street, Belmont, MA 02478

PTO/SB/122 (11-08)
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P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	Not yet assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

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☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☑ Attorney or agent of record. Registration Number 41,728.

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number_____.

Signature Paul B. Teils Reg. No. 33,102

Typed or Printed Name for Jean C. Edwards, Esq.

Date August 4, 2011 | Telephone 703-871-5204

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☑ *Total of 1 forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Frances Barbaro ALTIERI | Group Art Unit: 2443 (Parent)

Application No.: Not Yet Assigned | Examiner: Alina A. BOUTAH (Parent)

Filed: August 4, 2011 | Atty. Dkt No.: 71457.0014

Confirmation No.: Not Yet Assigned | Customer No.: 13155

Based on U.S. Patent Application No. 12/073,967 filed March 12, 2008

For: INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT

INFORMATION DISCLOSURE STATEMENT

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

Sirs:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the U.S. Patent and Trademark Office is hereby directed to the references listed on the attached Forms PTO/SB/08A and 08B. It is requested that the information on Forms PTO/SB/08A and 08B be considered during the prosecution of this application, and that the references be made of record and appear among the "References Cited" on any issued patent.

Listed on Forms PTO/SB/08A and 08B are references 1-37, which were disclosed and/or cited in the parent application. Copies of the references cited are not provided as it is assumed the USPTO has these references readily available.

__X__ This Information Disclosure Statement is being submitted:

__X__ (1) within three months of the filing date of the application; or

___ (2) after the filing date of the application and before the mailing date of a first Office Action on the merits; or

____(3) before the mailing of a first Office Action after the filing of a Request for Continued Examination; and thus, no Statement under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

____This Information Disclosure Statement is being submitted after the above periods (1)-(3), but before a Final Office Action or Notice of Allowance, a Statement under 37 CFR 1.97(e) is provided (see below), and no fee under 37 CFR 1.17(p) is due.

____This Information Disclosure Statement is being submitted after the above periods (1)-(3), but before a Final Office Action or Notice of Allowance, and no Statement under 37 CFR 1.97(e) is provided, the fee under 37 CFR 1.17(p) is enclosed.

____This Information Disclosure Statement is being submitted after the mailing date of a Final Office Action or Notice of Allowance, but before payment of the Issue Fee, and a Statement under 37 CFR 1.97(e) is provided (see below), and the fee under 37 CFR 1.17(p) is enclosed.

___ Statement under 37 CFR 1.97(e)(1): Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

____ Statement under 37 CFR 1.97(e)(2): No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to our knowledge, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

____Fee under 37 CFR 1.17(p) is enclosed (see Fee Transmittal).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant hereby petitions for any extension of time that may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-5497.

Respectfully submitted,

for Paul F. Neils Reg. 33,102

Jean C. Edwards
Registration No. 41,728

(13155)
EDWARDS NEILS PLLC
11710 Plaza America Drive
Suite 2000
Reston, VA 20190
Telephone: 703-871-5204
Facsimile: 703-871-5209
Date: August 4, 2011

PTO/SB/08A (01-08)
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 6,099,408	08-08-2000	Schneier et al.	
	2	US- 2002/0096831	07-25-2002	Nakayama et al.	
	3	US- 2003/0064807	04-03-2003	Walker et al.	
	4	US- 2002/0002076 A1	01-03-2003	Schneier et al.	
	5	US- 6,259,889	07-10-2001	LaDue, Christoph Karl	
	6	US- 6,749,432	06-15-2004	French et al.	
	7	US- 5,732,227	03-24-1998	Kuzunuki et al.	
	8	US- 6,409,599	06-25-2002	Sprout et al.	
	9	US- 5,509,806	04-23-1996	Ellsworth, Thayne N.	
	10	US- 2002/0158873	10-31-2002	Williamson, Todd	
	11	US- 2001/0045949 A1	11-29-2001	Chithambaram et al.	
	12	US- 6,396,497 B1	05-28-2002	Reichlen, Bruce A.	
	13	US- 2002/0090985 A1	07-11-2002	Tochner et al.	
	14	US- 2003/0144861 A1	07-31-2003	Misawa et al.	
	15	US- 2004/0216098 A1	10-28-2004	Roe et al.	
	16	US- 2003/0004743 A1	01-02-2003	Callegari, Jeff	
	17	US- 2003/0033150 A1	02-13-2003	Balan et al.	
	18	US- 2003/0125963 A1	07-03-2003	Haken, Jack E.	
	19	US- 2003/0191799 A1	10-09-2003	Araujo et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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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PTO/SB/08A (01-08)
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	20	US- 2005/0043097 A1	02-24-2005	March et al.	
	21	US- 7,229,288 B2	06-12-2007	Stuart et al.	
	22	US- 5,850,352	12-15-1998	Moezzi et al.	
	23	US- 5,846,086	12-08-1998	Bizzi et al.	
	24	US- 5,956,038	09-21-1999	Rekimoto	
	25	US- 5,993,319	11-30-1999	Aoyama	
	26	US- 6,227,974	05-08-2001	Eilat et al.	
	27	US- 6,243,104	06-05-2001	Murray	
	28	US- 6,471,586	10-29-2002	Aiki	
	29	US- 2002/0188678	12-12-2002	Edecker et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	Not Yet Assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Art Unit	2443 (Parent)
Examiner Name	Alina A. BOUTAH (Parent)
Attorney Docket Number	71457.0014

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	30	Clark, Don "The Affluent Avatar" The Wall Street Journal, Col. 2, Pg., Sec. B (8 Jan. 2003).	
	31	Electronic Arts "EA.com Electronic Arts: get in the game [media kit]" <http://retailsupport.ea.com/webmediakit/pdf/mediakit.pdf> accessed 9 Jan. 2003 [publication date unkown]	
	32	Bonello, D. "Nike", New Media Age, pNA, Nov. 18, 1999, DIALOG, file 16, No. 06835000.	
	33	"Two million games...software", PR Newswire, Sept. 26, 2001. Dialog, File 20, No. 190 16252	
	34	www.TerraZones.com	
	35	www.90minutes.co.uk	
	36	www.soholondon.co.uk	
	37	www.nike.com	

Examiner Signature		Date Considered	

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

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PATENT APPLICATION SERIAL NO._____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

08/05/2011 SMOHAMME 00000031 13137299

01 FC:2011		165.00 OP
02 FC:2111		270.00 OP
03 FC:2311		110.00 OP
04 FC:2202		208.00 OP
05 FC:2201		330.00 OP

PTO-1556
(5/87)

*U.S. Government Printing Office: 2002- 489-267/69033

15949 U.S. PTO 080411

U.S. PTO
13/137299
08/04/2011

PTO/SB/05 (08-08)
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	71457.0014
First Inventor	Frances Barbaro ALTIERI
Title	INTERACTIVE VIRTUAL THEMATIC...
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [x] **Fee Transmittal Form** (e.g., PTO/SB/17)
2. [ ] **Applicant claims small entity status.** See 37 CFR 1.27.
3. [x] **Specification** [*Total Pages* 89]
   Both the claims and abstract must start on a new page
   (For information on the preferred arrangement, see MPEP 608.01(a))
4. [x] **Drawing(s)** (*35 U.S.C. 113*) [*Total Sheets* 7]
5. **Oath or Declaration** [*Total Sheets* 3]
   a. [ ] Newly executed (original or copy)
   b. [x] A copy from a prior application (37 CFR 1.63(d))
   (for continuation/divisional with Box 18 completed)
   i. [ ] DELETION OF INVENTOR(S)
   Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. [x] **Application Data Sheet.** See 37 CFR 1.76
7. [ ] **CD-ROM or CD-R** in duplicate, large table or Computer Program *(Appendix)*
   [ ] Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**
   (if applicable, items a. – c. are required)
   a. [ ] Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. [ ] CD-ROM or CD-R (2 copies); or
      ii. [ ] Paper
   c. [ ] Statements verifying identity of above copies

ADDRESS TO:
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

ACCOMPANYING APPLICATION PARTS

9. [ ] **Assignment Papers** (cover sheet & document(s))
   Name of Assignee
10. [ ] **37 CFR 3.73(b) Statement** *(when there is an assignee)* [x] **Power of Attorney**
11. [ ] **English Translation Document** *(if applicable)*
12. [x] **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    [ ] Copies of citations attached
13. [ ] **Preliminary Amendment**
14. [x] **Return Receipt Postcard** (MPEP 503)
    (Should be specifically itemized)
15. [ ] **Certified Copy of Priority Document(s)**
    (if foreign priority is claimed)
16. [ ] **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
17. [x] Other: Change of Correspondence Address Form

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

[ ] Continuation [x] Divisional [ ] Continuation-in-part (CIP) of prior application No.: 12/073,967

Prior application information: *Examiner* Alina A. BOUTAH *Art Unit:* 2443

19. CORRESPONDENCE ADDRESS

[x] The address associated with Customer Number: 13155 ***OR*** [ ] Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	Paul S. Grilo Reg. 33,102	Date	August 4, 2011
Name (Print/Type)	for Jean C. Edwards, Esq.	Registration No. (Attorney/Agent)	41,728

This collection of information is required by 37 CFR 1.53(b). 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. 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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PTO/SB/17 (10-08)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 1,083.00

Complete if Known	
Application Number	Not yet assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Examiner Name	Alina A. BOUTAH (Parent)
Art Unit	2443 (Parent)
Attorney Docket No.	71457.0014

METHOD OF PAYMENT (check all that apply)

☐ Check ☑ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-5497 Deposit Account Name: EDWARDS NEILS PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below
☐ Charge fee(s) indicated below, **except for the filing fee**
☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
☑ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	330	165	540	270	220	110	545.00
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	**Fee ($)**	**Small Entity Fee ($)**
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims 28 - 20 or HP = **Extra Claims** 8 x **Fee ($)** 26.00 = **Fee Paid ($)** 208.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims 6 - 3 or HP = **Extra Claims** 3 x **Fee ($)** 110.00 = **Fee Paid ($)** 330.00

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	**Fee Paid ($)**

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $270 ($135 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).

Total Sheets 96 - 100 = **Extra Sheets** _____ / 50 = **Number of each additional 50 or fraction thereof** _____ (round up to a whole number) x **Fee ($)** _____ = **Fee Paid ($)** _____

4. OTHER FEE(S) **Fees Paid ($)**

Non-English Specification, $130 fee (no small entity discount) _____

Other (e.g., late filing surcharge): _____ _____

SUBMITTED BY

Signature	for Paul E. Neils Reg. 33,102	Registration No. (Attorney/Agent) 41,728	Telephone 703-466-0150
Name (Print/Type)	Jean C. Edwards, Esq.		Date August 4, 2011

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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.

Application Data Sheet

Application Information

Application Type	::	Regular **(Divisional Patent Application of U.S. Patent Application No. 12/073,967)**
Subject Matter	::	Utility
Title	::	**INTERACTIVE VIRTUAL THEMATIC ENVIRONMENT**
Filing Date	::	August 4, 2011
Request for Early Publication?	::	No
Request for Non-Publication?	::	No
Total Drawing Sheets	::	7
Suggested Drawing	::	Figure 2
Small Entity	::	Yes

Applicant Information

Applicant Authority type	::	Inventor
Primary Citizenship Country	::	US
Status	::	Full Capacity
Given Name	::	**Frances**
Family Name	::	**Barbaro ALTIERI**
City of Residence	::	Belmont
State of Residence	::	Massachusetts
Country of Residence	::	US
Street of mailing address	::	58-60 Waverly Street
City of mailing address	::	Belmont
State of mailing address	::	Massachusetts
Postal Code of mailing address	::	02478

Correspondence Information

Correspondence Customer Number	::	13155

Representative Information

Representative Customer Number	::	13155
Representative Registration Number	::	41,728

Attorney Docket No. :: **71457.0014**

Domestic Priority Information

Application Type::	Application Number::	Filing Date::	Priority Claimed::
Non-provisional (Parent)	12/073,967	March 12, 2008	Yes
Non-provisional	10/805,415	March 22, 2004	Yes
Non-provisional	10/272,408	October 16, 2002	Yes

Assignee Information

Assignee Name and Address	::	Barbaro Technologies 58-60 Waverly Street
City of mailing address	::	Belmont
State of mailing address		Massachusetts
Postal Code of mailing address	::	02478
Country of mailing address	::	US

Initial <August 4, 2011 >

15949 U.S. PTO 080411

U.S. PTO
13/137299
08/04/2011

PTO/SB/05 (08-08)
Approved for use through 09/30/2010. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	71457.0014
First Inventor	Frances Barbaro ALTIERI
Title	INTERACTIVE VIRTUAL THEMATIC...
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [x] **Fee Transmittal Form** (e.g., PTO/SB/17)
2. [ ] **Applicant claims small entity status.** See 37 CFR 1.27.
3. [x] **Specification** [*Total Pages* 89]
   Both the claims and abstract must start on a new page
   (For information on the preferred arrangement, see MPEP 608.01(a))
4. [x] **Drawing(s)** (*35 U.S.C. 113*) [*Total Sheets* 7]
5. **Oath or Declaration** [*Total Sheets* 3]
   a. [ ] Newly executed (original or copy)
   b. [x] A copy from a prior application (37 CFR 1.63(d))
   (for continuation/divisional with Box 18 completed)
   i. [ ] DELETION OF INVENTOR(S)
   Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. [x] **Application Data Sheet.** See 37 CFR 1.76
7. [ ] **CD-ROM or CD-R** in duplicate, large table or Computer Program *(Appendix)*
   [ ] Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**
   (if applicable, items a. – c. are required)
   a. [ ] Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. [ ] CD-ROM or CD-R (2 copies); or
      ii. [ ] Paper
   c. [ ] Statements verifying identity of above copies

ADDRESS TO:
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

ACCOMPANYING APPLICATION PARTS

9. [ ] **Assignment Papers** (cover sheet & document(s))
   Name of Assignee
10. [ ] **37 CFR 3.73(b) Statement** *(when there is an assignee)* [x] **Power of Attorney**
11. [ ] **English Translation Document** *(if applicable)*
12. [x] **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    [ ] Copies of citations attached
13. [ ] **Preliminary Amendment**
14. [x] **Return Receipt Postcard** (MPEP 503)
    (Should be specifically itemized)
15. [ ] **Certified Copy of Priority Document(s)**
    (if foreign priority is claimed)
16. [ ] **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
17. [x] Other: Change of Correspondence Address Form

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

[ ] Continuation [x] Divisional [ ] Continuation-in-part (CIP) of prior application No.: 12/073,967

Prior application information: *Examiner* Alina A. BOUTAH *Art Unit:* 2443

19. CORRESPONDENCE ADDRESS

[x] The address associated with Customer Number: 13155 ***OR*** [ ] Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	Paul S. Grilo Reg. 33,102	Date	August 4, 2011
Name (Print/Type)	for Jean C. Edwards, Esq.	Registration No. (Attorney/Agent)	41,728

This collection of information is required by 37 CFR 1.53(b). 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. 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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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009

☑ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 1,083.00

Complete if Known	
Application Number	Not yet assigned
Filing Date	August 4, 2011
First Named Inventor	Frances Barbaro ALTIERI
Examiner Name	Alina A. BOUTAH (Parent)
Art Unit	2443 (Parent)
Attorney Docket No.	71457.0014

METHOD OF PAYMENT (check all that apply)

☐ Check ☑ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-5497 Deposit Account Name: EDWARDS NEILS PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below
☐ Charge fee(s) indicated below, **except for the filing fee**
☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
☑ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	330	165	540	270	220	110	545.00
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	**Fee ($)**	**Small Entity Fee ($)**
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims 28 - 20 or HP = **Extra Claims** 8 x **Fee ($)** 26.00 = **Fee Paid ($)** 208.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims 6 - 3 or HP = **Extra Claims** 3 x **Fee ($)** 110.00 = **Fee Paid ($)** 330.00

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	**Fee Paid ($)**

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $270 ($135 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).

Total Sheets 96 - 100 = **Extra Sheets** _____ / 50 = **Number of each additional 50 or fraction thereof** _____ (round up to a whole number) x **Fee ($)** _____ = **Fee Paid ($)** _____

4. OTHER FEE(S) **Fees Paid ($)**

Non-English Specification, $130 fee (no small entity discount) _____

Other (e.g., late filing surcharge): _____ _____

SUBMITTED BY

Signature	for Paul E. Neils Reg. 33,102	Registration No. (Attorney/Agent) 41,728	Telephone 703-466-0150
Name (Print/Type)	Jean C. Edwards, Esq.		Date August 4, 2011

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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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