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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	270560-999/2
First Named Inventor	Fitzsimmons, Todd
Title	System And Method For Time Shifting At Least A Portion Of A Program
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form**
(PTO/SB/17 or equivalent)
2. ☒ **Applicant asserts small entity status.**
See 37 CFR 1.27
3. ☐ **Applicant certifies micro entity status.** See 37 CFR 1.29.
Applicant must attach form PTO/SB/15A or B or equivalent.
4. ☒ **Specification** [Total Pages 27]
Both the claims and abstract must start on a new page.
(See MPEP § 608.01(a) for information on the preferred arrangement)
5. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 4]
6. ☒ **Inventor's Oath or Declaration** [Total Pages 1]
(including substitute statements under 37 CFR 1.64 and assignments
serving as an oath or declaration under 37 CFR 1.63(e))
 - a. ☒ Newly executed (original or copy)
 - b. ☐ A copy from a prior application (37 CFR 1.63(d))
7. ☒ **Application Data Sheet** * See note below.
See 37 CFR 1.76 (PTO/AIA/14 or equivalent)
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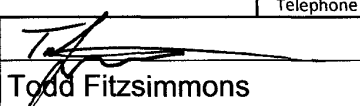
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ACCOMPANYING APPLICATION PAPERS

10. ☐ **Assignment Papers**
(cover sheet & document(s))
Name of Assignee _____
11. ☐ **37 CFR 3.73(c) Statement** ☐ **Power of Attorney**
(when there is an assignee)
12. ☐ **English Translation Document**
(if applicable)
13. ☐ **Information Disclosure Statement**
(PTO/SB/08 or PTO-1449)
☐ Copies of citations attached
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17. ☐ **Nonpublication Request**
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18. ☐ **Other:** _____

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

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SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

CROSS-REFERENCE TO RELATED APPLICATION

5 This application is a continuation of Serial No. 13/279,943, which was filed on October 24, 2011, which claims the benefit pursuant to 35 U.S.C. § 119(e) of U.S. Provisional Patent Application Number 61/408,759 filed November 1, 2010, which applications are specifically incorporated herein, in their entirety, by reference.

BACKGROUND OF THE INVENTION

10 1. Field of the Invention

 The present invention relates to the storage and play back of time-shifted data, and more particularly to a system and method for adding auxiliary data to data that has been time-shifted.

2. Description of Related Art

15 Digital video recorders ("DVRs"), like TIVO™, are commonly used to record data (e.g., video, audio, etc.), allowing it to be played back at a later time. This concept is referred to as time-shifting, in that it allows the recorded data (in its original form) to be played back at a later time. For example, a television program that airs at 2:05 in the morning can be recorded and played back at a more convenient time (e.g., the following
20 day at 1:00 in the afternoon).

 The concept of time-shifting is advantageous to the user in that it allows the user to watch a television program at a more convenient time. Such a concept is also advantageous to an owner and a distributor of the program (i.e., content owner and content provider, respectively) in that it increases (or has the potential to increase)
25 viewership, or the number of viewers of the program. In other words, by allowing a

person to watch a television program at a time that is convenient to them, it increases the likelihood that the person will watch the program, especially if the program is being broadcasted at an inconvenient time (e.g., while other popular programs are being broadcasted, while the person is working, while the person is sleeping, etc.).

5 DVRs are also popular in that they allow a user to pause, rewind or fast forward a television program. Thus, the user can re-watch the program (or a portion thereof), or skip a portion of the program. This creates a problem for the content owner and/or the content provider in that it allows the user to skip commercials, or paid advertisements, which can decrease the value of the program to the content owner, the content provider
10 and advertisers.

 It also creates another problem in that the information that's included in the program may be outdated. For example, a program may include an advertisement for a movie that is currently being shown at a local theater. If, however, the user does not watch the program for several weeks, that movie may no longer be playing at the local
15 theater. By way of another example, the program may include information at the bottom of the screen (e.g., news ticker or "crawler"), identifying upcoming programs, late-breaking news, scores of daily sporting events, etc. Obviously, if the user does not watch the program for several weeks, this information is outdated, and of little value.

 This problem originates from the fact that this type of information (e.g.,
20 advertisements, news tickers, "crawlers," etc.) is selected based on when the program is being broadcasted, and not on when the program is being viewed. For example, if a program is being broadcasted on a Monday afternoon, then it may include commercials directed toward mothers, or individuals who are home on Monday afternoon. Similarly, if a program is being broadcasted on a sports channel on Sunday night, then it may
25 include a news ticker on scores for sporting events that took place earlier that day.

 With more and more data being time-shifted, it would be advantageous to develop a system and method of adding data (e.g., auxiliary data) to time-shifted data at the time the data is being played. By doing this, data can be added that is current, and

therefore more likely to be of value to the user, which can increase the value of the program to the content owner, the content provider and advertisers.

SUMMARY OF THE INVENTION

5 The present invention provides a system and method for adding auxiliary data (e.g., advertisements, news tickers, "crawlers," etc.) to data that has been time-shifted. Preferred embodiments of the present invention operate in accordance with a data transmission system, wherein data (e.g., movies and television programs, including sitcoms, sporting events, news programs, etc.) is being transmitted from at least one
10 data source (e.g., content owner, content provider, etc.) to at least one receiving device (e.g., set-top box, television, etc.) via at least one data distribution means (e.g., satellite, cable, fiber-optics, telephone line, etc.). Data is provided to the receiving device via a first transmission path, where it is processed and provided to a display via a second transmission path, which may include, for example, a coaxial cable, an HDMI cable,
15 RCA cables, an Ethernet cable or other wireless means (e.g., WiFi, Bluetooth, etc.).

 In a preferred embodiment of the present invention, the receiving device is configured to function as a DVR. In other words, the receiving device is configured to perform both standard receiver functions and standard DVR functions. In this embodiment, the receiving device is also configured to add auxiliary data to data that is
20 being time-shifted, or data that has been recorded and is being played back. In other words, at the time the time-shifted data is being played, the receiver may be configured to acquire auxiliary data, and insert the auxiliary data into the time-shifted data, so that both the time-shifted data and the auxiliary data are displayed to the user on the display. By acquiring auxiliary data at (or around) the time the time-shifted data is being
25 played, it is more likely that the auxiliary data has value to the user, thereby increasing the value of the time-shifted data to the content owner, the content provider and advertisers.

 In one embodiment of the present invention, the time-shifted data may be displayed in a main portion of the display, and the auxiliary data may be displayed in a

secondary (or auxiliary) portion of the display. For example, in the case of a sitcom, the sitcom may be shown in the main portion, and auxiliary information, such as information on upcoming programs, late-breaking news, the content owner, the content provider or an advertiser, may be shown in the secondary portion.

5 In another embodiment of the present invention, the time-shifted data is broken down into a plurality of segments, and auxiliary data is added between the individual segments. For example, time-shifted data, which may be a sitcom, may be broken down into three segments. The receiving device may be configured to store the segments separately, and play the first segment in response to a corresponding
10 command. The receiving device may further be configured to receive auxiliary data when the first segment is played (or is substantially over) and to play the auxiliary data when the first segment is over. The receiving device would then play the second segment, followed by a second set of auxiliary data, followed by the third segment, etc.

 In another embodiment of the present invention, a system for adding auxiliary
15 data to time-shifted data includes a controller in communication with a remote control, a processor and at least one tuner, wherein the tuner is configured to receive data on at least one channel from an antenna, and to access data on a particular channel, as selected by either the controller or the processor. Data received by the tuner is then provided to a decoder, where the data is processed and provided to the processor. The
20 processed data can then either be displayed on the display or stored in memory, so that it can be displayed at a future time.

 In another embodiment of the present invention, a method for adding auxiliary data to time-shifted data includes the recording of program data. When the program data is played, auxiliary data is retrieved. This can be, for example, in response to a
25 request to play the program data, in response to accessing program data from memory, in response to playing program data, etc. Both auxiliary data and program data are then played at the same time on the display (e.g., as PIP, POP, etc.). In an alternate embodiment, the program data is split into a plurality of segments, and auxiliary data is

played between segments. The playing of both program data and auxiliary data (either consecutively or concurrently) continues until the program data is over.

5 A more complete understanding of the system and method for inserting auxiliary data into time-shifted data will be afforded to those skilled in the art, as well as a realization of additional advantages and objects thereof, by a consideration of the following detailed description of the preferred embodiment. Reference will be made to the appended sheets of drawings which will first be described briefly.

BRIEF DESCRIPTION OF THE DRAWINGS

10 Figure 1 illustrates a data transmission system in accordance with a preferred embodiment of the present invention;

Figure 2 illustrates a receiving device and a display in accordance with one embodiment of the present invention, wherein the receiving device is configured to display both auxiliary data and time-shifted data on the display;

15 Figures 3 and 4 illustrate exemplary methods of displaying time-shifted and auxiliary data on the display;

Figure 5 illustrates time-shifted data that is divided into a plurality of segments, wherein auxiliary data is played between individual segments';

Figure 6 illustrates time-shifted data that includes a plurality of commercial breaks, wherein auxiliary data is played during the commercial breaks;

20 Figure 7 illustrates a system for inserting auxiliary data into time-shifted data in accordance with one embodiment of the present invention; and

Figure 8 illustrates a method for inserting auxiliary data into time-shifted data in accordance with one embodiment of the present invention.

25 DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

The present invention provides a system and method for adding auxiliary data (e.g., advertisements, news tickers, "crawlers," etc.) to data that is being time-shifted. As shown in Figure 1, preferred embodiments of the present invention operate in accordance with a data transmission system, wherein data (e.g., movies and television

programs, including sitcoms, sporting events, news programs, etc.) is being transmitted from at least one data source 110a, 110b (e.g., content owner, content provider, etc.) to at least one receiving device 120a, 120b and 120c (e.g., set-top box, television, etc.) via at least one data distribution means 100 (e.g., satellite, cable, fiber-optics, telephone line, etc.). Thus, for example, the transmission of data from DIRECTV™ or DISH™ to a satellite receiver via at least one satellite is within the spirit and scope of the present invention. By way of another example, the transmission of data from Time Warner™ or Charter™ to a cable box via a cable, fiber-optic or wide area network is also within the spirit and scope of the present invention.

As shown in Figure 2, data is provided to the receiving device 120 via a first transmission path 222, where it is processed and provided to a display 220 via a second transmission path 220, which may include, for example, a coaxial cable, an HDMI cable, RCA cables, an Ethernet cable or other wireless means (e.g., WiFi, Bluetooth, etc.). It should be appreciated that the receiving device 120 is not limited to any particular type of receiving device, and includes all reception devices generally known to those skilled in the art (e.g., set-top boxes, satellite receivers, analog or digital cable boxes, etc.). It should also be appreciated that the first transmission path 222 is not limited to any particular type of transmission path, and includes all communication paths generally known to those skilled in the art (e.g., satellites, cables, fiber-optics, telephone lines, wide area networks, local area networks, wireless communication paths, etc.). It should further be appreciated that the display 220 is not limited to any particular type of display, and includes all display devices generally known to those skilled in the art (e.g., CRTs, LCDs, plasmas, projection devices, etc.). It should further be appreciated that the present invention is not limited a receiving device that is separate from a display. Thus, for example, a display that includes a receiving device is within the spirit and scope of the present invention.

In a preferred embodiment of the present invention, the receiving device 120 is configured to function as a DVR. In other words, the receiving device 120 is configured to perform both standard receiver functions (e.g., receiving data on a plurality of

channels, processing data on a channel selected by a user (e.g., via a remote control), and providing the processed data to a display) and standard DVR functions (e.g., allowing a user to record, pause, rewind, fast forward and play processed data). It should be appreciated, however, that the present invention is not limited to a receiving
5 device that incorporates a DVR, and that a receiving device that is in communication with an external (or remote) DVR (or other time-shifting device) is within the spirit and scope of the present invention.

The receiving device 120 may also be configured to add auxiliary data (e.g., advertisements, new tickers, "crawlers," etc.) to data that is being time-shifted, or data
10 that has been recorded and is being played back (hereafter referred to as "time-shifted data"). In other words, at the time the time-shifted data is being played (e.g., in response to a request to play the time-shifted data, in response to the time-shifted data being played, in response to the time-shifted data being accessed from memory, etc.), the receiver is configured to acquire auxiliary data, and (at that time or a time thereafter)
15 insert the auxiliary data into the time-shifted data, so that both the time-shifted data (or a portion thereof) and the auxiliary data (or a portion thereof) are displayed to the user on the display 220. By acquiring auxiliary data at (or around) the time the time-shifted data is being played, it is more likely that the auxiliary data has value to the user, thereby increasing the value of the time-shifted data to the content owner, the content provider
20 and advertisers.

It should be appreciated that the term "time-shifted data," as used herein is not limited to data that is recorded and watched hours or days later. For example, most DVRs include a buffer, which buffers data that is being viewed in real-time. The buffer is used so that live data can be paused for a predetermined period of time (determined by
25 the size of the buffer). However, pausing a program and then pressing "play," results in a program that is time-shifted, if only by a couple of seconds. Thus, depending on how the receiving device is programmed, it can treat all time-shifted data as "time-shifted data," or it can treat data that is shifted by a predetermined period of time (e.g., an hour, a day, a week, etc.) as "time-shifted data." It should also be appreciated that while

“auxiliary data” is preferably current video data (e.g., “crawlers,” news tickers, etc.) the present invention is not so limited. Thus, for example, inserting an auxiliary still image over time-shifted data (e.g., an advertiser’s or content provider’s logo (solid or semi-transparent), etc.), or playing auxiliary audio along with audio included in the time-shifted data is within the spirit and scope of the present invention.

It should further be appreciated that in different embodiments of the present invention, auxiliary data is displayed during either (a) the entire time the time-shifted data is displayed, or (b) a portion of the time the time-shifted data is displayed. For example, auxiliary data may be displayed shortly after the time-shifted data is displayed (e.g., giving the receiving device time to receive, process and/or store the auxiliary data). By way of another example, auxiliary data (e.g., a first set of auxiliary data) may be displayed while a first portion of the time-shifted data is displayed. Furthermore, a second set of auxiliary data may be displayed while a second portion of the time-shifted data is displayed, a third set of auxiliary data may be displayed while a third portion of the time-shifted data is displayed, etc. Alternatively, the first set of auxiliary data may be repeated (e.g., displayed while a third portion of the time-shifted data is displayed, etc.). It should further be appreciated that the auxiliary data can either be received in real-time (*i.e.*, at or immediately before it is displayed), or received and stored, allowing it to be displayed at a later time (e.g., a minute later, a hour later, a day later, etc.).

Figure 3 illustrates one way in which time-shifted data (or a portion thereof) and auxiliary data (or a portion thereof) can be displayed on the display 220. Specifically, the time-shifted data (e.g., a sporting event, a news program, a sitcom, a movie, etc.) may be displayed in a main portion 322 of the display 220, and the auxiliary data (e.g., an advertisement, a new ticker, a “crawler,” etc.) may be displayed in an auxiliary portion 324 of the display. For example, in the case of a sitcom, the sitcom may be shown in the main portion 322, and auxiliary information, such as information on upcoming programs, late-breaking news, the content owner, the content provider or an advertiser, may be shown in the secondary portion 324. By way of another example, in the case of a sporting event, the sporting event may be shown in the main portion 322,

and auxiliary information, such as information on other sporting events (e.g., scores, game updates, etc.) and an advertiser (or sponsor) of this information, may be shown in the secondary portion 324.

Figure 4 illustrates another way in which time-shifted data (or a portion thereof) and auxiliary data (or a portion thereof) can be displayed on the display 220. Specifically, the time-shifted data may be displayed in a main portion 422 of the display 220, and auxiliary data may be displayed in an auxiliary portion 424 of the display 220. It should be appreciated that the present invention is not limited to displaying time-shifted data and auxiliary data as shown in Figures 3 and 4. Thus, for example, a method that displays auxiliary data on multiple portions of a display (regardless of each portion's size, location, etc.) is within the spirit and scope of the present invention. Further, as discussed below, a method that displays auxiliary data on the entire display is also within the spirit and scope of the present invention.

It should be appreciated that auxiliary data can be displayed inside the time-shifted data (e.g., similar to picture-in-picture, or PIP) or outside the time-shifted data (e.g., similar to picture-out-of-picture, or POP). In the case of the prior, the time-shifted data may be sized to fill the entire display, and the auxiliary data may be sized to fill only a portion of the display and either (a) blocks out time-shifted data in the auxiliary portion (e.g., similar to PIP, where you can only see the auxiliary data, and you cannot see the underlying time-shifted data), or (b) is semi-transparent, and does not block out all time-shifted data in the auxiliary portion (e.g., allows some of the underlying time-shifted data to be seen). In the case of the latter, the time-shifted data may be sized to fill a first portion of the display, and the auxiliary data may be sized to fill a second portion of the display. In one embodiment of the present invention, the time-shifted data and the auxiliary data can be combined to fill the entire display. For example, the time-shifted data may be sized for a 16:7 display, and the auxiliary data may be sized for a 16:2 display, thereby allowing the combined data to be sized for a 16:9 display. It should be appreciated, however, that it may be more convenient for time-shifted data to be sized for a 16:9 display, so that it can be easily displayed for those who are not time-shifting.

For those who are time-shifting, auxiliary data can be added as a PIP, or the time-shifted data can be reformatted so that the auxiliary data can be added as a POP.

In another embodiment of the present invention, the time-shifted data is broken down into a plurality of segments, and auxiliary data is added between the individual segments. For example, as shown in Figure 5, time-shifted data 500, which may be a sitcom, is broken down into three segments 510, 520 and 530. The receiving device may be configured to store the segments separately, and play the first segment in response to a user (*e.g.*, via a remote control) transmitting a command to play the time-shifted data. The receiving device may also be configured to receive auxiliary data when the first segment is played (*e.g.*, in response to receiving the command to play the time-shifted data, in response to the first segment being played, in response to the first segment being accessed from memory, etc.), and to play the auxiliary data (*e.g.*, a commercial, etc.) when the first segment is over. The receiving device would then play the second segment, followed by a second set of auxiliary data, followed by the third segment, etc.

By receiving the auxiliary data when (or shortly after) the time-shifted data has been played, advertisements that are played between segments can be tailored to the date and/or time the time-shifted data is played. As discussed further below, the advertisements can also be tailored to the user (*e.g.*, using data kept by the content provider, data gathered by the receiving device, etc.). It should be appreciated that while it may be advantageous to receive auxiliary data as soon as time-shifted data is played (*e.g.*, so that the data can be buffered and ready to be played), such a feature is not a limitation of the present invention. Thus, for example, receiving auxiliary data before the time-shifted data is played, or after portions of the time-shifted data are played, is within the spirit and scope of the present invention. By way of example only, the receiving device may be configured to receive auxiliary data in real-time, or when it is to be played (*e.g.*, when the first segment is over, etc.).

In another embodiment of the present invention, the time-shifted data includes data on when commercials should be played. For example, as shown in Figure 6, time-

shifted data 600 may be stored as a single program that includes three segments 610, 620 and 630 and two commercial breaks 640, 650. In this embodiment, the time-shifted data comprises a plurality of data packets that includes (in part) information on the two commercial breaks 640, 650. This information may include, for example, when the commercial break begins, when the commercial break ends, the duration of the commercial break, etc. By doing this, the program can be aired (or broadcasted) with commercials, so that it can be watched (in its original form) by those who do not time-shift, and different commercial can be added to the program if the program is time-shifted. It should be appreciated that if the receiving device knows when commercials are to be played, or can differentiate between program data (or segments) and auxiliary data (or commercial breaks), then the receiving device could be configured to disable at least the fast forwarding feature of the DVR while commercials are being played. This would allow a user to time-shift data without being able to skip commercials. It should be appreciated that this embodiment of the present invention is not limited to time-shifted data that includes commercial breaks. For example, time-shifted data that includes at least one other break (e.g., an end (or remainder) of program data, updated information on program data, a sequel to program data, etc.).

Figure 7 illustrates a system for adding auxiliary data to time-shifted data in accordance with one embodiment of the present invention. Specifically, the system 70 includes a controller 710 in communication with a remote control 770 (e.g., as operated by a user of the system), a processor 740 and a plurality of tuners 722, 724, wherein the tuners 722, 744 are configured to receive data on a plurality of channels from antenna 780, and to access data on a particular channel (or a particular frequency), as selected by either the controller 710 or the processor 740. For example, a user (via the remote control 770 and the controller 710) may select a particular channel to watch or record. By way of another example, the processor 740 may select a particular channel if it needs to acquire auxiliary data or program data that needs to be recorded (discussed in greater detail below).

Data received by the tuners 722, 724 is then provided to the decoders 732, 734, respectively, where the data is processed (e.g., amplified, decoded, de-packetized, etc.) and provided to the processor 740. The processed data can then either be displayed on the display 750 or stored in memory 760, so that it can be displayed at a future time.

5 It should be appreciated that the present invention is not limited to the system shown in Figure 7. First of all, Figure 7 does not show every component included in a receiver/DVR. Those skilled in the art will understand that Figure 7 shows key components, and that other (common) components are not shown for the sake of simplicity. For example, a receiver/DVR that further includes video amplifiers, audio
10 amplifiers, analog-to-digital converters, multiplexors, additional processors (e.g., video processor, audio processor, PIP processor, etc.), fewer processors (e.g., combining the controller 710 and the processor 740, etc.), additional/fewer tuners, and additional/fewer memory devices is within the spirit and scope of the present invention.

It should also be appreciated that the memory shown in Figure 7 is not limited to
15 any particular type of memory, and all memory devices general known to those skilled in the art (e.g., hard drives, disk drives, RAM, ROM, etc.) are within the spirit and scope of the present invention. Further, the memory 760 may exist as a single memory, or as multiple memories locally and/or remotely located. For example, a first memory may be located inside the processor 740, a second memory may be external to the
20 receiver/DVR, etc. It should further be appreciated that while Figure 7 illustrates that data is received via antenna 780, the present invention is no so limited. As discussed above with respect to Figure 1, data can be provided over any uni-directional or bi-directional data path, including, but not limited to satellites, cables, fiber-optics, telephone lines, wide area networks, local area networks and/or wireless data paths.

25 By way of example only, a user (via the remote control 770) may decide to record a sitcom that starts at 8:00 on channel 247 on Monday evening. The request would be provided to the processor 740 via the controller 710. At 8:00 on Monday evening, the processor 740 would set the tuner 722 to channel 247. The sitcom would then be retrieved, processed and stored in memory 760. A week later, the user (via the remote

control 770) may decide to watch the sitcom, or time-shifted data. The request would be provided to the processor 740 via the controller 710. The processor 740 would then stream the time-shifted data to the display 750, so that it could be watched by the user. In the response to the request, the processor 740 would also acquire auxiliary data.

- 5 The auxiliary data could be acquired from either the memory 760 (if previously received) or from the content owner or content provider (e.g., via antenna 780 or the like (e.g., satellite, cable, etc.)).

In one embodiment of the present invention, the processor 740 uses information included in the time-shifted data and/or linked to the time-shifted data (e.g., in memory) to acquire the auxiliary data. For example, the time-shifted data (or data linked thereto) may identify the channel that carried the time-shifted data. The processor 740 could then set the tuner 722 to this channel (e.g., 247) to receive the auxiliary data. In this embodiment, channel 247 is used to not only broadcast program data (e.g., sitcoms, sports, movies, etc.), but also to broadcast auxiliary data. However, if there is not enough bandwidth on channel 247 to broadcast both program and auxiliary data, then a different channel (e.g., channel 1247) could be used to broadcast auxiliary data for channel 247. The different channel could either be identified in the time-shifted data or in a look-up table, linking channel 247 to channel 1247. The look-up table, which could also link a program ID number or a time slot to a particular channel, could be stored in RAM or ROM in processor 740, or in memory 760.

Because auxiliary data may require less bandwidth, different types of auxiliary data could be carried on the same channel. For example, channel 1247 could carry auxiliary data for channel 247 and channel 248, auxiliary data for first program data and for second program data, auxiliary data for a first segment and for a second segment, etc., wherein each type of auxiliary data includes data that identify the channel, program or segment for which it pertains. For example, if the auxiliary data is provided in a plurality of packets, channel data (or data that could be used to determine channel data) (e.g., via a look-up table) could be include in at least one packet (e.g., in a packet's header, payload, etc.).

It should be appreciated that the processor 740 may be configured to set the secondary tuner 724 to the channel that includes the auxiliary data. This is done so that the primary tuner 722, which may be in use by the user (*e.g.*, to buffer live television, to record another program, etc.), is left unchanged. In fact, in a preferred embodiment, the system would include a dedicated tuner that is not accessible to the user and used solely (or at least primarily) to acquire auxiliary data. It should also be appreciated that the processor may further be configured to add auxiliary data to program data, regardless of whether the program data is time-shifted. In other words, if program data is being viewed in real-time (*i.e.*, not time-shifted), then the processor could be used to add auxiliary data (retrieved in real-time) to the program data (retrieved in real-time). Such an embodiment could be used to display, for example, a sitcom and a news ticker, both of which are broadcasted at substantially the same time. Such an embodiment could also be used to display, for example, first and second program data, both of which are broadcasted at substantially the same time, and can be displayed together to create (together with proper glasses) a 3D affect. If, however, the program data is time-shifted, then the processor could be used to add auxiliary data (retrieved in response to playing the previously recorded program data) to the program data (previously recorded).

The foregoing embodiment is well suited for a uni-directional network, such as satellite. However, in a bi-directional network, such as cable, fiber-optics, wide area network, local area network, or satellite with a return system (*e.g.*, phone line, satellite transmitter, etc.), the auxiliary data could be requested from a content provider or a content owner. For example, the time-shifted data could include self-identifying information (*e.g.*, ID number), which could be provided (*e.g.*, together with date and/or time) to the content provider or content owner, requesting the auxiliary data. This would allow the auxiliary data (which could be provided in a response to the request, over a channel identified in a response to the request, over a channel identified in a look-up table, etc.) to be tailored to not only the time and/or date of playback of the time-shifted data, but to the time-shifted data itself. For example, auxiliary data for a soap opera may be different than auxiliary data for a sporting event, even if both are being played

back at the same time. In such a system, additional data could also be used to tailor the auxiliary data to the user. For example, the content provider may have demographic data on the user, and the processor 740 may have information on his/her viewing habits (e.g., programs that have been recorded, programs that have been
5 viewed, etc.). This information, together with the type of time-shifted data, and the time and/or day it is being played, could be used to tailor auxiliary data specifically for the user.

Regardless of the particular method used to acquire auxiliary data (e.g., acquiring it from the same channel that carried the program data, acquiring it from a
10 different channel, sending a request for auxiliary data, etc.), a program may be stored on the receiver (e.g., in memory in the processor 740, in the memory 760, etc.) to perform the functions of acquiring and displaying auxiliary data without any intervention from the user. For example, in response to the user pressing the "play" button on the remote control 770, the processor 740 would not only function to play the time-shifted
15 data, but also to automatically acquire auxiliary data (which may require changing the channel of the primary tuner 722, changing the channel of the secondary tuner 724, sending a request to the content provider, etc.) and to automatically display (at an appropriate time) the auxiliary data on the display 750. Preferably, this should be done without any user intervention, so that the process is seamless to the user. That being
20 said, a user may be able to program the receiver/DVR (e.g., during set-up) to enable/disable the receiving and/or displaying of auxiliary data (or a portion thereof). For example, a user who is recording a first sporting event and watching a second sporting event, either in real-time or time-shifted, may not want to receive updates (e.g., in the form of a news ticker) on the first sporting event. Thus, a user may be able to
25 program the processor 740 to display only program data, and not auxiliary data, or filter the auxiliary data so that only certain information is displayed, or certain information is not displayed.

In one embodiment of the present invention, the processor 740 is configured to display auxiliary data only when the time-shifted data is being played, and not when the

time-shifted data is in rewind or fast forward. In other words, if the user enters a command (via the remote control 770) to rewind the time-shifted data, so that the time-shifted data is shown on the display 750 going backwards, or enters a command to fast forward the time-shifted data, so that the time-shifted data is shown on the display 750 going forwards, the auxiliary data is not displayed during these times. It is only displayed when the time-shifted data is being played, in a forward direction, and at a normal (or original) speed.

In another embodiment of the present invention, the processor 740 is further configured to display auxiliary data when the time-shifted data is in rewind. In other words, if the user enters a command to rewind the time-shifted data, so that the time-shifted data is shown on the display 750 going backwards, the processor 740 displays the auxiliary data during this time. In accordance with this embodiment, the processor 740 may be configured to buffer the time-shifted data and the auxiliary data (together) so that the rewind command can be used to play both the time-shifted data and the auxiliary data (together) in reverse. For example, if the time-shifted data is a sitcom, and the auxiliary data is a transparent logo for Pepsi™, and the user enters a command to play the sitcom, then the processor 740 may be configured to display (or play) the sitcom on the display 750 along with the Pepsi™ logo. The processor 740 may then buffer (or store) (e.g., in memory 760) the played portions of the sitcom with the Pepsi™ logo, allowing the processor 740 to play (from the buffer) the sitcom in reverse together with the Pepsi™ logo if the user enters a rewind command. This would also allow the processor 740 to pause the data (together), and then play the data (together). Preferably, the buffered data should be stored separate from the time-shifted data, so that the time-shifted data (or a portion thereof) can be played at a later time with different auxiliary data.

In another embodiment of the present invention, the processor 740 is further configured to display auxiliary data when the time-shifted data is in fast forward. In other words, if the user enters a command to fast forward the time-shifted data, so that the time-shifted data is shown on the display 750 going forward, the processor 740

displays the auxiliary data during this time. It should be appreciated that in order to do this, the auxiliary data needs to be received, or stored, prior to (or immediately after) the time-shifted data is played. For example, in the prior instance of a sitcom and a Pepsi™ logo, because the logo does not change during playback, the processor 740
5 can add the logo to the time-shifted data regardless of whether the data is being played in reverse, or fast forward. By way of another example, if the auxiliary data is received before the time-shifted data is played, then the processor 740, in response to a fast forward command, could display the time-shifted data going forward together with the auxiliary data going forward. In other words, both sets of data could be displayed
10 (together) while they are being fast forwarded. In this example, the processor 740 could be configured to receive and store auxiliary data for the time-shifted data stored in the memory 760 (e.g., once a week, once a day, once an hour, etc.) in anticipation that the time-shifted data may be played. By way of another example, the processor could be configured to download auxiliary data (e.g., as a chunk of data) at the time the time-
15 shifted data is being played. The downloaded data can then be processed (e.g., unzipped, decompressed, etc.) and played together with the time-shifted data (or a portion thereof).

It should be appreciated that in one embodiment of the present invention, the memory 760, or a portion thereof, may be remotely located from the processor 740
20 (e.g., at the content provider, etc.). In such a system, program data could be stored remotely from the processor 740, and requested by the user (e.g., like an on-demand video system). As with other embodiments of the present invention, the program data (as stored) could be accessed by the processor 740 and played on the display 750. During play, the processor 740 could also be configured to access auxiliary data, and
25 display the auxiliary data together with the program data on the display 750.

Figure 8 illustrates a method of adding auxiliary data to time-shifted data. Specifically, the method, which starts at step 810, involves recording program data at step 820. When the program data is played at step 830, auxiliary data is retrieved at step 840. This can be, for example, in response to a request to play the program data,

in response to accessing program data from memory, in response to playing program data, etc. At step 850, both auxiliary data and program data are played at the same time on the display (e.g., as PIP, POP, etc.). In an alternate embodiment, the program data is split into a plurality of segments, and auxiliary data is played between segments.

- 5 The playing of both program data and auxiliary data (either consecutively or concurrently) continues until the program data is over, ending the method at step 860.

Having thus described multiple embodiments of a system and method for inserting auxiliary data into time-shifted data, it should be apparent to those skilled in the art that certain advantages of the system have been achieved. It should also be
10 appreciated that various modifications, adaptations, and alternative embodiments thereof may be made within the scope and spirit of the present invention. For example, in certain embodiments of the invention, it is described that a processor is used to display both auxiliary and time-shifted data. It should be appreciated that the processor may also (or instead) initiate the display of auxiliary and/or time-shifted data by
15 controlling (or providing data to) another device (e.g., a multiplexor, a mixer, an adder, a multiplier, another processor (e.g., PIP processor, video processor, etc.), video memory, etc.). The invention is further defined by the following claims.

20

CLAIMS

What is claimed is:

1. A digital video recorder (DVR) for time shifting at least one video program, said video program being transmitted over a data distribution system, comprising:

5 a tuner for receiving a plurality of video programs, wherein (i) said plurality of video programs are transmitted at the same time on a single channel within said data distribution system, (ii) said tuner can be tuned to said single channel to receive said plurality of video programs, and (iii) at least one of said plurality of video programs includes at least first, second and third portions, wherein said
10 second portion as transmitted is configured to follow said first portion, and said third portion as transmitted is configured to follow said second portion;

a memory device for storing said plurality of video programs, allowing said one of said plurality of video programs to be played back at a later time;

a controller configured to receive commands from a user of said DVR, wherein a first command changes said DVR from a first playback state to a
15 second playback state, a second command initiates playback of said one of said plurality of video programs from said memory device, and a third command instructs said DVR to receive and store said plurality of video programs; and

at least one processor configured to (i) provide said one of said plurality of video programs in its entirety to a display device in response to receiving said
20 second command during a first period of time, (ii) provide said one of said plurality of video programs in its entirety to said display device in response to receiving said second command during a second period of time if said DVR is in said first playback state, and (iii) provide only a portion of said one of said plurality of video programs to said display device in response to receiving said
25 second command during said second period of time if said DVR is in said second playback state, said portion of said one of said plurality of video programs including at least said first and third portions of said one of said plurality of video programs, wherein said third portion is provided to said display device

immediately following said first portion if said second command is received during said second period of time and said DVR is in said second playback state; wherein said second period of time is a period of time after said first period of time.

5

2. The DVR of Claim 1, further comprising a wireless transmitter in communication with said at least one processor and said memory device, said wireless transmitter being configured to transmit said one of said plurality of video programs in its entirety or said portion of said one of said plurality of programs at least indirectly to said display device, said display device being remotely located from said DVR.

10

3. The DVR of Claim 1, further comprising at least one other tuner, wherein said at least one other tuner allows said DVR to receive at least one other video program while said tuner is being used to receive said plurality of video programs, said at least one other video program being selected by said user.

15

4. The DVR of Claim 1, wherein said one of said plurality of video programs includes at least primary and secondary video content, and said first and third portions of said one of said plurality of video programs consists of said primary video content.

20

5. The DVR of Claim 4, wherein said second portion of said one of said plurality of video programs consists of said secondary video content and said memory device is further configured to store at least one time when said second portion begins and at least one time when said second portion ends.

25

6. The DVR of Claim 1, wherein said first period of time is a period of time that begins when said one of said plurality of video programs is stored on said memory device and available to be viewed and ends within a predetermined time thereafter, said predetermined time being less than one week.

7. The DVR of Claim 1, wherein said single channel is stored in said memory and said at least one processor is configured to tune said tuner to said single channel in response to said controller receiving said third command.

5 8. The DVR of Claim 1, wherein data communicated via said single channel is compressed prior to transmission and said at least one processor is configured to decompress said data after its have been received so that said one of said plurality of video programs or said portion of said one of said plurality of video programs can be displayed, depending on when said second command is received and said playback
10 state of said DVR.

9. The DVR of Claim 5, wherein said secondary video content comprises at least one advertisement.

15 10. The DVR of Claim 1, wherein said at least one processor is further configured to (i) retrieve said portion of said one of said plurality of video programs from said memory if said second command is received during said second period of time and said DVR is in said second playback state, and (ii) retrieve said one of said plurality of video programs in its entirety from said memory device if another second command is
20 received at a time thereafter and said DVR is switched to said first playback state at or before said time thereafter.

25

11. A method for time shifting at least one video program transmitted to a digital video recorder (DVR) over a data distribution system, comprising:

5 receiving a plurality of video programs, wherein said plurality of video programs are transmitted as the same time and are received by a single tuner in said DVR, and at least one of said plurality of video programs includes at least first, second and third portions, wherein said second portion as transmitted is configured to follow said first portion, and said third portion as transmitted is configured to follow said second portion;

10 receiving a third command from at least one user of said DVR, said third command indicating a desire to use said single tuner to receive said plurality of video programs and to store said plurality of video programs on at least one memory device in said DVR;

15 storing said plurality of video programs on said at least one memory device in said DVR in response to receiving said third command from said at least one user of said DVR;

receiving a second command from said at least one user of said DVR, said second command indicating a desire to playback at least a portion of said one of said plurality of video programs;

20 receiving a first command from said at least one user of said DVR, said first command indicating a playback state of said DVR; and

providing said at least a portion of said one of said plurality of video programs to a display device in response to receiving said second command from said at least one user of said DVR;

25 wherein said step of providing said at least a portion of said one of said plurality of video programs to said display device further comprises (i) providing said one of said plurality of video programs to said display device in response to receiving said second command during a first period of time, (ii) providing said one of said plurality of video programs to said display device in response to receiving said second command during said second period of time if said DVR is

in said first playback state, and (iii) providing only a portion of said one of said plurality of video programs to said display device in response to receiving said second command during said second period of time if said DVR is in said second playback state, said portion of said one of said plurality of video programs including at least said first and third portions of said video program, wherein said third portion is provided to said display device immediately following said first portion if said second command is received during said second period of time and said DVR is in said second playback state;

wherein said second period of time is a period of time after said first period of time.

12. The method of Claim 11, wherein said step of providing said at least a portion of said one of said plurality of video programs to a display device further comprises transmitting said at least a portion of said one of said plurality of video programs to said display device via a transmission path that includes at least one wireless connection, said display device being remotely located from said DVR.

13. The method of Claim 11, wherein said step of storing said plurality of video programs on said at least one memory device in said DVR further comprises storing at least one time of when said second portion of said video program begins and at least one time of when said second portion of said video program ends.

14. The method of Claim 11, wherein said one of said plurality of video programs includes at least primary and secondary video content, said portion of said video program that is provided to said display device if said second command is received during said second period of time and said DVR is in said second playback state consists of said primary video content, and said secondary video content includes at least one advertisement.

15. The method of Claim 11, further comprising the steps of:
compressing said plurality of video programs prior to said plurality of video
programs being transmitted over said data distribution system, and
decompressing said plurality of video programs after said plurality of video
5 programs have been received by said DVRr and before said one of said plurality
of video programs or portion thereof is provided to said display device.

16. The method of Claim 11, further comprising the step of tuning said single
tuner to a particular channel at a particular time in response to receiving said third
10 command, said particular channel and said particular time being stored in said at least
one memory device in said DVR.

17. The method of Claim 16, further comprising the step of receiving a fourth
command from said at least one user of said DVR, said fourth command indicating a
15 desire to record a second video program, which is accomplished using another tuner if
said second video program is being transmitted to said DVR while said plurality of video
programs are being transmitted to said DVR.

20

25

18. A digital video recorder (DVR) for time shifting at least one of a plurality of video programs, said one of said plurality of video programs consisting of first, second and third portions, wherein said second portion as transmitted is configured to follow said first portion, and said third portion as transmitted is configured to follow said second portion, comprising:

a first tuner for receiving data on said plurality of video programs, wherein said data on one of said plurality of video programs is transmitted together with said data on other ones of said plurality of video programs, so that said first tuner receives said data on said one of said plurality of video programs at the same time that it receives data on said other ones of said plurality of video programs;

at least one memory device for storing said data on said plurality of video programs, including at least said one of said plurality of video programs;

a controller for receiving commands including at least a first command for setting a playback state of said DVR, a second command for initiating a playback of said one of said plurality of video programs from said memory device, and a third command for initiating said reception and said storage of said data on said plurality of video programs; and

at least one processor for (i) providing said first, second and third portions of said one of said plurality of video programs respectively to a display device in response to receiving said second command during a first portion of time, (ii) providing said first, second and third portions of said one of said plurality of video programs respectively to said display device in response to receiving said second command during a second period of time if said DVR is in a first playback state, and (iii) providing said first and third portions of said one of said plurality of video programs respectively to said display device in response to receiving said second command during said second period of time if said DVR is in a second playback state, wherein said third portion is provided to said display device immediately following said first portion if said second command is received during said second period of time and said DVR is in said second playback state.

19. The system of Claim 18, wherein said third command further results in said first tuner being tuned to a particular frequency to receive said data on said plurality of video programs, said particular frequency being provided by a content provider and stored on said DVR.

5

20. The system of Claim 18, wherein said second portion comprises at least one commercial and said data on said plurality of video programs is packetized, with individual packets being linked at least indirectly to individual ones of said plurality of video programs and to individual channels associated with content owners thereof.

10

ABSTRACT

A system and method is provided for time shifting a video program. In one embodiment of the present invention, a receiver, which may be configured to function as both a receiver and a DVR, is configured to receive a video program having both
5 primary and secondary portions. The receiving device is further configured to play both portions of the video program if the program is being watched (a) during a first period of time or (b) during a second period of time and a user desires to watch both portions, and to play only the primary portions if the program is being watched during the second period of time and the user desires to watch only the primary portions. By doing this,
10 the user can avoid the secondary portions when those portions have a diminished value to the user, the content owner, the content provider and/or advertisers.

1/4

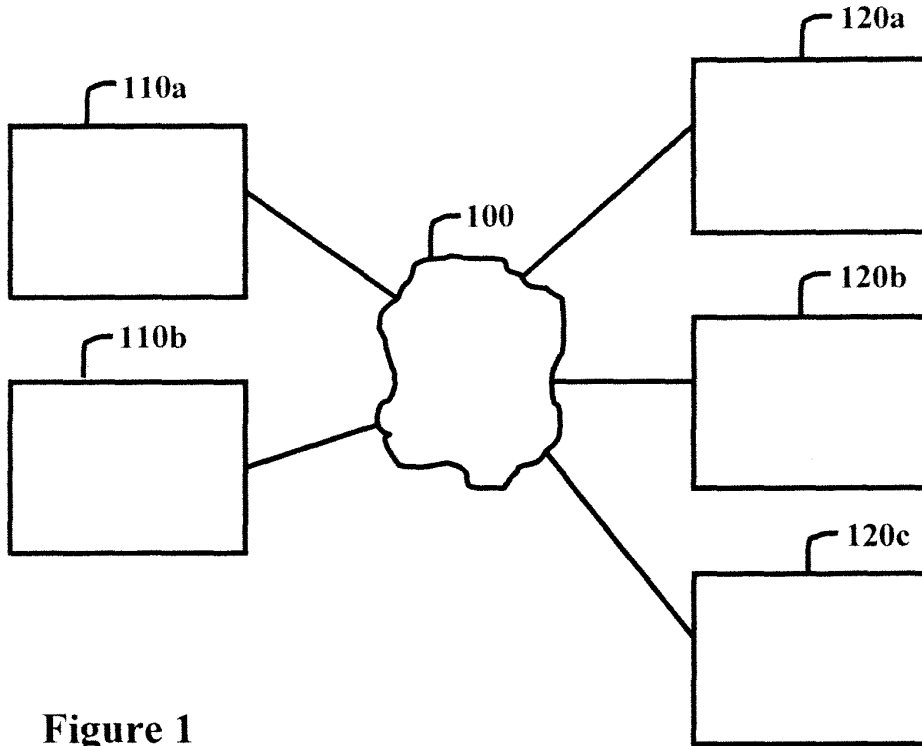


Figure 1

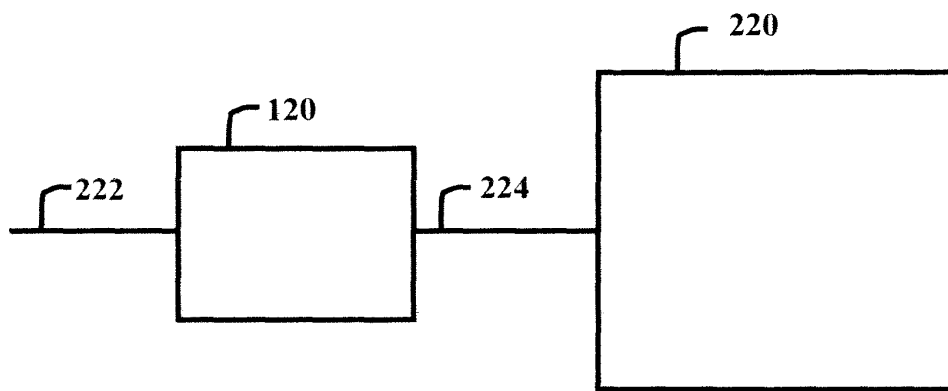


Figure 2

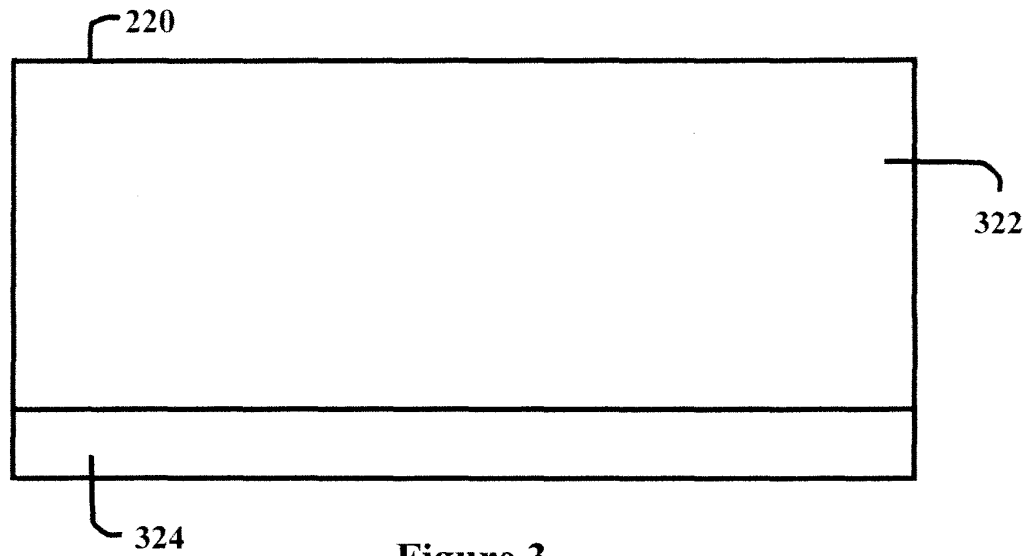


Figure 3

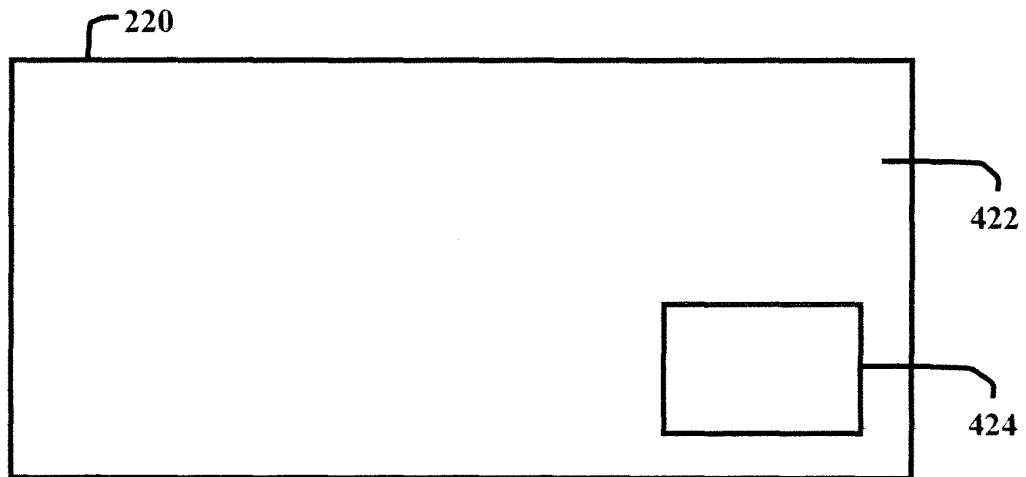


Figure 4

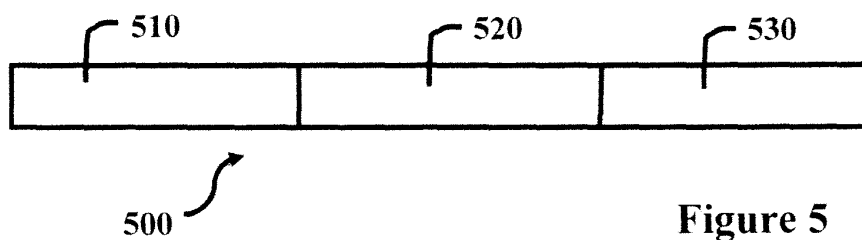


Figure 5

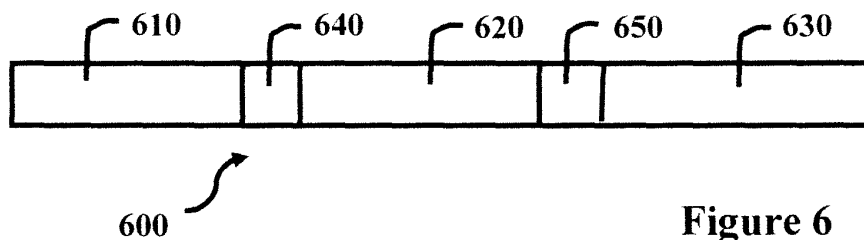


Figure 6

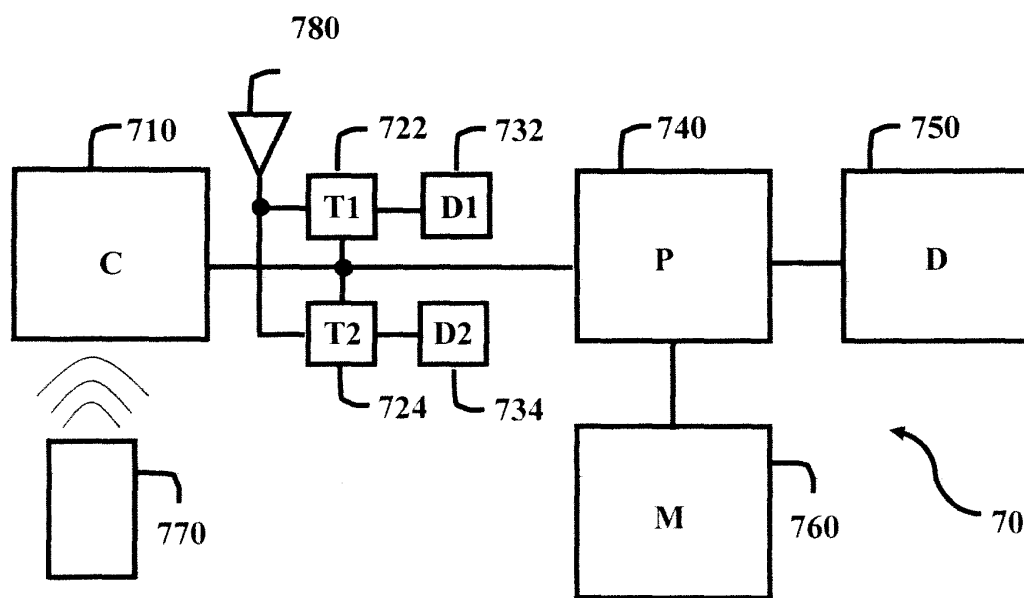
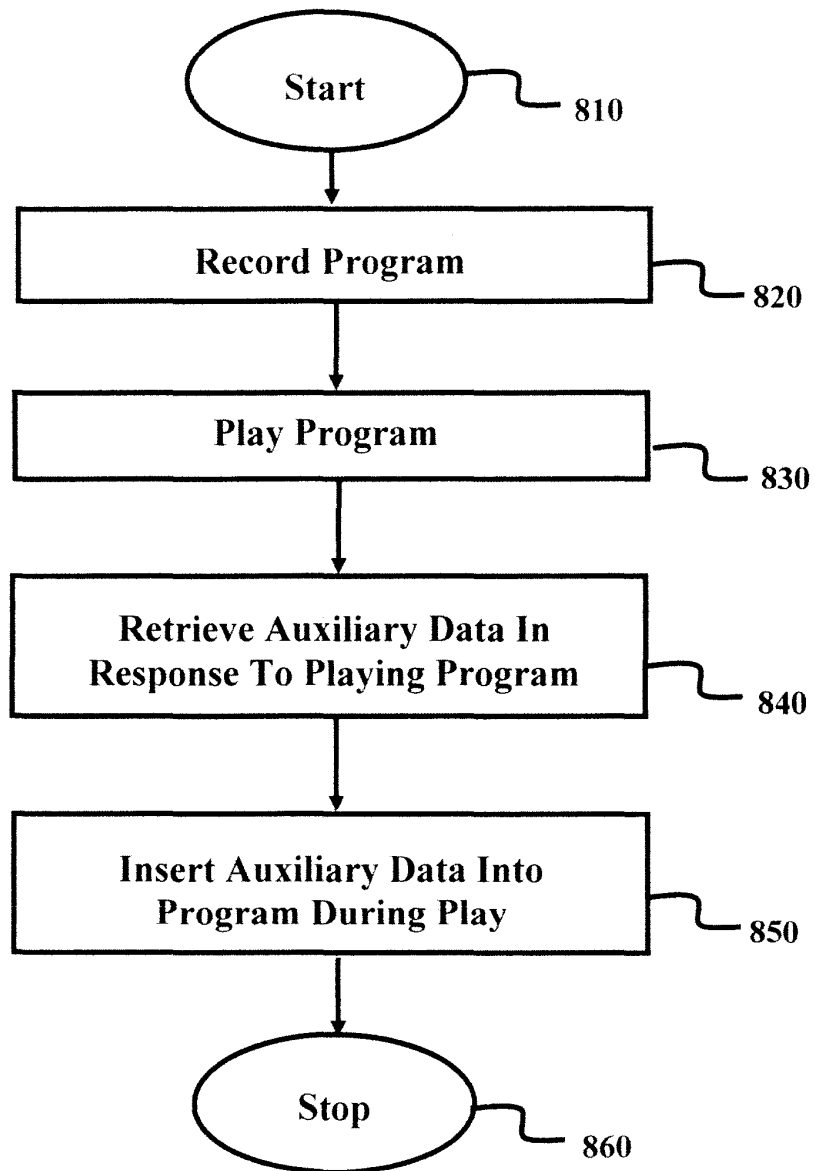


Figure 7

**Figure 8**

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		System And Method For Time Shifting At Least A Portion Of A Program		
First Named Inventor/Applicant Name:		Todd Fitzsimmons		
Filer:		Todd E. Fitzsimmons		
Attorney Docket Number:		270560-999/2		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				730

Electronic Acknowledgement Receipt

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Application Number:	14543753
International Application Number:	
Confirmation Number:	3514
Title of Invention:	System And Method For Time Shifting At Least A Portion Of A Program
First Named Inventor/Applicant Name:	Todd Fitzsimmons
Customer Number:	125600
Filer:	Todd E. Fitzsimmons
Filer Authorized By:	
Attorney Docket Number:	270560-999/2
Receipt Date:	17-NOV-2014
Filing Date:	
Time Stamp:	19:52:55
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Payment Type	Deposit Account
Payment was successfully received in RAM	\$730
RAM confirmation Number	6573
Deposit Account	506455
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File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	Application_Data_Sheet_Filed.pdf	323029 ce46cda94b269193e1141877c5cab309b67c98d7	no	6
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2	Oath or Declaration filed	Declaration_Filed.pdf	68484 28e388353b999789947af4e5af037c2aa2d3d424	no	1
Warnings:					
Information:					
3	Transmittal of New Application	Transmittal_Filed.pdf	69731 66ceb34386c2ba82aaf2d7dd0a33d200bf74bc55	no	1
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4		Application_Filed.pdf	1368830 17ab8be3ceecd90529d6c49d7ab4a005339668f6	yes	31
	Multipart Description/PDF files in .zip description				
	Document Description	Start	End		
	Specification	1	18		
	Claims	19	26		
	Abstract	27	27		
	Drawings-only black and white line drawings	28	31		
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	32303 ffab516d24655781b8bd375b1c650e7b5e59ada3	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1862377		

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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.

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

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

Inventor 1					Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
Mr.	Todd		Fitzsimmons		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Gardena	State/Province	CA	Country of Residence	US
Mailing Address of Inventor:					
Address 1	14739 S. Vermont Ave.				
Address 2					
City	Gardena	State/Province	CA		
Postal Code	90247	Country	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
☐ An Address is being provided for the correspondence information of this application.			
Customer Number	125600		
Email Address	todd@fitziplaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	System And Method For Time Shifting At Least A Portion Of A Program		
Attorney Docket Number	270560-999/2	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	4	Suggested Figure for Publication (if any)	6
Filing By Reference :			

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		

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

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

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

Publication Information:

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

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

Representative Information:

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

Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	125600		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the application number blank.

Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	13/279943	2011-10-24
Prior Application Status	Abandoned	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
13/279943	Claims benefit of provisional	61/408759	2010-11-01

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

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		

Foreign Priority Information:

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

			Remove
Application Number	Country ¹	Filing Date (YYYY-MM-DD)	Access Code ¹ (if applicable)

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

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

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

☒ NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

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

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		

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

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

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

Applicant Information:

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

Applicant 1

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

Clear

☐ Assignee

☐ Legal Representative under 35 U.S.C. 117

☐ Joint Inventor

☐ Person to whom the inventor is obligated to assign.

☐ Person who shows sufficient proprietary interest

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

Name of the Deceased or Legally Incapacitated Inventor :

If the Applicant is an Organization check here. ☐

Prefix	Given Name	Middle Name	Family Name	Suffix

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		

Mailing Address Information For Applicant:			
Address 1			
Address 2			
City		State/Province	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

Assignee Information including Non-Applicant Assignee Information:

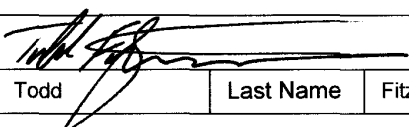
Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Assignee 1				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

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

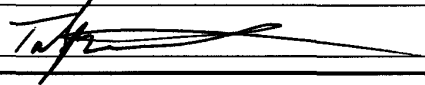
Application Data Sheet 37 CFR 1.76		Attorney Docket Number	270560-999/2
		Application Number	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program		

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.					
Signature				Date (YYYY-MM-DD)	2014-11-17
First Name	Todd	Last Name	Fitzsimmons	Registration Number	44683
Additional Signature may be generated within this form by selecting the Add button.					

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program
As the below named inventor, I hereby declare that: This declaration is directed to: ☒ The attached application, or ☐ United States application or PCT international application number _____ filed on _____. The above-identified application was made or authorized to be made by me. I believe that I am the original inventor or an original joint inventor of a claimed invention in the application. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.	
LEGAL NAME OF INVENTOR Inventor: <u>Todd Fitzsimmons</u> Date (Optional): <u>11/17/2014</u> Signature: <u></u>	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. 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 1 minute 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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 14/543,753	
APPLICATION AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20	minus 20 = *	x 40 =	0.00			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
			TOTAL	730		TOTAL	
* If the difference in column 1 is less than zero, enter "0" in column 2.							
APPLICATION AS AMENDED - PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)
	Total (37 CFR 1.16(i))	*	Minus **	x =			x =
	Independent (37 CFR 1.16(h))	*	Minus ***	x =			x =
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE			TOTAL ADD'L FEE
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)
	Total (37 CFR 1.16(i))	*	Minus **	x =			x =
	Independent (37 CFR 1.16(h))	*	Minus ***	x =			x =
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE			TOTAL ADD'L FEE
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.							



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www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/543,753	11/17/2014	2827	730	270560-999/2	20	3

CONFIRMATION NO. 3514

FILING RECEIPT



OC000000072140932*

125600
Fitzsimmons IP Law
14739 S. Vermont Ave.
Gardena, CA 90247

Date Mailed: 12/03/2014

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

Inventor(s)

Todd Fitzsimmons, Gardena, CA;

Applicant(s)

Todd Fitzsimmons, Gardena, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 13/279,943 10/24/2011
which claims benefit of 61/408,759 11/01/2010

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 12/02/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/543,753**

Projected Publication Date: 03/12/2015

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

System And Method For Time Shifting At Least A Portion Of A Program

Preliminary Class

365

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

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

NOT GRANTED

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

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



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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2

CONFIRMATION NO. 3514

PUBLICATION NOTICE



OC000000073920949

125600
Fitzsimmons IP Law
14739 S. Vermont Ave.
Gardena, CA 90247

Title:System And Method For Time Shifting At Least A Portion Of A Program

Publication No.US-2015-0071602-A1

Publication Date:03/12/2015

NOTICE OF PUBLICATION OF APPLICATION

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

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

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <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.

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514
125600	7590	08/17/2015	EXAMINER	
Fitzsimmons IP Law			TEKLE, DANIEL T	
14739 S. Vermont Ave.				
Gardena, CA 90247				
			ART UNIT	PAPER NUMBER
			2481	
			MAIL DATE	DELIVERY MODE
			08/17/2015	PAPER

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.

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P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
14/543,753	17 November, 2014	FITZSIMMONS, TODD	270560-999/2

Fitzsimmons IP Law 14739 S. Vermont Ave. Gardena, CA 90247		EXAMINER	
		KATISCHA R. WANZER	
		ART UNIT	PAPER
		OPIM	20150814

DATE MAILED:

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

Commissioner for Patents

Attached is a communication to applicant explaining that the instant application is being identified as a pre-AIA application despite applicant's statement under 37 CFR 1.55 or 1.78 made in the instant application, either on the Application Data Sheet (ADS) or in an otherwise filed paper.

**Application Identified as a Pre-AIA Application
Despite the 37 CFR 1.55 or 1.78 Statement of Record**

The statement under 37 CFR 1.55 or 1.78 (“the 1.55/1.78 statement”) and the domestic benefit/national stage information in this application conflict as to whether this application is to be examined under the AIA (First Inventor to File) or pre-AIA (First to Invent) law.

This application, with a filing date on or after March 16, 2013, contains the 1.55/1.78 statement indicating that this application should be examined under the AIA (First Inventor to File). This statement was either (1) on the Application Data Sheet (ADS) by virtue of the 1.55/1.78 statement for AIA (First Inventor to File) Transition Applications check box being selected or (2) in an otherwise filed paper. The 1.55/1.78 statement provided:

This application * * * contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

However, this application is separately identified in the Domestic Benefit/National Stage Information section of the ADS as a continuation (CON) or divisional (DIV) of an application filed before March 16, 2013, indicating that this application should be examined under pre-AIA (First to Invent) law because it does not contain, or did not contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. DUE TO THIS APPLICATION BEING IDENTIFIED AS A CONTINUATION OR DIVISIONAL OF AN APPLICATION FILED BEFORE MARCH 16, 2013, THIS APPLICATION IS BEING IDENTIFIED AS A PRE-AIA (FIRST TO INVENT) APPLICATION DESPITE THE 1.55/1.78 STATEMENT OF RECORD.

Accordingly, this application is/will be examined under pre-AIA (First to Invent) law; all forthcoming Office actions on the merits will be labeled “**AIA (First Inventor to File) Status: No**” (see upper right box on form PTOL-37/37D and/or PTOL-326/326AE).

Moreover, if applicant has received any Office action on the merits, which identified the instant application as “**AIA (First Inventor to File) Status: Yes**,” said Status information was in error and is hereby corrected to “**No**” to indicate that that the present application is a pre-AIA (First to Invent) application.

NO RESPONSE TO THIS COMMUNICATION IS REQUIRED UNLESS APPLICANT BELIEVES THAT THE APPLICATION CONTAINS, OR EVER CONTAINED A CLAIM TO A CLAIMED INVENTION HAVING AN EFFECTIVE FILING DATE ON OR AFTER MARCH 16, 2013 AND IS AN AIA (FIRST INVENTOR TO FILE) APPLICATION.

If applicant believes that the application is an AIA (First Inventor to File) application, applicant must file a corrected ADS (with appropriate markings as set forth in 37 CFR 1.76(c)(2)) identifying the instant application as a **continuation-in-part (CIP)** application in the Domestic Benefit/National Stage Information section of the ADS and request in writing that the application

be examined under the AIA (First Inventor to File) because the identification of the application as a CON/DIV application on filing was an error. IN THIS SITUATION, APPLICANT'S RESPONSE IS DUE WITHIN TWO MONTHS OF THE MAILING DATE OF THIS COMMUNICATION; THE RESPONSE PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136.

Questions regarding this communication may be directed to a TC AIA Specialist as appropriate.

Technology Center	TC AIA Specialist	Contact Information
1600, 1700, 2900	Kathleen Bragdon	(571) 272-0931
2100, 2400	Christopher Grant	(571) 272-7294
2600, 2800	Cassandra Spyrou	(571) 272-1624
3600, 3700	Tom Hughes	(571) 272-4357

Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed		PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	
Application Number	14543753	
Filing Date	17-Nov-2014	
First Named Inventor	Todd Fitzsimmons	
Attorney Docket Number	270560-999/2	
Title of Invention	System And Method For Time Shifting At Least A Portion Of A Program	
☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action ☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.		
Owner	Percent Interest	
Todd Fitzsimmons	100%	
The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s) 8929710 as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.		

☐ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
Applicant claims the following fee status:	
☒ Small Entity ☐ Micro Entity ☐ Regular Undiscounted	
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.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am:	
☐ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number _____	
☒ A sole inventor	
☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application	
☐ A joint inventor; all of whom are signing this request	
Signature	/Todd Fitzsimmons/
Name	Todd Fitzsimmons

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal

Application Number:	14543753			
Filing Date:	17-Nov-2014			
Title of Invention:	System And Method For Time Shifting At Least A Portion Of A Program			
First Named Inventor/Applicant Name:	Todd Fitzsimmons			
Filer:	Todd E. Fitzsimmons			
Attorney Docket Number:	270560-999/2			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Statutory or Terminal Disclaimer	2814	1	160	160
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				160

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 14543753

Filing Date: 17-Nov-2014

Applicant/Patent under Reexamination: Fitzsimmons et al.

Electronic Terminal Disclaimer filed on April 20, 2016

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

EFS ID:	25545807
Application Number:	14543753
International Application Number:	
Confirmation Number:	3514
Title of Invention:	System And Method For Time Shifting At Least A Portion Of A Program
First Named Inventor/Applicant Name:	Todd Fitzsimmons
Customer Number:	125600
Filer:	Todd E. Fitzsimmons
Filer Authorized By:	
Attorney Docket Number:	270560-999/2
Receipt Date:	20-APR-2016
Filing Date:	17-NOV-2014
Time Stamp:	14:40:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$160
RAM confirmation Number	1060
Deposit Account	506455
Authorized User	FITZSIMMONS, TODD
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	Electronic Terminal Disclaimer-Filed	eTerminal-Disclaimer.pdf	33241 f77c37ccf0bbca16f61c32cde08ef45754b07a7	no	2

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30102 5a051a3e3456321480c3ea46b79fcc22f07c8172	no	2
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Warnings:

Information:

Total Files Size (in bytes): 63343

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

125600 7590 05/16/2016
Fitzsimmons IP Law
14739 S. Vermont Ave.
Gardena, CA 90247

EXAMINER

TEKLE, DANIEL T

ART UNIT

PAPER NUMBER

2481

DATE MAILED: 05/16/2016

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

TITLE OF INVENTION: SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	08/16/2016

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

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

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

125600 7590 05/16/2016
Fitzsimmons IP Law
14739 S. Vermont Ave.
Gardena, CA 90247

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

Certificate of Mailing or Transmission

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

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

TITLE OF INVENTION: SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	08/16/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
TEKLE, DANIEL T	2481	386-230000

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

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
☐ 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.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

125600 7590 05/16/2016
Fitzsimmons IP Law
14739 S. Vermont Ave.
Gardena, CA 90247

EXAMINER

TEKLE, DANIEL T

ART UNIT	PAPER NUMBER
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2481

DATE MAILED: 05/16/2016

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

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

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

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

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 14/543,753	Applicant(s) FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to 11/17/2014, also see terminal disclaimer filed on 20 March 2016.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-20. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some *c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

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

/DANIEL TEKLE/
Examiner, Art Unit 2481

/WILLIAM C. VAUGHN JR/
Supervisory Patent Examiner, Art Unit 2481

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Reasons for allowance

The following is an examiner's statement of reasons for allowance: Independent claims 1, 11 and 18 present limitation as a whole that are allowable over the prior art, recites the uniquely distinct features for "(iii) provide only a portion of said one of said plurality of video program to said display device in response to receiving said second command during said second period of time if said DVR is in said second playback state, said portion of said one plurality of video program including at least said first and third portions of said one of said plurality of video program, wherein said third portion is provided to said display device immediately following said first portion if said second command is received during said second period of time and said DVR is in said second playback state; wherein said second period of time is a period of time after said first period of time" and all in combination with all limitations in the independent claims. The closest prior art of Gratton US 2009/0238536 disclose a method for replacing audio data within a recorded audio/video stream is presented. In the method, a first audio/video stream including audio data, video data, and supplemental data is stored. Location information is received which references the supplemental data to identify a location within the first audio/video stream. The location information is received in a data file separately from the first audio/video stream. Also received is an audio data segment. At least a portion of the audio data of the first audio/video stream is replaced at the identified location with the audio data segment to produce a second audio/video stream. At least a portion of the second audio/video stream is

then transferred for presentation.....---See Abstract, either singularly or in combination, fail to anticipate or render the above underlined limitation obvious.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

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."

Claims 1-20 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117.

The examiner can normally be reached on 8:00am to 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. 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.

/DANIEL TEKLE/

Examiner, Art Unit 2481

/WILLIAM C. VAUGHN JR/

Supervisory Patent Examiner, Art Unit 2481

Notice of References Cited	Application/Control No. 14/543,753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	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-2011/0221964 A1	09-2011	Harris; Scott C.	G06F3/04817	348/569
*	B	US-2009/0238536 A1	09-2009	Gratton; Max S.	G11B27/034	386/285
*	C	US-7,634,785 B2	12-2009	Smith; Geoffrey R	G11B27/036	725/102
	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.

Issue Classification 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	

CPC						
Symbol					Type	Version
H04N		5		775	F	2013-01-01
H04N		5		783	I	2013-01-01
H04N		21		4147	I	2013-01-01
G11B		27		105	I	2013-01-01
H04N		21		4263	I	2013-01-01
H04N		21		4316	I	2013-01-01
H04N		21		4325	I	2013-01-01
H04N		21		4438	I	2013-01-01
H04N		21		4622	I	2013-01-01
H04N		21		812	I	2013-01-01
H04N		21		8126	I	2013-01-01
H04N		21		8456	I	2013-01-01

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

/DANIEL TEKLE/ Examiner.Art Unit 2481 (Assistant Examiner)	04/21/2016 (Date)	Total Claims Allowed: 20	
/WILLIAM C VAUGHN JR/ Supervisory Patent Examiner.Art Unit 2481 (Primary Examiner)	05/02/2016 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

Issue Classification 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD
	Examiner DANIEL TEKLE	Art Unit 2481

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION													
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED								
386			230			H	0	4	N	5 / 77 (2006.0)									
CROSS REFERENCE(S)																			
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																		
														</					

/DANIEL TEKLE/ Examiner.Art Unit 2481 (Assistant Examiner)	04/21/2016 (Date)	Total Claims Allowed: 20	
/WILLIAM C VAUGHN JR/ Supervisory Patent Examiner.Art Unit 2481 (Primary Examiner)	05/02/2016 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4



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BIB DATA SHEET

CONFIRMATION NO. 3514

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
14/543,753	11/17/2014	386	2481	270560-999/2		
APPLICANTS INVENTORS Todd Fitzsimmons, Gardena, CA; ** CONTINUING DATA ***** This application is a CON of 13/279,943 10/24/2011 PAT 8929710 which claims benefit of 61/408,759 11/01/2010 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 12/02/2014						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /DANIEL T TEKLE/ Acknowledged Examiner's Signature		☐ Met after Allowance D.T. Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 4	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 3
ADDRESS Fitzsimmons IP Law 14739 S. Vermont Ave. Gardena, CA 90247 UNITED STATES						
TITLE System And Method For Time Shifting At Least A Portion Of A Program						
FILING FEE RECEIVED 730	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			

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3	("20120106920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/12/26 15:52
S2	2	("20130243397").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/12/26 16:04
S3	1	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide) same (updat\$2 or outdat\$2) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:05
S4	1	(times adj1 shift\$3) same (auxiliary) same ((news adj1 ticker) or crawler or slide) same (updat\$2 or outdat\$2) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2013/12/26 18:05
S5	6	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide) same (updat\$2 or outdat\$2)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:05
S6	47	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:27
S7	41	S6 not S5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:27
S8	13	S6 not S5 and (DVR or TIVO)	US-PGPUB; USPAT;	OR	ON	2013/12/26 18:27

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S9	0	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2) same (semi-transparent or transparent) same (disabl\$3 with (Advertisement or ad or commercial or announcement or billboard))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:49
S10	0	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2) same (semi-transparent or transparent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:51
S11	300	((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2) same (semi-transparent or transparent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:52
S12	3	((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2) same (semi-transparent or transparent) and "386"/\$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:52
S13	102	doser-ingo-tobias.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:58
S14	0	S6 and S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:58
S15	259	zwing-rainer.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:58
S16	0	S6 and S15	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2013/12/26 18:59

			DERWENT; IBM_TDB			
S17	57	endress-Wolfgang.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:59
S18	0	S6 and S17	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:59
S19	27	(video) with (commercial) with (transparent)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2013/12/26 20:19
S20	23	(video) with (commercial) with (transparent) and @py<="2010"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2013/12/26 20:19
S21	3	("20120106920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/12/26 20:37
S22	2	("20090238536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 10:02
S23	2	("20110221964").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 10:33
S24	101	(playback or reprod\$5) with (update) with (commercial or ad or advertisement)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 10:39
S25	13	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and "386"/\$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 10:40

S26	11	S25 and @py<="2011"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 10:40
S27	3	(playback or reprod\$5) with (update) with (time) with (commercial or ad or advertisement) and "386"/\$.cls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 11:02
S28	2	("20100310232").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 16:25
S29	3	("20120106920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 16:26
S30	2	("20080319852").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 17:21
S31	23	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/775 or G11B27/34 or H04N5/85 or H04N9/8042 or G11B27/105).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:49
S32	4	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/775).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:49
S33	17	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/\$).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:58
S34	7	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N9/8042).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:59
S35	7	S34 not S32	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2014/07/10 22:59

			JPO; IBM_TDB			
S36	8	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N9/\$).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:59
S37	2	("7634785").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/02 20:59
S38	1	13/495495	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/02 21:04
S39	1	13/249061	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/02 21:06
S40	3	("20090103902").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/02 22:13
S41	3	("8336029").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/02 22:18
S42	0	(times adj1 shift\$3) same (auxiliary) same ((news adj1 ticker) or crawler or slide) same (skip\$4 or omit\$4 or jump\$3) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/11/03 00:20
S43	0	(time adj1 shift\$3) same (auxiliary) same ((news adj1 ticker) or crawler or slide) same (skip\$4 or omit\$4 or jump\$3) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/11/03 00:24
S44	1	(time adj1 shift\$3) same (auxiliary) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/11/03 00:27
S45	8	(time adj1 shift\$3) same (auxiliary) same	US-PGPUB;	OR	ON	2014/11/03

		(commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3)	USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB			00:31
S53	3	("20120106920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/03 04:48
S54	2	("7634785").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/03 04:53
S55	2	("20090238536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/03 05:02
S56	0	Fitzsimmons-Todd.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/03 05:07
S57	0	Fitzsimmons-Todd.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/03 05:08
S58	12	Fitzsimmons near2 Todd.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/03 05:08
S59	3	13/279943	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/04/08 13:48
S60	23	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/775 or G11B27/34 or H04N5/85 or H04N9/8042 or G11B27/105).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 09:19
S61	3	13/279943	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2016/04/21 09:19

			JPO; IBM_TDB			
S62	2	(provid\$3 with portion with program\$1 with (DVR or PVR or (digital adj1 video adj1 recorder)) with playback with state)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:04
S63	2	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same playback same state)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:05
S64	448	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:07
S65	102	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder))) and 386/\$.cls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:07
S67	5	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same time same shift\$3) and 386/\$.cls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:09

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S46	0	((time adj1 shift\$3) same (auxiliary) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:37
S47	0	((time adj1 shift\$3) and (auxiliary) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:38
S48	0	((time adj1 shift\$3) same (auxiliary) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3) same (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:38
S49	0	((time adj1 shift\$3) and (auxiliary) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3) and (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:39
S50	0	((time adj1 shift\$3) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3) and (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:39
S51	16	((time adj1 shift\$3) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:40
S52	4	((time adj1 shift\$3) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or	US-PGPUB;	OR	ON	2014/11/03 00:40

EAST Search History

		jump\$3)).clm.	USPAT			
S68	2	((provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same playback same state)).clm.	US- PGPUB; USPAT	OR	ON	2016/04/21 10:06

4/ 21/ 2016 2:38:44 PM**C:\Users\dtekle\Documents\EAST\Workspaces\13279943.wsp**

Search Notes 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD
	Examiner DANIEL TEKLE	Art Unit 2481

CPC- SEARCHED		
Symbol	Date	Examiner
H04N5/775 or G11B27/34 or H04N5/85 or H04N9/8042 or G11B27/105	4/21/2016	D.T.

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
386	230	4/21/2016	D.T.

SEARCH NOTES		
Search Notes	Date	Examiner
EAST SEARCH (US-PGPUB, US-PAT, US-OCR, EPO, JPO, DERWENT, IBM_TDB)	4/21/2016	D.T.
SEARCH QUARY ATTACHED	4/21/2016	D.T.
386/\$. TEXT SEARCH	4/21/2016	D.T.
CPC CLASS/SUB CLASS SEARCHED	4/21/2016	D.T.
INVENTOR NAME SEARCHED	4/21/2016	D.T.

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	INTERFERENCE SEARCHED	4/21/2016	D.T.

/DANIEL TEKLE/ Examiner.Art Unit 2481	
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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	14/543,753
Filing Date	November 17, 2014
First Named Inventor	Fitzsimmons, Todd
Art Unit	2481
Examiner Name	Tekle, Daniel T.
Attorney Docket Number	270560-999/2

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 _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

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.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____

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		Date	8/16/2016
Name (Print/Type)	Todd Fitzsimmons	Registration No.	44,683

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	_____	Date	_____
Name (Print/Type)	_____	Date	_____

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.**

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

PATENT
270560-999/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fitzsimmons, Todd

Serial No.: 14/543,753

Filed: November 17, 2014

Title: SYSTEM AND METHOD FOR TIME
SHIFTING AT LEAST A PORTION OF A
PROGRAM

Art Unit: 2481

Examiner: Tekle, Daniel T.

Confirmation No.: 3514

INFORMATION DISCLOSURE STATEMENT

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

Sir/Madam:

In accordance with 37 C.F.R. § 1.56, and in conjunction with a Request for Continued Examination (RCE), filed herewith, Applicant submits the attached three (3) Information Disclosure Statement (IDS) forms in connection with the above-identified patent application. The statements are not a representation that all of the information cited is necessarily effective as prior art against the application.

Respectfully submitted,

Date: August 16, 2016



Todd E. Fitzsimmons
Applicant
Registration No. 44,683

FITZSIMMONS IP LAW
P.O. Box 199
Gardena, CA 90248
Telephone: (213) 500-1178

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/543,753
		Filing Date	11/17/14
		First Named Inventor	Fitzsimmons, Todd
		Art Unit	2481
		Examiner Name	Tekle, Daniel T.
Sheet 1 of 3	Attorney Docket Number	270560-999/2	

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 4,750,213	06-07-1988	Novak	
	2	US- 5,175,631	12-29-1992	Juri et al.	
	3	US- 5,333,091	07-26-1994	Iggulden et al.	
	4	US- 5,724,472	03-03-1998	Abecassis	
	5	US- 6,181,364	01-30-2001	Ford	
	6	US- 6,317,795	11-13-2001	Malkin et al.	
	7	US- 6,360,053	03-19-2002	Wood et al.	
	8	US- 6,408,128	06-18-2002	Abecassis	
	9	US- 6,756,997	06-29-2004	Ward et al.	
	10	US- 6,889,383	05-03-2005	Jarman	
	11	US- 6,898,799	05-24-2005	Jarman	
	12	US- 6,971,119	11-29-2005	Arsenault et al.	
	13	US- 7,376,159	05-20-2008	Stanger et al.	
	14	US- 7,509,020	03-24-2009	Wood et al.	
	15	US- 7,552,458	06-23-2009	Fenseth et al.	
	16	US- 7,801,303	09-21-2010	Dulac	
	17	US- 7,848,364	12-07-2010	Stranger et al.	
	18	US- 7,877,290	01-25-2011	Arsenault et al.	
	19	US- 7,882,518	02-01-2011	Finseth et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	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
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*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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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known													
	Sheet 2	of 3	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>14/543,753</td> </tr> <tr> <td>Filing Date</td> <td>11/17/14</td> </tr> <tr> <td>First Named Inventor</td> <td>Fitzsimmons, Todd</td> </tr> <tr> <td>Art Unit</td> <td>2481</td> </tr> <tr> <td>Examiner Name</td> <td>Tekle, Daniel T.</td> </tr> <tr> <td>Attorney Docket Number</td> <td>270560-999/2</td> </tr> </table>	Application Number	14/543,753	Filing Date	11/17/14	First Named Inventor	Fitzsimmons, Todd	Art Unit	2481	Examiner Name	Tekle, Daniel T.	Attorney Docket Number	270560-999/2
Application Number	14/543,753														
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First Named Inventor	Fitzsimmons, Todd														
Art Unit	2481														
Examiner Name	Tekle, Daniel T.														
Attorney Docket Number	270560-999/2														

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 7,934,228	04-26-2007	Miner	
	2	US- 7,992,175	08-02-2011	Kahn et al.	
	3	US- 8,051,442	11-01-2011	Ergen et al.	
	4	US- 8,117,282	02-14-2012	Jarman et al.	
	5	US- 8,136,140	03-13-2012	Hodge	
	6	US- 8,155,498	04-10-2012	Dow et al.	
	7	US- 8,209,713	06-26-2012	Lai et al.	
	8	US- 8,239,913	10-02-2008	Munsell et al.	
	9	US- 8,245,253	08-14-2012	Gratton et al.	
	10	US- 8,312,490	10-25-2001	Yap et al.	
	11	US- 8,428,438	04-23-2013	Wolfe et al.	
	12	US- 8,571,933	10-29-2013	Rosenberg	
	13	US- 8,571,934	10-29-2013	Rosenberg et al.	
	14	US- 8,572,639	10-29-2013	Ficco	
	15	US- 8,606,085	12-10-2013	Gratton	
	16	US- 8,677,408	03-18-2014	Green et al.	
	17	US- 8,752,084	06-10-2014	Lai et al.	
	18	US- 8,752,115	06-10-2014	Dow et al.	
	19	US- 8,775,256	06-08-2014	Rosenberg et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	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
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*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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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>	Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>14/543,753</td></tr> <tr><td>Filing Date</td><td>11/17/14</td></tr> <tr><td>First Named Inventor</td><td>Fitzsimmons, Todd</td></tr> <tr><td>Art Unit</td><td>2481</td></tr> <tr><td>Examiner Name</td><td>Tekle, Daniel T.</td></tr> <tr><td>Attorney Docket Number</td><td>270560-999/2</td></tr> </table>	Application Number	14/543,753	Filing Date	11/17/14	First Named Inventor	Fitzsimmons, Todd	Art Unit	2481	Examiner Name	Tekle, Daniel T.	Attorney Docket Number	270560-999/2
Application Number	14/543,753												
Filing Date	11/17/14												
First Named Inventor	Fitzsimmons, Todd												
Art Unit	2481												
Examiner Name	Tekle, Daniel T.												
Attorney Docket Number	270560-999/2												
Sheet 3 of 3													

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		Number-Kind Code ² (if known)			
	1	US- 8,776,151	07-08-2014	Major et al.	
	2	US- 8,782,691	07-15-2014	Noble	
	3	US- 8,779,941	08-05-2014	Nguyen et al.	
	4	US- 8,819,723	08-26-2014	Weir	
	5	US- 8,819,743	08-26-2014	Kirchner	
	6	US- 8,938,751	01-20-2015	Jacobs	
	7	US- 9,027,060	05-05-2012	Yap et al.	
	8	US- 9,066,131	06-23-2015	Arsenault	
	9	US- 9,154,721	10-06-2015	Gratton	
	10	US- 2002/0002562	01-03-2002	Moran et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	† ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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*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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Electronic Patent Application Fee Transmittal				
Application Number:		14543753		
Filing Date:		17-Nov-2014		
Title of Invention:		SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM		
First Named Inventor/Applicant Name:		Todd Fitzsimmons		
Filer:		Todd E. Fitzsimmons		
Attorney Docket Number:		270560-999/2		
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(\$)
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				600

Electronic Acknowledgement Receipt

EFS ID:	26654241
Application Number:	14543753
International Application Number:	
Confirmation Number:	3514
Title of Invention:	SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM
First Named Inventor/Applicant Name:	Todd Fitzsimmons
Customer Number:	125600
Filer:	Todd E. Fitzsimmons
Filer Authorized By:	
Attorney Docket Number:	270560-999/2
Receipt Date:	16-AUG-2016
Filing Date:	17-NOV-2014
Time Stamp:	14:20:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$600
RAM confirmation Number	288
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	RCE_Filed.pdf	82491	no	1
			d4188c61ae2f0d62e3bbcd58a2d4b7b1633ab66a		
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
2	Transmittal Letter	IDS_Transmittal_Filed.pdf	31362	no	1
			b6cce8365ab4fc36f8b6a4dfc4f33c36c9a51ed0		
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	First_IDS_Filed.pdf	83852	no	1
			540dc60e5c027c92be290e62f6c6bae72116d4cf		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
4	Information Disclosure Statement (IDS) Form (SB08)	Second_IDS_Filed.pdf	81368	no	1
			020a5e7e3abacd5d7ebb71476ac42b9803dc4ba6		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
5	Information Disclosure Statement (IDS) Form (SB08)	Third_IDS_Filed.pdf	76894	no	1
			2ab08e089588e779f3097c4146c8578c22507519		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					

6	Fee Worksheet (SB06)	fee-info.pdf	30437 958af143b950731029a449825767f864d0e7fb47	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			386404		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



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

125600 7590 08/25/2016
Fitzsimmons IP Law
PO Box 199
Gardena, CA 90248

EXAMINER

TEKLE, DANIEL T

ART UNIT

PAPER NUMBER

2481

DATE MAILED: 08/25/2016

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

TITLE OF INVENTION: SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	11/25/2016

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

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

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

125600 7590 08/25/2016
Fitzsimmons IP Law
PO Box 199
Gardena, CA 90248

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

Certificate of Mailing or Transmission

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

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

TITLE OF INVENTION: SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	11/25/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
TEKLE, DANIEL T	2481	386-230000

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

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
☐ 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.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

125600 7590 08/25/2016
Fitzsimmons IP Law
PO Box 199
Gardena, CA 90248

EXAMINER

TEKLE, DANIEL T

ART UNIT	PAPER NUMBER
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2481

DATE MAILED: 08/25/2016

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

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

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

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

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 14/543,753	Applicant(s) FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to IDS filed 8/16/2016.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3. ☒ The allowed claim(s) is/are 1-20. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

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

Certified copies:

a) ☐ All b) ☐ Some *c) ☐ None of the:

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

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

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

* Certified copies not received: _____.

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

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

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

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

Attachment(s)

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

/DANIEL TEKLE/ Examiner, Art Unit 2481	/WILLIAM C. VAUGHN JR/ Supervisory Patent Examiner, Art Unit 2481
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DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Reasons for allowance

The following is an examiner's statement of reasons for allowance: Independent claims 1, 11 and 18 present limitation as a whole that are allowable over the prior art, recites the uniquely distinct features for "(iii) provide only a portion of said one of said plurality of video program to said display device in response to receiving said second command during said second period of time if said DVR is in said second playback state, said portion of said one plurality of video program including at least said first and third portions of said one of said plurality of video program, wherein said third portion is provided to said display device immediately following said first portion if said second command is received during said second period of time and said DVR is in said second playback state; wherein said second period of time is a period of time after said first period of time" and all in combination with all limitations in the independent claims. The closest prior art of Gratton US 2009/0238536 disclose a method for replacing audio data within a recorded audio/video stream is presented. In the method, a first audio/video stream including audio data, video data, and supplemental data is stored. Location information is received which references the supplemental data to identify a location within the first audio/video stream. The location information is received in a data file separately from the first audio/video stream. Also received is an audio data segment. At least a portion of the audio data of the first audio/video stream is replaced at the identified location with the audio data segment to produce a second audio/video stream. At least a portion of the second audio/video stream is

then transferred for presentation.....---See Abstract, either singularly or in combination, fail to anticipate or render the above underlined limitation obvious.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

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."

Claims 1-20 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117.

The examiner can normally be reached on 8:00am to 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. 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.

/DANIEL TEKLE/

Examiner, Art Unit 2481

/WILLIAM C. VAUGHN JR/

Supervisory Patent Examiner, Art Unit 2481

Notice of References Cited	Application/Control No. 14/543,753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	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-2011/0221964 A1	09-2011	Harris; Scott C.	G06F3/04817	348/569
*	B	US-2009/0238536 A1	09-2009	Gratton; Max S.	G11B27/034	386/285
*	C	US-7,634,785 B2	12-2009	Smith; Geoffrey R	G11B27/036	725/102
	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.

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.

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/543,753
		Filing Date	11/17/14
		First Named Inventor	Fitzsimmons, Todd
		Art Unit	2481
		Examiner Name	Tekle, Daniel T.
Sheet 1 of 3	Attorney Docket Number	270560-999/2	

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 4,750,213	06-07-1988	Novak	
	2	US- 5,175,631	12-29-1992	Juri et al.	
	3	US- 5,333,091	07-26-1994	Iggulden et al.	
	4	US- 5,724,472	03-03-1998	Abecassis	
	5	US- 6,181,364	01-30-2001	Ford	
	6	US- 6,317,795	11-13-2001	Malkin et al.	
	7	US- 6,360,053	03-19-2002	Wood et al.	
	8	US- 6,408,128	06-18-2002	Abecassis	
	9	US- 6,756,997	06-29-2004	Ward et al.	
	10	US- 6,889,383	05-03-2005	Jarman	
	11	US- 6,898,799	05-24-2005	Jarman	
	12	US- 6,971,119	11-29-2005	Arsenault et al.	
	13	US- 7,376,159	05-20-2008	Stanger et al.	
	14	US- 7,509,020	03-24-2009	Wood et al.	
	15	US- 7,552,458	06-23-2009	Fenseth et al.	
	16	US- 7,801,303	09-21-2010	Dulac	
	17	US- 7,848,364	12-07-2010	Stranger et al.	
	18	US- 7,877,290	01-25-2011	Arsenault et al.	
	19	US- 7,882,518	02-01-2011	Finseth et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	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
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	/Daniel Tekle/	Date Considered	08/22/2016
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*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.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DT/

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.

Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	14/543,753
		Filing Date	11/17/14
		First Named Inventor	Fitzsimmons, Todd
		Art Unit	2481
		Examiner Name	Tekle, Daniel T.
		Attorney Docket Number	270560-999/2
Sheet 2	of 3		

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 7,934,228	04-26-2007	Miner	
	2	US- 7,992,175	08-02-2011	Kahn et al.	
	3	US- 8,051,442	11-01-2011	Ergen et al.	
	4	US- 8,117,282	02-14-2012	Jarman et al.	
	5	US- 8,136,140	03-13-2012	Hodge	
	6	US- 8,155,498	04-10-2012	Dow et al.	
	7	US- 8,209,713	06-26-2012	Lai et al.	
	8	US- 8,239,913	10-02-2008	Munsell et al.	
	9	US- 8,245,253	08-14-2012	Gratton et al.	
	10	US- 8,312,490	10-25-2001	Yap et al.	
	11	US- 8,428,438	04-23-2013	Wolfe et al.	
	12	US- 8,571,933	10-29-2013	Rosenberg	
	13	US- 8,571,934	10-29-2013	Rosenberg et al.	
	14	US- 8,572,639	10-29-2013	Ficco	
	15	US- 8,606,085	12-10-2013	Gratton	
	16	US- 8,677,408	03-18-2014	Green et al.	
	17	US- 8,752,084	06-10-2014	Lai et al.	
	18	US- 8,752,115	06-10-2014	Dow et al.	
	19	US- 8,775,256	06-08-2014	Rosenberg et al.	

[illegible]

Examiner Signature	/Daniel Tekle/	Date Considered	08/22/2016
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*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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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>	Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>14/543,753</td></tr> <tr><td>Filing Date</td><td>11/17/14</td></tr> <tr><td>First Named Inventor</td><td>Fitzsimmons, Todd</td></tr> <tr><td>Art Unit</td><td>2481</td></tr> <tr><td>Examiner Name</td><td>Tekle, Daniel T.</td></tr> <tr><td>Attorney Docket Number</td><td>270560-999/2</td></tr> </table>	Application Number	14/543,753	Filing Date	11/17/14	First Named Inventor	Fitzsimmons, Todd	Art Unit	2481	Examiner Name	Tekle, Daniel T.	Attorney Docket Number	270560-999/2
Application Number	14/543,753												
Filing Date	11/17/14												
First Named Inventor	Fitzsimmons, Todd												
Art Unit	2481												
Examiner Name	Tekle, Daniel T.												
Attorney Docket Number	270560-999/2												
Sheet 3 of 3													

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 8,776,151	07-08-2014	Major et al.	
	2	US- 8,782,691	07-15-2014	Noble	
	3	US- 8,779,941	08-05-2014	Nguyen et al.	
	4	US- 8,819,723	08-26-2014	Weir	
	5	US- 8,819,743	08-26-2014	Kirchner	
	6	US- 8,938,751	01-20-2015	Jacobs	
	7	US- 9,027,060	05-05-2012	Yap et al.	
	8	US- 9,066,131	06-23-2015	Arsenault	
	9	US- 9,154,721	10-06-2015	Gratton	
	10	US- 2002/0002562	01-03-2002	Moran et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			

Examiner Signature	/Daniel Tekle/	Date Considered	08/22/2016
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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	3	("8776151").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:40
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L4	3	("8779941").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:42
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L6	7	("8819743").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:43
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L43	12	("8606085").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:54

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L45	2	("8752084").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:54
L46	2	("8752115").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/22 11:54
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S2	2	("20130243397").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/12/26 16:04
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S4	1	(times adj1 shift\$3) same (auxiliary) same ((news adj1 ticker) or crawler or slide) same (updat\$2 or outdat\$2) same (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2013/12/26 18:05

S5	6	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide) same (updat\$2 or outdat\$2)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:05
S6	47	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:27
S7	41	S6 not S5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:27
S8	13	S6 not S5 and (DVR or TIVO)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:27
S9	0	(times adj1 shift\$3) same ((news adj1 ticker) or crawler or slide or Advertisement or ad or commercial or announcement or billboard) same (updat\$2 or outdat\$2) same (semi-transparent or transparent) same (disabl\$3 with (Advertisement or ad or commercial or announcement or billboard))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:49
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S13	102	doser-ingo-tobias.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2013/12/26 18:58

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S15	259	zwing-rainer.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:58
S16	0	S6 and S15	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:59
S17	57	endress-Wolfgang.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/12/26 18:59
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S20	23	(video) with (commercial) with (transparent) and @py<="2010"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2013/12/26 20:19
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S22	2	("20090238536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	OFF	2014/07/10 10:02

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S26	11	S25 and @py<="2011"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 10:40
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S30	2	("20080319852").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/07/10 17:21
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S32	4	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/775).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:49
S33	17	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/\$).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2014/07/10 22:58
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S39	1	13/249061	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/02 21:06
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			DERWENT; IBM_TDB			
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S55	2	("20090238536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/03 05:02
S56	0	Fitzsimmons-Todd.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/03 05:07
S57	0	Fitzsimmons-Todd.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	OFF	2014/11/03 05:08
S58	12	Fitzsimmons near2 Todd.in.	US-PGPUB;	OR	OFF	2014/11/03

			USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB			05:08
S59	3	13/279943	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/04/08 13:48
S60	23	(playback or reprod\$5) with (update) with (commercial or ad or advertisement) and (H04N5/775 or G11B27/34 or H04N5/85 or H04N9/8042 or G11B27/105).cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 09:19
S61	3	13/279943	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 09:19
S62	2	(provid\$3 with portion with program\$1 with (DVR or PVR or (digital adj1 video adj1 recorder)) with playback with state)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:04
S63	2	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same playback same state)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:05
S64	448	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:07
S65	102	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder))) and 386/\$.cls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:07
S67	5	(provid\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same time same shift\$3) and 386/\$.cls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/21 10:09
S69	3	13/279943	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2016/04/26 20:00

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	((provide\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same playback same state)).clm.	US-PGPUB; USPAT	OR	ON	2016/08/22 11:39
S46	0	((time adj1 shift\$3) same (auxiliary) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:37
S47	0	((time adj1 shift\$3) and (auxiliary) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:38
S48	0	((time adj1 shift\$3) same (auxiliary) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3) same (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:38
S49	0	((time adj1 shift\$3) and (auxiliary) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3) and (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:39
S50	0	((time adj1 shift\$3) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3) and (DVR or TIVO)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:39
S51	16	((time adj1 shift\$3) and (commercial or ad or advertisement) and (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:40
S52	4	((time adj1 shift\$3) same (commercial or ad or advertisement) same (skip\$4 or omit\$4 or jump\$3)).clm.	US-PGPUB; USPAT	OR	ON	2014/11/03 00:40
S68	2	((provide\$3 same portion same program\$1 same (DVR or PVR or (digital adj1 video adj1 recorder)) same playback same state)).clm.	US-PGPUB; USPAT	OR	ON	2016/04/21 10:06

8/ 22/ 2016 11:57:14 AM**C:\Users\dtekle\Documents\EAST\Workspaces\13279943.wsp**

Issue Classification 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD	
	Examiner DANIEL TEKLE	Art Unit 2481	

CPC						
Symbol					Type	Version
H04N		5		775	F	2013-01-01
H04N		5		783	I	2013-01-01
H04N		21		4147	I	2013-01-01
G11B		27		105	I	2013-01-01
H04N		21		4263	I	2013-01-01
H04N		21		4316	I	2013-01-01
H04N		21		4325	I	2013-01-01
H04N		21		4438	I	2013-01-01
H04N		21		4622	I	2013-01-01
H04N		21		812	I	2013-01-01
H04N		21		8126	I	2013-01-01
H04N		21		8456	I	2013-01-01

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

/DANIEL TEKLE/ Examiner.Art Unit 2481 (Assistant Examiner)	04/21/2016 (Date)	Total Claims Allowed: 20	
/WILLIAM C VAUGHN JR/ Supervisory Patent Examiner.Art Unit 2481 (Primary Examiner)	08/22/2016 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

Issue Classification 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD
	Examiner DANIEL TEKLE	Art Unit 2481

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION														
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED									
386			230			H	0	4	N	5 / 77 (2006.0)										
CROSS REFERENCE(S)																				
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																			

/DANIEL TEKLE/ Examiner.Art Unit 2481 (Assistant Examiner)	04/21/2016 (Date)	Total Claims Allowed: 20	
/WILLIAM C VAUGHN JR/ Supervisory Patent Examiner.Art Unit 2481 (Primary Examiner)	08/22/2016 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 4

Search Notes 	Application/Control No. 14543753	Applicant(s)/Patent Under Reexamination FITZSIMMONS, TODD
	Examiner DANIEL TEKLE	Art Unit 2481

CPC- SEARCHED		
Symbol	Date	Examiner
H04N5/775 or G11B27/34 or H04N5/85 or H04N9/8042 or G11B27/105	4/21/2016	D.T.

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
386	230	4/21/2016	D.T.

SEARCH NOTES		
Search Notes	Date	Examiner
EAST SEARCH (US-PGPUB, US-PAT, US-OCR, EPO, JPO, DERWENT, IBM_TDB)	4/21/2016	D.T.
SEARCH QUARY ATTACHED	4/21/2016	D.T.
386/\$. TEXT SEARCH	4/21/2016	D.T.
CPC CLASS/SUB CLASS SEARCHED	4/21/2016	D.T.
INVENTOR NAME SEARCHED	4/21/2016	D.T.
SEARCH UPDATED	8/22/2016	D.T.

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	INTERFERENCE SEARCHED	4/21/2016	D.T.

/DANIEL TEKLE/ Examiner.Art Unit 2481	
--	--

PART B - FEE(S) TRANSMITTAL

and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

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

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

125600 7590 08 25 2016
 Fitzsimmons IP Law
 PO Box 199
 Gardena, CA 90248

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

Certificate of Mailing or Transmission

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

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/543,753	11/17/2014	Todd Fitzsimmons	270560-999/2	3514

TITLE OF INVENTION: SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	11/25/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
TEKLE, DANIEL T	2481	386-230000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB 47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

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

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

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

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

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

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 506455 (enclose an extra copy of this form).

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

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
☐ 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 Todd Fitzsimmons
 Typed or printed name Todd Fitzsimmons

Date 11/25/16
 Registration No. 44,683

Electronic Patent Application Fee Transmittal

Application Number:	14543753			
Filing Date:	17-Nov-2014			
Title of Invention:	SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM			
First Named Inventor/Applicant Name:	Todd Fitzsimmons			
Filer:	Todd E. Fitzsimmons			
Attorney Docket Number:	270560-999/2			
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:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
UTILITY APPL ISSUE FEE	2501	1	480	480
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				480

Electronic Acknowledgement Receipt

EFS ID:	27612721
Application Number:	14543753
International Application Number:	
Confirmation Number:	3514
Title of Invention:	SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM
First Named Inventor/Applicant Name:	Todd Fitzsimmons
Customer Number:	125600
Filer:	Todd E. Fitzsimmons
Filer Authorized By:	
Attorney Docket Number:	270560-999/2
Receipt Date:	25-NOV-2016
Filing Date:	17-NOV-2014
Time Stamp:	15:35:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$480
RAM confirmation Number	112816INTEFSW15362300
Deposit Account	
Authorized User	

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

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	Issue_Fee_Transmittal_Filed.pdf	90580	no	1
			8f5a2e699b50d012f6370cad630235a61fde7769		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31858	no	2
			04d6ee9e878bef8daf1ba5c8d2e11d1c02b1c0ad		
Warnings:					
Information:					
Total Files Size (in bytes):			122438		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>14/543,753</td> </tr> <tr> <td>Filing Date</td> <td>11/17/14</td> </tr> <tr> <td>First Named Inventor</td> <td>Fitzsimmons, Todd</td> </tr> <tr> <td>Art Unit</td> <td>2481</td> </tr> <tr> <td>Examiner Name</td> <td>Tekle, Daniel T.</td> </tr> <tr> <td>Attorney Docket Number</td> <td>270560-999/2</td> </tr> </table>	Application Number	14/543,753	Filing Date	11/17/14	First Named Inventor	Fitzsimmons, Todd	Art Unit	2481	Examiner Name	Tekle, Daniel T.	Attorney Docket Number	270560-999/2
Application Number	14/543,753												
Filing Date	11/17/14												
First Named Inventor	Fitzsimmons, Todd												
Art Unit	2481												
Examiner Name	Tekle, Daniel T.												
Attorney Docket Number	270560-999/2												
Sheet 2 of 3													

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 7,934,228	04-26-2007	Miner	
	2	US- 7,992,175	08-02-2011	Kahn et al.	
	3	US- 8,051,442	11-01-2011	Ergen et al.	
	4	US- 8,117,282	02-14-2012	Jarman et al.	
	5	US- 8,136,140	03-13-2012	Hodge	
	6	US- 8,155,498	04-10-2012	Dow et al.	
	7	US- 8,209,713	06-26-2012	Lai et al.	
	8	US- 8,239,913	10-02-2008	Munsell et al.	
	9	US- 8,245,253	08-14-2012	Gratton et al.	
	10	US- 8,312,490	~~10-25-2001~~	Yap et al. 11/2012	
	11	US- 8,428,438	04-23-2013	Wolfe et al.	
	12	US- 8,571,933	10-29-2013	Rosenberg	
	13	US- 8,571,934	10-29-2013	Rosenberg et al.	
	14	US- 8,572,639	10-29-2013	Ficco	
	15	US- 8,606,085	12-10-2013	Gratton	
	16	US- 8,677,408	03-18-2014	Green et al.	
	17	US- 8,752,084	06-10-2014	Lai et al.	
	18	US- 8,752,115	06-10-2014	Dow et al.	
	19	US- 8,775,256	06-08-2014	Rosenberg et al.	

Change(s) applied
to document,
/T.W./
12/8/2016

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	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
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	/Daniel Tekle/	Date Considered	08/22/2016
--------------------	----------------	-----------------	------------

*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.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DT/



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.
14/543,753	01/03/2017	9538122	270560-999/2	3514
125600	7590	12/14/2016		
Fitzsimmons IP Law PO Box 199 Gardena, CA 90248				

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 28 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):

Todd Fitzsimmons, Gardena, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))				
Patent Number	Issue Date	Application Number	Filing Date	Docket Number (if applicable)
9538122	03-Jan-2017	14543753	17-Nov-2014	
CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).				
Applicants claims the following fee status:				
☒ Small Entity				
☐ Micro Entity				
☐ Regular Undiscounted				
Applicants selects the following :				
☒ 3 1/2 ☐ 7 1/2 ☐ 11 1/2				
PETITION FEE The petition fee required by 37 CFR 1.17(m) (Fee Code 1558/2558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.				
MAINTENANCE FEE (37 CFR 1.20(e)-(g)) The appropriate maintenance fee must be submitted with this petition.				
STATEMENT The delay in payment of the maintenance fee for this patent was unintentional. Petitioner is reminded that a delay resulting from a deliberately chosen course of action or a change in circumstance is not an unintentional delay. Petitioner is further reminded that a person seeking reinstatement of an expired patent should not make a statement that the delay in payment of the maintenance fee was unintentional unless the entire delay was unintentional, including the period from discovery that the maintenance fee was not timely paid until payment of the maintenance fee. For example, a statement that the delay in payment of the maintenance fee was unintentional would not be proper when the patentee becomes aware of an unintentional failure to timely pay the maintenance fee and then intentionally delays filing a petition for reinstatement of the patent under 37 CFR 1.378. See MPEP 2590. NOTE: Where the petition under 37 CFR 1.378 is filed more than two years after the date the patent expired for nonpayment of the maintenance fee, the United States Patent and Trademark Office requires an additional explanation of the circumstances surrounding the delay that establishes the entire delay was unintentional. This requirement is in addition to the requirement to provide a statement that the entire delay was unintentional. See <i>Clarification of the Practice for Requiring Additional Information in Petitions Filed in Patent Applications and Patents Based on Unintentional Delay</i>, 85 FR 12222 (March 2, 2020). See MPEP 711.03(c)(II)(C)-(F) for additional guidance on the information required to establish that the entire delay was unintentional.				
PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED				
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES 37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with 37 CFR 1.33(b) ." I certify, in accordance with 37 CFR 1.4(d)(4) that I am				

- ☐ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office
- ☒ A sole patentee
- ☐ A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees as evidenced by the power of attorney in the application
- ☐ A joint patentee; all of whom are signing this e-petition
- ☐ The assignee of record of the entire interest that qualifies as an authorized party under 37 CFR 1.33(b)

Sole Patentee

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

Signature	/todd fitzsimmons/
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Name	Todd Fitzsimmons
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Electronic Patent Application Fee Transmittal				
Application Number:		14543753		
Filing Date:		17-Nov-2014		
Title of Invention:		SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM		
First Named Inventor/Applicant Name:		Todd Fitzsimmons		
Filer:		Todd E. Fitzsimmons		
Attorney Docket Number:		270560-999/2		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
MAINTENANCE FEE DUE AT 3.5 YEARS	2551	1	1000	1000
PET. DELAY PYMT MAINTAIN PATENT IN FORCE	2558	1	1050	1050
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				2050



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Patent No. 9538122 :
Issue Date: January 3, 2017 :
Application No. 14543753 :DECISION GRANTING PETITION
Filed: November 17, 2014 :UNDER 37 CFR 1.378(b)
Attorney Docket No. 270560-999/2 :

This is a decision on the electronic petition, filed May 11, 2021, under 37 CFR 1.378(b) to accept the unintentionally delayed payment of the 3.5 year maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The maintenance fee is accepted, and the above-identified patent reinstated as of May 11, 2021. This decision also constitutes notice that the fee has been accepted. An electronic copy of the petition and this decision has been created as an entry in the Image File Wrapper. Nevertheless, petitioner should print and retain an independent copy.

Telephone inquiries related to this electronic decision should be directed to the Electronic Business Center at 1-866-217-9197.

Electronic Acknowledgement Receipt

EFS ID:	42687373
Application Number:	14543753
Patent Number:	9538122
Confirmation Number:	3514
Petition Issued Date:	May 11,2021
Title of Invention:	SYSTEM AND METHOD FOR TIME SHIFTING AT LEAST A PORTION OF A PROGRAM
First Named Inventor/Applicant Name:	Todd Fitzsimmons
Customer Number:	125600
Filer:	Todd E. Fitzsimmons
Filer Authorized By:	
Attorney Docket Number:	270560-999/2
Receipt Date:	11-MAY-2021
Filing Date:	17-NOV-2014
Time Stamp:	02:08:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$2050
RAM confirmation Number	E20215A308571710
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition automatically granted by EFS	petition-request.pdf	38152	no	2
			a522d66517d670525b24392468557fc709492adf		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31533	no	2
			d2bd802f387a641f9fe85d3c6e3fc184376b4dbd		
Warnings:					
Information:					
Total Files Size (in bytes):			69685		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas on the following

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

DOCKET NO. 2:22-cv-00335	DATE FILED 8/29/2022	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF DIGITAL BROADCASTING SOLUTIONS, LLC		DEFENDANT DISH NETWORK, L.L.C. and DISH TECHNOLOGIES, L.L.C.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,929,710	6/6/2015	Digital Broadcasting Solutions, LLC
2 9,538,122	1/3/2017	Digital Broadcasting Solutions, LLC
3		
4		
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
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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