

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brett M. Oliphant

Application No.: 14/138,014

Group No.: 2434

Filed: 12-21-2013

Examiner: SHAIKER HARRIMAN, DANT B.

For: REAL-TIME VULNERABILITY MONITORING

Mail Stop Petition - 313(c)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION UNDER (37 C.F.R. § 1.313(c))
WITHDRAWAL FROM ISSUE—ISSUE FEE PAID

1. Applicant petitions that the above identified application be withdrawn from issue. The issue fee was paid on May 26, 2015.

2. Reason for withdrawal from issue:

The reason applicant seeks withdrawal from issue of this application is:

37 CFR 1.313(c)(2) - Consideration of a request for continued examination (RCE) in compliance with §1.114.

The accompanying IDS includes additional references cited in connection with related co-pending patent application(s), and the present petition is being submitted, out of an abundance of caution, so that the Office has the opportunity to consider such references prior to issuing the above patent application.

3. Petition fee (37 CFR § 1.17(i)):

Paid via Credit Card.

Date: June 26, 2015

Reg. No.: 55,517



Signature of Practitioner
Brian Owens, Esq.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brett M. Oliphant

Application No.: 14/138,014

Filed: 12-21-2013

For: REAL-TIME VULNERABILITY
MONITORING

Examiner: SHAFER HARRIMAN, DANT B

Art Unit: 2434

Atty. Docket No.: SP1P009

Date: 6/26/2015

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97 and §1.98

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

Dear Sir:

The reference(s) listed in the attached PTO Form SB/08a, cop(ies) of which is attached (when necessary), may be material to examination of the above-identified patent application. Applicants submit the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§ 1.56 and 1.97. The Examiner is requested to make the reference(s) of official record in this application.

Per MPEP 609.02, applicant has not re-submitted all of the disclosures, references, etc. cited in any parent application(s)/patent(s). It is assumed that, per such MPEP section, the Examiner has considered the same in connection with the instant application. If applicant's assumption is in error or the Examiner requires re-submission of any such references, etc., applicant requests that the Examiner contact the undersigned so that applicant can address the same. Further, applicant respectfully rescinds the IDS filed on May 23, 2015 in favor of the present IDS, which includes additional references (e.g. see U.S. Patents Citations #24-27, U.S. Patent Application Publications #16-23, Non-Patent Literature Documents #10-11, etc.) cited in connection with related co-pending patent application(s), and which is being submitted, out of an abundance of caution, so that the Office has the opportunity to consider such references prior to issuing the above patent application. This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the reference(s) indeed constitutes prior art.

This Information Disclosure Statement is believed to be filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of the national stage in an international application, before the mailing of a first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

/Brian Owens/

Brian Owens
Reg. # 55,517

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL (Submitted Only via EFS-Web)							
Application Number	14/138,014	Filing Date	2013-12-21	Docket Number (if applicable)	SP1P009	Art Unit	2434
First Named Inventor	Brett M. Oliphant			Examiner Name	SHAIFER HARRIMAN, DANT B		
This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV							
SUBMISSION REQUIRED UNDER 37 CFR 1.114							
Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).							
☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ ☐ Other _____							
☒ Enclosed ☐ Amendment/Reply ☒ Information Disclosure Statement (IDS) ☐ Affidavit(s)/ Declaration(s) ☐ Other _____							
MISCELLANEOUS							
☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) ☐ Other _____							
FEES							
☐ The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No _____							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED							
☒ Patent Practitioner Signature ☐ Applicant Signature							

EFS - Web 2.1.15

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Signature of Registered U.S. Patent Practitioner			
Signature	/Brian Owens/	Date (YYYY-MM-DD)	2015-06-26
Name	Brian Owens	Registration Number	55517

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		14138014		
Filing Date:		21-Dec-2013		
Title of Invention:		REAL-TIME VULNERABILITY MONITORING		
First Named Inventor/Applicant Name:		Brett M. Oliphant		
Filer:		Brian Dean Owens		
Attorney Docket Number:		SP1P009		
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:				
Petition Fee-37CFR 1.17(h) (Group II)	2464	1	70	70
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				670

Electronic Acknowledgement Receipt	
EFS ID:	22763565
Application Number:	14138014
International Application Number:	
Confirmation Number:	1067
Title of Invention:	REAL-TIME VULNERABILITY MONITORING
First Named Inventor/Applicant Name:	Brett M. Oliphant
Customer Number:	127962
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	SP1P009
Receipt Date:	27-JUN-2015
Filing Date:	21-DEC-2013
Time Stamp:	20:49:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition to Withdraw from Issue	SP1P009_Petition_to_Withdraw_from_Issue_Issue_Fee_Paid.pdf	153930 b636e55498acc6f9a85f79cc411b4a3074e0c781	no	1
Warnings:					
Information:					

2	Transmittal Letter	SP1P009_Regular_IDS_before_1st_OA_06-26-15.pdf	92762 a30b18794e09b129b0332a2331507fe3e189e9f	no	2
Warnings:					
Information:					
3	Non Patent Literature	14499246_Misc_4-28-15.pdf	151020 3db5d4442279233f41adcf075a68264046e16b4e	no	6
Warnings:					
Information:					
4	Non Patent Literature	SP1P017_NOA_6-18-15.pdf	1494540 8ea251f436375c0cc3ca981c23a342dbfa36104a	no	38
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Form (SB08)	SP1P009_IDS_6-26-15.pdf	614023 fc0bb4c04f52b421e3ce8c52eb89e4d9fe3be00	no	9
Warnings:					
Information:					
6	Request for Continued Examination (RCE)	SP1P009_RCE_6-26-15-Rev2.pdf	697599 8b18761fa7299fc5fa46ebc508f3cc06122280c	no	3
Warnings:					
Information:					
7	Fee Worksheet (SB06)	fee-info.pdf	32466 30c11bf66238c5fae0a73504c23c0a8c7faed126	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			3236340		

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.

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14138014
	Filing Date	2013-12-21
	First Named Inventor	Brett M. Oliphant
	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	5922051		1999-07-13	Sidey, Michael J.	
	2	5950012		1999-09-07	Shiell, et al.	
	3	5983348		1999-11-09	Ji, Shuang	
	4	5987473		1999-11-16	Jorgensen, Nielss	
	5	5987610		1999-11-16	Franczek et al.	
	6	6041347		2000-03-21	Harsham et al.	
	7	6073172		2000-06-06	Frailong et al.	
	8	6321338		2001-11-20	Porras et al.	

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	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

	9	6449624		2002-09-10	Hammack et al.	
	10	6530024		2003-03-04	Proctor, Paul E.	
	11	6715084		2004-03-30	Aaron et al.	
	12	6779120		2004-08-17	Valente et al.	
	13	7010807		2006-03-07	Yanovsky, Boris	
	14	7013395		2006-03-14	Swiler et al.	
	15	7055173		2006-05-30	Chaganty, et al.	
	16	7089590		2006-08-08	Judge et al.	
	17	7155487		2006-12-26	Yau, et al.	
	18	7185232		2007-02-27	Leavy et al.	
	19	7331061		2008-12-02	Ramsey et al.	

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	Attorney Docket Number	SP1P009	

	20	7353390		2008-04-01	Chandley, et al.	
	21	7428300		2008-09-23	Drew et al.	
	22	7496960		2009-02-24	Chen et al.	
	23	8200818		2006-06-12	Freund, et al	
	24	6205552		2001-03-20	Fudge, Bob	
	25	6711127		2004-03-23	Gorman et al.	
	26	7305709		2007-12-04	Lymer et al.	
	27	8561175		2013-10-15	Williams et al.	
If you wish to add additional U.S. Patent citation information please click the Add button.						Add
U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010023486		2001-09-20	Kayashima et al.	

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	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

	2	20020162026		2002-10-31	Neuman et al.	
	3	20020178380		2002-11-28	Wolf et al.	
	4	20030065773		2003-04-03	Aiba et al.	
	5	20030101353		2003-05-29	Tarquini et al.	
	6	20030105973		2003-06-05	Liang et al.	
	7	20040107274		2004-06-03	Mastrianni et al.	
	8	20050097199		2005-05-05	Woodard et al.	
	9	20050182949		2005-08-18	Phillips et al.	
	10	20050248457		2005-11-10	Himberger et al.	
	11	20050267954		2005-12-01	Lewis et al.	
	12	20050273853		2005-12-08	OBA et al.	

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	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

	13	20060085852		2006-04-20	Sima, Caleb	
	14	20060101518		2006-05-11	Schumaker et al.	
	15	20080104702		2008-05-01	Choi et al.	
	16	20020078381		2002-06-20	Farley et al.	
	17	20030154269		2003-08-14	Nyanchama et al.	
	18	20030204632		2003-10-30	Willebeek-LeMair et al.	
	19	20040015728		2004-01-22	Cole et al.	
	20	20040064726		2004-04-01	Girouard, Mario	
	21	20040073800		2004-04-15	Shah et al.	
	22	20040193918		2004-09-30	Green et al.	
	23	20050010821		2005-01-13	Cooper et al.	

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	Art Unit	2434	
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	Attorney Docket Number	SP1P009	

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Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1							☐
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NON-PATENT LITERATURE DOCUMENTS								Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.						T ⁵
	1	Viega, John, et al. "ITS4: A static vulnerability scanner for C and C++ code." Computer Security Applications, 2000. ACSAC'00. 16th Annual Conference. IEEE, 2000.						☐
	2	Ghosh, Anup K., Tom O'Connor, and Gary McGraw. "An automated approach for identifying potential vulnerabilities in software." Security and Privacy, 1998. Proceedings. 1998 IEEE Symposium on. IEEE, 1998.						☐
	3	Office Action Summary in U.S. Pat. App. No. 14/499,226 dated 05/19/2015						☐
	4	Office Action Summary in U.S. Pat. App. No. 14/499,230 dated 03/19/2015						☐
	5	Office Action Summary in U.S. Pat. App. No. 14/499,236 dated 05/06/2015						☐
	6	Office Action Summary in U.S. Pat. App. No. 14/499,239 dated 3/13/2015						☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

	7	Office Action Summary in U.S. Pat. App. No. 14/499,241 dated 3/4/2015	☐
	8	Office Action Summary in U.S. Pat. App. No. 14/499,244 dated 2/23/2015	☐
	9	Office Action Summary in U.S. Pat. App. No. 14/499,246 dated 03/30/2015	☐
	10	Office Action Summary in U.S. Pat. App. No. 14/499,239 dated 6/18/2015	☐
	11	Office Action Summary in U.S. Pat. App. No. 14/499,246 dated 04/28/2015	☐

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

EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14138014
	Filing Date	2013-12-21
	First Named Inventor	Brett M. Oliphant
	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

CERTIFICATION STATEMENT

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

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

OR

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

☐ See attached certification statement.

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

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Brian Owens/	Date (YYYY-MM-DD)	2015-06-26
Name/Print	Brian Owens	Registration Number	55,517

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		14138014		
Filing Date:		21-Dec-2013		
Title of Invention:		REAL-TIME VULNERABILITY MONITORING		
First Named Inventor/Applicant Name:		Brett M. Oliphant		
Filer:		Brian Dean Owens		
Attorney Docket Number:		SP1P009		
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:				
Petition Fee-37CFR 1.17(h) (Group II)	2464	1	70	70
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				670

Electronic Acknowledgement Receipt	
EFS ID:	22763613
Application Number:	14138014
International Application Number:	
Confirmation Number:	1067
Title of Invention:	REAL-TIME VULNERABILITY MONITORING
First Named Inventor/Applicant Name:	Brett M. Oliphant
Customer Number:	127962
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	SP1P009
Receipt Date:	27-JUN-2015
Filing Date:	21-DEC-2013
Time Stamp:	22:13:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

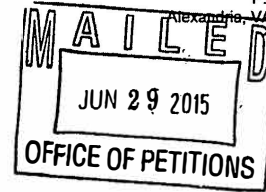
Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$670
RAM confirmation Number	9005
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	32467 2c4eaf2fe042880b9c9a577e0ea#e02be2c9689	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			32467		
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

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



BRIAN OWENS, ESQ.
3712 KIMBLE DR
PLANO, TX 75025

In re Application of :
Brett M. Oliphant, et al. :
Application No. 14/138,014 : **DECISION GRANTING PETITION**
Filed: December 21, 2013 : **UNDER 37 CFR 1.313(c)(2)**
Attorney Docket No. SP1P009 :

This is a decision on the petition under 37 CFR 1.313(c)(2), filed June 27, 2015, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). *See* 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on May 26, 2015 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries regarding this decision should be directed to undersigned at (571) 272-1642. All other inquiries regarding the examination of this application should be directed to the Technology Center at their customer service line (571) 272-2400.

This application is being referred to Technology Center AU 2434 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

/April M. Wise/
April M. Wise
Petitions Paralegal Specialist
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.



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

Date : June 29, 2015
TO : Director, Office of Data Management
FROM : Office of Petitions
SUBJECT : Withdrawal from Issue of **Application No. 14/138,014**

Applicant(s) : Bret M. Oliphant, et al.
Application No. : 14/138,014
Filed : December 21, 2013

The above-identified application has been assigned Patent No. 9,081,955 and an issue date of July 14, 2015.

It is hereby directed that this application be withdrawn from issue at the request of the applicant. Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of July 14, 2015:

"All reference to Patent No. 9,081,955 to Bret M. Oliphant, et al. of Texas for REAL-TIME VULNERABILITY MONITORING in the Official Gazette of July 14, 2015, should be deleted since no patent was granted."

/April M. Wise/

April M. Wise
Petitions Paralegal Specialist
Office of Petitions

cc: Paul Harrison
Deneise Boyd
Niomi Farmer
Mary E. Johnson (Cookie)
Bradley Harris
Kimberly Terrell
Lamont Fletcher
Dena Hines
DeShawn Durham
Frederick Briscoe
PDCS Weekly Process

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

PATENT WITHDRAWAL NOTICE

DATE WITHDRAWN

6/29/2015

WITHDRAWAL NUMBER

* 29539

The following application has been **WITHDRAWN** from the
7/14/2015 issue.

SERIAL NO.

14138014

PATENT NUMBER

9081955

DRAWINGS

CLASS

/

TITLE

REAL-TIME VULNERABILITY MONITORING

NAME AND ADDRESS

OLIPHANT, BRETT M. et al.
PLANO, TEXAS

REASON FOR WITHDRAWAL

Applicant's petition to withdraw - Granted

APPROVED

/Kimberly Terrell/, Manager

Patent Publication Branch
Office of Data Management

FORM PTO-302 -- (REV. 05-2009)



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

127962 7500
Brian Owens, Esq.
3712 Kimble Dr
Plano, TX 75025

07/10/2015

EXAMINER	
SHAIFER HARRIMAN, DANT B	
ART UNIT	PAPER NUMBER
2434	

DATE MAILED: 07/10/2015

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067

TITLE OF INVENTION: REAL-TIME VULNERABILITY MONITORING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$480	\$480	10/13/2015

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)

127#62 75#0 07/10/2015
Brian Owens, Esq.
3712 Kimble Dr
Plano, TX 75025

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.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067

TITLE OF INVENTION: REAL-TIME VULNERABILITY MONITORING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$480	\$480	10/13/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAIFER HARRIMAN, DANT B	2434	726-025000

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. _____

Page 2 of 3

PTOL-85 Part B (10-13) Approved for use through 10/31/2013.

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ForcePoint LLC
EX-1008
Page029



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.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067
127962 7500 07/10/2015 Brian Owens, Esq. 3712 Kimble Dr Plano, TX 75025			EXAMINER SHAIFER HARRIMAN, DANT	
			ART UNIT 2434	PAPER NUMBER

DATE MAILED: 07/10/2015

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. 14/138,014	Applicant(s) OLIPHANT ET AL.
	Examiner DANT SHAFER HARRIMAN	Art Unit 2434
		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 06/27/2015.
☐ 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 12, 21 - 25, 27 - 45, 47 - 69, 71 - 91, 94 - 178, but are renumbered as 1 - 154. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) ☐ All b) ☐ Some *c) ☐ None of the:

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

* Certified copies not received: ____.

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

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892) 2. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>06/27/2015</u> 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____	5. ☒ Examiner's Amendment/Comment 6. ☒ Examiner's Statement of Reasons for Allowance 7. ☐ Other ____
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/DANT SHAFER HARRIMAN/ Primary Examiner, Art Unit 2434	
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DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17€, was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17€ has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 06/27/2015 has been entered.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview on 02/12/2015 with Brian Owens [Reg. No. 55,517].

-----Begin Examiner's Amendment -----

1-11. (Cancelled)

12. (Currently Amended) In a networked computing system comprising a plurality of networked computers on a particular subnet in communication with the Internet, a method comprising:

receiving a result of at least one operation in connection with at least one of a plurality of networked devices, the at least one operation based on first information from at least one first data storage identifying a plurality of potential vulnerabilities including at least one first potential vulnerability and at least one second potential vulnerability, the at least one operation configured for:

identifying at least one configuration associated with the at least one networked device, and

determining that the at least one networked device is actually vulnerable to at least one actual vulnerability, based on the identified at least one configuration and the first information from the at least one first data storage identifying the plurality of potential vulnerabilities, such that second information associated with the result is stored in at least one second data storage separate from the at least one first data storage, the second information relating to the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

displaying an indication of ~~the at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable, utilizing the second information;

accessing a database containing the second information relating to the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

transmitting a query to the database;

receiving from the database a result responsive to the query;

making a security-related determination based on the result;

displaying, via at least one user interface, a plurality of techniques including a first technique for utilizing an intrusion prevention system for occurrence mitigation,

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[[and]]a second technique for utilizing a firewall for occurrence mitigation, and a third technique for installing a software update for occurrence mitigation;

receiving user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation;

based on the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation, automatically applying the first technique for utilizing the intrusion prevention system for occurrence mitigation;

receiving user input causing selection of the second technique for utilizing the firewall for occurrence mitigation;

based on the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation, automatically applying the second technique for utilizing the firewall for occurrence mitigation;

receiving user input causing selection of the third technique for installing the software update for occurrence mitigation;

based on the user input causing selection of the third technique for installing the software update for occurrence mitigation, automatically applying the third technique for installing the software update for occurrence mitigation;

identifying:

in connection with the at least one networked device, a first occurrence including at least one first occurrence packet directed to the at least one networked device, and

in connection with the at least one networked device, a second occurrence including at least one second occurrence packet directed to the at least one networked device;

determining:

that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

that the second occurrence including the at least one second occurrence packet directed to the at least one networked device is not capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable; [[and]] reporting at least the first occurrence based on the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable; and preventing the at least one first occurrence packet of the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, while there is no update at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.

~~wherein the computer program product is operable such that the at least one first occurrence packet of the first occurrence is prevented in response to the identification of the first occurrence, to prevent the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, while there is no update at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.~~

13-20. (Cancelled).

21. (Currently Amended) A computer program product embodied on at least one non-transitory computer readable medium, comprising:

code for receiving a result of at least one operation in connection with at least one of a plurality of networked devices, the at least one operation based on first information from at least one first data storage identifying a plurality of potential vulnerabilities including at least one first potential vulnerability and at least one second potential vulnerability, the at least one operation configured for:

identifying at least one configuration associated with the at least one networked device, and

determining that the at least one networked device is actually vulnerable to at least one actual vulnerability, based on the identified at least one configuration and the first information from the at least one first data storage identifying the plurality of potential vulnerabilities, such that second information associated with the result is stored in at least one second data storage separate from the at least one first data storage, the second information relating to the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

code for displaying an indication of ~~the at least one networked device and the at least one actual vulnerability to which the at least one networked device is actually vulnerable,~~ utilizing the second information;

code for displaying, via at least one user interface, a plurality of techniques including a first technique for utilizing an intrusion prevention system for occurrence mitigation, ~~[[and]]a second technique for utilizing a firewall for occurrence mitigation, and a third technique for installing a software update for occurrence mitigation;~~

code for receiving user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation;

code for, based on the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation, automatically applying the first technique for utilizing the intrusion prevention system for occurrence mitigation;

code for receiving user input causing selection of the second technique for utilizing the firewall for occurrence mitigation;

code for, based on the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation, automatically applying the second technique for utilizing the firewall for occurrence mitigation;

code for receiving user input causing selection of the third technique for installing the software update for occurrence mitigation;

code for, based on the user input causing selection of the third technique for installing the software update for occurrence mitigation, automatically applying the third technique for installing the software update for occurrence mitigation:

code for identifying:

in connection with the at least one networked device, a first occurrence including at least one first occurrence packet directed to the at least one networked device, and

in connection with the at least one networked device, a second occurrence including at least one second occurrence packet directed to the at least one networked device;

code for determining:

that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

that the second occurrence including the at least one second occurrence packet directed to the at least one networked device is not capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable; [[and]]

code for reporting at least the first occurrence based on the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;
and

code for preventing the at least one first occurrence packet of the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, while there is no update at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.

~~wherein the computer program product is operable such that the at least one first occurrence packet of the first occurrence is prevented in response to the identification of the first occurrence, to prevent the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, while there is no update at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.~~

22. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence is and the second occurrence ~~are~~ reported utilizing the at least one user interface for displaying at least some of the plurality of techniques including the first technique for utilizing the intrusion prevention system for occurrence mitigation, and the second technique for utilizing the firewall for occurrence mitigation, simultaneously with the first occurrence.

23. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one user interface includes an intrusion prevention system user interface.

24. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one user interface includes at least one intrusion prevention system user interface of ~~an intrusion prevention a~~ system that is supported by a client agent that is capable of supporting: the identifying the at least one configuration associated with the at least one networked device, the automatically applying the first technique for utilizing the intrusion prevention system for occurrence mitigation, and the automatically applying the second technique for utilizing the firewall for occurrence mitigation; where ~~the computer program product is further operable such that~~ the at least one intrusion prevention system user interface is capable of reporting the first occurrence and the second occurrence differently.

25. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one user interface includes

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at least one intrusion prevention system user interface of ~~an intrusion prevention a~~
system that cooperates with a client agent that is capable of working in conjunction with
a vulnerability component by performing the identifying the at least one configuration
associated with the at least one networked device, and communicating the at least one
configuration to the vulnerability management component.

26. (cancelled).

27. (Currently Amended) The computer program product of Claim 21, and further
comprising wherein the computer program product is operable such that a client agent
that is installable on the at least one networked device and is capable of performing the
identification of the at least one configuration associated with the at least one networked
device, the identification of the first occurrence in connection with the at least one of the
networked device, the automatically applying the first technique for utilizing the intrusion
prevention system for occurrence mitigation, and the automatically applying the second
technique for utilizing the firewall for occurrence mitigation.

28. (Currently Amended) The computer program product of Claim 21, wherein ~~the~~
~~computer program product is configured such that the~~ at least one user interface is part
of an intrusion prevention system console of an intrusion prevention system component
that includes a client agent that is installable on the at least one networked device and
is capable of: working in connection with a vulnerability management component in
supporting at least one aspect of the identification of the at least one configuration
associated with the at least one networked device, and working in connection with the
intrusion prevention system component in supporting at least one aspect of the
identification of the first occurrence in connection with the at least one of the networked
device.

29. (Currently Amended) The computer program product of Claim 28, wherein ~~the~~
~~computer program product is configured such that the~~ client agent is further capable of

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working with a firewall component in supporting at least one aspect of the prevention of the at least one first occurrence packet of the first occurrence.

30. (Currently Amended) The computer program product of Claim 28, wherein ~~the computer program product is configured such that~~ the client agent is further capable of working with a policy compliance component in supporting at least one aspect of a verification of an installation of a patch.

31. (Previously Presented) The computer program product of Claim 21, and further comprising:

code for receiving a first signal over a network in connection with the at least one networked device that relates to the first occurrence, and

code for, in response to the first signal, providing an output capable of being used in connection with the at least one networked device.

32. (Currently Amended) The computer program product of Claim 31, wherein ~~the computer program product is operable such that~~ the first signal prompts the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable.

33. (Currently Amended) The computer program product of Claim 31, wherein ~~the computer program product is operable such that~~ the output includes the reporting.

34. (Currently Amended) The computer program product of Claim 33, wherein ~~the computer program product is operable such that~~ the first occurrence is reported with a first severity and the second occurrence is reported with a second severity, based on the code for determining.

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35. (Currently Amended) The computer program product of Claim 33, wherein ~~the computer program product is operable such that~~ the output identifies whether the at least one networked device is actually vulnerable to the at least one of the actual vulnerability.

36. (Currently Amended) The computer program product of Claim 33, wherein ~~the computer program product is operable such that~~ the first occurrence is reported in a manner that indicates that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable.

37. (Previously Presented) The computer program product of Claim 31, and further comprising code for sending a second signal to the at least one networked device based on particular user input.

38. (Currently Amended) The computer program product of Claim 37, wherein ~~the computer program product is operable such that~~ the second signal is capable of being used to cause a particular action to be automatically completed.

39. (Currently Amended) The computer program product of Claim 38, wherein ~~the computer program product is operable such that~~ the particular user input is received after the first occurrence, such that the second signal is capable of being sent in response to the particular user input and the particular action is capable of being automatically completed in response to the second signal.

40. (Currently Amended) The computer program product of Claim 38, wherein ~~the computer program product is operable such that~~ the particular user input is received utilizing an intrusion prevention system user interface that displays the first occurrence that prompted a need for the particular action.

41. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one configuration is identified by identifying an operating system, at least one application, and at least one previously installed update of the at least one networked device.

42. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first information is capable of identifying the plurality of techniques, such that each of the potential vulnerabilities is associated with at least one of the techniques, wherein ~~the computer program product is further operable such that~~ at least one of the plurality of techniques has a mitigation type including at least one of a patch, a policy setting, or a configuration option; and at least one of the potential vulnerabilities is associated with at least two of the techniques.

43. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second information is capable of identifying the plurality of techniques, such that each of a plurality of actual ~~the potential~~ vulnerabilities is associated with at least one of the techniques, wherein ~~the computer program product is further operable such that~~ at least one of the plurality of techniques has a mitigation type including at least one of a patch, a policy setting, or a configuration option; and at least one of the ~~[[potential]]~~ actual vulnerabilities is associated with at least two of the techniques.

44. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ different techniques are capable of being automatically applied to different occurrences with different severities in real-time in response the identification of the different occurrences based on a user selection of the different techniques before the identification of the different occurrences.

45. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ different techniques are capable of

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being automatically applied to different occurrences with different severities based on and in response to a user selection of the different techniques after the identification of the different occurrences.

46. (Cancelled).

47. (Currently Amended) The computer program product of Claim 21, ~~wherein the computer program product is operable for:~~ and further comprising:

code for receiving user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation in connection with a group of the plurality of networked devices; and

code for, based on the second information and the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation in connection with the group of the plurality of networked devices, automatically applying the first technique for utilizing the intrusion prevention system for occurrence mitigation in connection with the group of the plurality of networked devices.

48. (Currently Amended) The computer program product of Claim 21, ~~wherein the computer program product is operable such that~~ which techniques are displayed via the at least one user interface are a function of the second information.

49. (Currently Amended) The computer program product of Claim 21, ~~wherein the computer program product is operable such that~~ the first technique is automatically applied to the at least one networked device as a function of the second information.

50. (Currently Amended) The computer program product of Claim 21, ~~wherein the computer program product is operable such that~~ which techniques are displayed via the at least one user interface are a function of the second information and at least one of the plurality of techniques is capable of being selected by a user for the automatic application of the selected at least one technique for the prevention of the at least one

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first occurrence packet of the first occurrence as a result of the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, based on at least one characteristic of the at least one first occurrence packet.

51. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~, based on the user input causing selection of the second technique which is received before receiving the result, the second technique is applied as a function of the second information for the prevention of the at least one first occurrence packet of the first occurrence by terminating or dropping the same based on the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable.

52. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique is automatically applied to the at least one networked device if the automatic application of the second technique would at least mitigate an effect of an attack that takes advantage of a particular vulnerability to which the at least one networked device is actually vulnerable.

53. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, includes applying at least one rule associated with the at least networked device to the first occurrence.

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54. (Currently Amended) The computer program product of Claim 53, wherein ~~the computer program product is operable such that~~ the at least one rule is associated with the at least networked device as a result of an application of at least one of the first technique or the second technique.

55. (Currently Amended) The computer program product of Claim 54, wherein ~~the computer program product is operable such that~~ at least one of the first technique or the second technique is made available for selection based on the second information.

56. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the plurality of techniques is displayed via the at least one user interface prior to the receipt of the result of at least one instance of the at least one operation and at least one of the first technique or the second technique is automatically applied in response to the receipt of the result of the at least one instance of the at least one operation and before the identification of the first occurrence.

57. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the plurality of techniques is displayed via the at least one user interface prior to the identification of the first occurrence and at least one of the first technique or the second technique is automatically applied in response to the identification of the first occurrence.

58. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the plurality of techniques is displayed via the at least one user interface in connection with the reporting and at least one of the first technique or the second technique is automatically applied in response to the corresponding user input.

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59. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one operation is in connection with multiple of the plurality of networked devices, and, based on the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation, the first technique for utilizing the intrusion prevention system for occurrence mitigation is automatically applied to each of the multiple networked devices.

60. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one operation is in connection with the at least one networked device, and, based on the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation, the second technique for utilizing the firewall for occurrence mitigation is automatically applied to multiple of the plurality of networked devices not subject to the at least one operation.

61. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ one or more of the plurality of techniques that are displayed via the at least one user interface are based on the at least one actual vulnerability which is capable of being taken advantage of by the first occurrence, and multiple options are available for selection by a user to at least mitigate the first occurrence.

62. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the automatic application of the first technique for utilizing the intrusion prevention system for occurrence mitigation results in the at least one first occurrence packet of the first occurrence being prevented.

63. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the automatic application of the second

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technique for utilizing the firewall for occurrence mitigation results in the at least one first occurrence packet of the first occurrence being prevented.

64. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one first occurrence packet of the first occurrence is prevented in immediate response to the identification of the first occurrence.

65. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one first occurrence packet of the first occurrence is prevented in response to the identification of the first occurrence utilizing an in-line component.

66. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the techniques is specifically tailored to mitigate only the first occurrence.

67. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ one or more of the plurality of techniques that are displayed via the at least one user interface are based on the at least one actual vulnerability which is capable of being taken advantage of by the first occurrence.

68. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique of the plurality of techniques ~~that are~~ is displayed via the at least one user interface ~~[[are]]~~ based on the at least one actual vulnerability, where the first technique for utilizing the intrusion prevention system for occurrence mitigation results in ~~[[mitigating]]~~ the prevention of the first occurrence including the at least one first occurrence packet directed to the at least one networked device.

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69. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation is displayed based on the at least one actual vulnerability, where the first technique for utilizing the intrusion prevention system for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence which includes at least one of closing a port, changing a configuration or policy, or preventing a service.

70. (Cancelled).

71. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation is automatically applied to the at least one networked device based on the determination that the at least one networked device is actually vulnerable to the at least one actual vulnerability, where the first technique for utilizing the intrusion prevention system for occurrence mitigation results in mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence ~~which includes at least one of closing a port, changing a configuration or policy, or preventing a service.~~

72. (Currently Amended) The computer program product of Claim 71, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is capable of being received prior to the result being received.

73. (Currently Amended) The computer program product of Claim 71, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is

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received in connection with the display of the indication of ~~the at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable.

74. (Currently Amended) The computer program product of Claim 71, wherein ~~the computer program product is operable such that~~ the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable ~~that the at least one networked device is actually vulnerable to the at least one actual vulnerability~~ is carried out utilizing at least one characteristic of the at least one first occurrence packet.

75. (Currently Amended) The computer program product of Claim 74, wherein ~~the computer program product is operable such that~~ the at least one characteristic of the at least one first occurrence packet involves a payload of the at least one first occurrence packet.

76. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique for utilizing the firewall for occurrence mitigation is based on the at least one actual vulnerability, where the second technique for utilizing the firewall for occurrence mitigation results in mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence ~~which includes at least one of closing a port, changing a configuration or policy, or preventing a service.~~

77. (Currently Amended) The computer program product of Claim 76, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is capable of being received prior to the result being received.

78. (Currently Amended) The computer program product of Claim 76, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is received in response to the display of the indication of ~~the at least one networked device and the at least one actual vulnerability to which the at least one networked device is actually~~ vulnerable.

79. (Currently Amended) The computer program product of Claim 76, wherein ~~the computer program product is operable such that~~ it is determined that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, after and as a result of the automatic application of the second technique for utilizing the firewall for occurrence mitigation.

80. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, results in the automatic application of the second technique for utilizing the firewall for occurrence mitigation.

81. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that the plurality of techniques~~ the first technique and the second technique that are displayed via the at least one user interface are based on the at least one actual vulnerability, where the first technique for utilizing the intrusion prevention system for occurrence mitigation results in mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet

of the first occurrence, and the second technique for utilizing the firewall for occurrence mitigation also results in mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device.

82. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique of the plurality of techniques that are displayed via the at least one user interface ~~[[are]]~~is based on the at least one actual vulnerability, where the second technique for utilizing the firewall for occurrence mitigation results in mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence.

83. (Currently Amended) The computer program product of Claim 82, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is capable of being received prior to the result being received.

84. (Currently Amended) The computer program product of Claim 83, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is capable of being received after the result is received.

85. (Currently Amended) The computer program product of Claim 84, wherein ~~the computer program product is operable such that~~ it is determined that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, after and as a result of the automatic application of~~[[:]]~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation ~~and the second technique for utilizing the firewall for occurrence mitigation.~~

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86. (Currently Amended) The computer program product of Claim ~~[[82]]~~21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation is displayed via a first user interface element and the second technique for utilizing the firewall for occurrence mitigation is displayed via a second user interface element.

87. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation and the second technique for utilizing the firewall for occurrence mitigation are automatically applied utilizing a firewall component and an intrusion prevention system component separate from the firewall component, respectively.

88. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ one or more of the plurality of techniques that are displayed via the at least one user interface are based on the at least one actual vulnerability which is capable of being taken advantage of by the first occurrence, and multiple options are available for selection by a user to at least mitigate the at least one actual vulnerability.

89. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the automatic application of the first technique for utilizing the intrusion prevention system for occurrence mitigation results in the at least one first occurrence packet of the first occurrence being prevented.

90. (Currently Amended) The computer program product of Claim 89, wherein ~~the computer program product is operable such that~~ the automatic application of the second technique for utilizing the firewall for occurrence mitigation results in the at least one first occurrence packet of the first occurrence being prevented.

91. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one first occurrence packet

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of the first occurrence is prevented in immediate response to the identification of the first occurrence to minimize disruption of business systems that an immediate installation of the update would effect.

92. (Cancelled).

93. (Cancelled).

94. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the first technique or the second technique is applied to a selected networked device, after which the at least one of the first technique or the second technique is applied to other networked devices.

95. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is received during presentation of and in connection with the at least one actual vulnerability to which the at least one networked device is actually vulnerable.

96. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is received during presentation of and in connection with the at least one actual vulnerability to which the at least one networked device is actually vulnerable.

97. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ which of the plurality of techniques including the first technique ~~[[and]]~~ or the second technique that are displayed or automatically applied and which of multiple of the networked devices are subject to the

automatic application of the plurality of techniques, are both based on particular actual vulnerabilities to which the multiple networked devices are actually vulnerable.

98. (Currently Amended) The computer program product of Claim 97, wherein ~~the computer program product is operable such that~~ the second technique for utilizing the firewall for occurrence mitigation results in mitigating the first occurrence including the at least one first occurrence packet directed to the multiple networked devices by the prevention of the at least one first occurrence packet of the first occurrence at the multiple networked devices.

99. (Currently Amended) The computer program product of Claim 98, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is capable of being received prior to the result being received, such that the first technique is automatically applied after the result is received.

100. (Currently Amended) The computer program product of Claim 99, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is capable of being received after the result is received.

101. (Previously Presented) The computer program product of Claim 100, and further comprising:

code for further displaying, via the at least one user interface, a graphical user interface element for setting an option in connection with the first technique for utilizing the intrusion prevention system for occurrence mitigation; and

code for, based on the user input causing selection of the graphical user interface element for setting the option, automatically applying the option in connection with the first technique for utilizing the intrusion prevention system for occurrence mitigation.

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102. (Currently Amended) The computer program product of Claim 100, wherein ~~the computer program product is operable such that~~ it is determined that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, after and as a result of the automatic application of~~[[:]]~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation ~~and the second technique for utilizing the firewall for occurrence mitigation.~~

103. (Currently Amended) The computer program product of Claim 102, wherein ~~the computer program product is operable such that the plurality of techniques are~~ the first technique is automatically applied prior to the first occurrence.

104. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the code for determining which is based on the second information, where the first technique for utilizing the intrusion prevention system for occurrence mitigation works in conjunction with the code for preventing ~~is for mitigating the first occurrence including~~ the at least one first occurrence packet of the first occurrence directed to the at least one networked device.

105. (Currently Amended) The computer program product of Claim 104, wherein ~~the computer program product is operable such that~~ the first occurrence is reported with a first severity and the second occurrence is reported with a second severity, based on the code for determining.

106. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the reporting is carried out utilizing the second information.

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107. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the code for determining which is based on the second information, where the first technique for utilizing the intrusion prevention system for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence.

108. (Currently Amended) The computer program product of Claim 107, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is capable of being received prior to the first occurrence being identified.

109. (Currently Amended) The computer program product of Claim 108, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is capable of being received after the first occurrence is identified.

110. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the code for determining which is based on the second information, where the first technique for utilizing the intrusion prevention system for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence utilizing an intrusion prevention system component that is integrated into a single platform that also includes an integrated firewall component that is utilized in connection with the second technique and an integrated update component that is utilized in connection with the third technique, such that the integrated intrusion prevention system component and the integrated firewall component both operate as a function of user selections of options

which are presented as a function of actual vulnerabilities identified based on at least one of an operating system or an application.

111. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the second information, where the second technique for utilizing the firewall for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence which includes terminating or dropping the at least one first occurrence packet of the first occurrence utilizing a firewall component that is integrated with a single platform that also has an integrated intrusion prevention system component that is utilized by the first technique, such that the integrated intrusion prevention system component and the integrated firewall component both operate as a function of both user selections, and actual vulnerabilities identified based on an operating system.

112. (Currently Amended) The computer program product of Claim 111, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is capable of being received after the first occurrence is identified.

113. (Currently Amended) The computer program product of Claim 112, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is capable of being received prior to the first occurrence being identified.

114. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the code for determining which is based on the second information, where the first technique for utilizing the intrusion prevention

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system for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence utilizing a quarantine to block at least one connection request in connection with the at least one networked device, and the second technique for utilizing the firewall for occurrence mitigation is for mitigating an effect of the first occurrence utilizing [[a]]the firewall component.

115. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first occurrence and the second occurrence are reported differently based on the second information, where the second technique for utilizing the firewall for occurrence mitigation is for mitigating the first occurrence including the at least one first occurrence packet directed to the at least one networked device by the prevention of the at least one first occurrence packet of the first occurrence.

116. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique for utilizing the firewall for occurrence mitigation deploys a firewall [[policy]]update that is based on one or more actual vulnerabilities for preventing valid attacks, the firewall update being deployed utilizing a single client agent that also supports deployment of an intrusion prevention update resulting from the first technique that is also based on one or more actual vulnerabilities.

117. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation deploys an intrusion prevention policy that is based on one or more actual vulnerabilities for preventing valid attacks.

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118. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique for utilizing the firewall for occurrence mitigation deploys a firewall rule that is based on one or more actual vulnerabilities as opposed to one or more potential vulnerabilities for preventing valid attacks while avoiding false positives, the firewall rule being deployed utilizing a single client agent that also supports deployment of an intrusion prevention rule resulting from the first technique that is also based on one or more actual vulnerabilities as opposed to one or more potential vulnerabilities for preventing valid attacks while avoiding false positives.

119. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation deploys an intrusion prevention system rule that is based on one or more actual vulnerabilities as opposed to one or more potential vulnerabilities for preventing valid attacks while avoiding false positives.

120. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the second technique for utilizing the firewall for occurrence mitigation deploys a firewall configuration option setting in addition to a firewall rule.

121. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation deploys an intrusion prevention system rule and the second technique for utilizing the firewall for occurrence mitigation deploys a firewall rule, where the intrusion prevention system rule and the firewall rule both are specifically for mitigating an attack that is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable.

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122. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the identifying the at least one configuration and the prevention of the at least one first occurrence packet of the first occurrence is supported by the same client agent.

123. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation deploys an intrusion prevention system configuration option ~~[[is]]~~ for initiating a remediation-related action in connection with the at least one networked device for supporting a patch installation process.

124. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one second data storage is capable of residing at the at least one networked device.

125. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is capable of being received before the identification of the first occurrence, such that the first technique is automatically applied for occurrence mitigation in response to the identification of the first occurrence, the first technique for causing the prevention of the at least one first occurrence packet of the first occurrence by terminating or dropping the same.

126. (Currently Amended) The computer program product of Claim 125, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is also capable of being received after the first occurrence and in connection with the first occurrence, such that the first technique is automatically applied for mitigating the first occurrence in response to the user input causing selection of the first technique.

127. (Currently Amended) The computer program product of Claim 126, wherein ~~the computer program product is operable such that~~ the user input causing selection of the

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second technique is capable of being received before the identification of the first occurrence, such that the second technique is automatically applied for occurrence mitigation in response to the identification of the first occurrence.

128. (Currently Amended) The computer program product of Claim 127, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is also capable of being received after the first occurrence and in connection with the first occurrence, such that the second technique is applied for mitigating the first occurrence in response to the user input causing selection of the second technique.

129. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is capable of being received after the first occurrence and in connection with the first occurrence, such that the first technique is applied for mitigating the first occurrence in real-time in response to the user input causing selection of the first technique.

130. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is capable of being received after the first occurrence and in connection with the first occurrence, such that the second technique is applied for mitigating the first occurrence in response to the user input causing selection of the second technique.

131. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~, in addition to the preventing, ~~the computer program product is operable for rejecting~~ a connection request by the at least one networked device is rejected.

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132. (Currently Amended) The computer program product of Claim 131, wherein ~~the computer program product is operable such that~~ the connection request is redirected to an explanatory message.

133. (Currently Amended) The computer program product of Claim 131, wherein ~~the computer program product is operable such that~~ the message includes a web page.

134. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~, in addition to the preventing, ~~the computer program product is operable for rejecting~~ a connection request by the at least one networked device is rejected for a predetermined time.

135. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~, in addition to the preventing, ~~the computer program product is operable for rejecting~~ a connection request by the at least one networked device is rejected for a predetermined time before an installation of a patch at the at least one of the networked device.

136. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~, in addition to the preventing, ~~the computer program product is operable for performing~~ at least one particular operation is performed for supporting an installation of the update at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.

137. (Currently Amended) The computer program product of Claim 21, and further comprising ~~wherein the computer program product is operable such that~~ a client agent that is installable on the at least one networked device and is capable of supporting at least one aspect of the identification of the at least one configuration associated with the at least one networked device, the identification of the first occurrence in connection

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with the at least one of the networked device, the prevention of the at least one first occurrence packet of the first occurrence, and ~~[[an]]~~the installation of the software update a patch.

138. (Currently Amended) The computer program product of Claim 137, wherein ~~the computer program product is operable such that~~ the client agent is capable of supporting at least one aspect of a verification of the installation of the software update[[patch]].

139. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the at least one first occurrence packet of the first occurrence and at least one outgoing connection request from the at least one networked device are prevented in real-time after the identification of the first occurrence, utilizing a platform including the intrusion prevention system and the firewall.

140. (Currently Amended) The computer program product of Claim 139, wherein ~~the computer program product is operable such that~~ the connection request is redirected to an explanatory message.

141. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is capable of being received before the identification of the first occurrence, such that the second technique is automatically applied for occurrence mitigation in response to the identification of the first occurrence at any networked device of a particular group of the plurality of networked devices, the second technique for causing the prevention of the at least one first occurrence packet of the first occurrence; wherein ~~the computer program product is further operable such that~~ the user input causing selection of the first technique is capable of being received before the identification of the first occurrence, such that the first technique is automatically

applied for occurrence mitigation in response to the identification of the first occurrence at any networked device of the particular group of the plurality of networked devices, the first technique for preventing a connection request in connection with the at least one networked device; wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is also capable of being received after the first occurrence and in connection with the first occurrence at the at least one networked device which includes a single networked device, such that the second technique is automatically applied for mitigating the first occurrence in response to the user input causing selection of the second technique at the at least one networked device which includes the single networked device; wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is also capable of being received after the first occurrence and in connection with the first occurrence at the at least one networked device which includes the single networked device, such that the first technique is applied for mitigating the first occurrence in response to the user input causing selection of the first technique at the at least one networked device which includes the single networked device.

142. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is capable of being received before the identification of the first occurrence, such that the second technique is automatically applied for occurrence mitigation in real-time in response to the identification of the first occurrence at any of the plurality of networked devices, the second technique for causing the prevention of the at least one first occurrence packet of the first occurrence.

143. (Currently Amended) The computer program product of Claim 142, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is capable of being received before the identification of the first occurrence, such that the first technique is automatically applied for occurrence mitigation in real-time in response to the identification of the first occurrence at any of

the plurality of networked devices, the first technique for preventing a connection request of the at least one networked device.

144. (Currently Amended) The computer program product of Claim 143, wherein ~~the computer program product is operable such that~~ the user input causing selection of the second technique is also capable of being received after the first occurrence and in connection with the first occurrence at the at least one networked device which includes a single networked device, such that the second technique is automatically applied for mitigating the first occurrence in real-time in response to the user input causing selection of the second technique at the at least one networked device which includes the single networked device.

145. (Currently Amended) The computer program product of Claim 144, wherein ~~the computer program product is operable such that~~ the user input causing selection of the first technique is also capable of being received after the first occurrence and in connection with the first occurrence at the at least one networked device which includes the single networked device, such that the first technique is applied for mitigating the first occurrence in real-time in response to the user input causing selection of the first technique at the at least one networked device which includes the single networked device.

146. (Currently Amended) The computer program product of Claim 21, and further comprising:

code for displaying, via the at least one user interface, a ~~[[third]]~~ fourth technique for initiating a remediation-related action for supporting a patch installation;

code for receiving user input causing selection of the ~~[[third]]~~ fourth technique for initiating the remediation-related action for supporting the patch installation, utilizing the at least one user interface; and

code for, based on the user input causing selection of the ~~[[third]]~~ fourth technique for initiating the remediation-related action for supporting the patch

installation process, causing automatic application of the third technique for initiating the remediation-related action for supporting the patch installation process.

147. (Currently Amended) The computer program product of Claim 146, wherein ~~the computer program product is operable such that~~ the remediation-related action involves rejecting a connection request by the at least one networked device.

148. (Currently Amended) The computer program product of Claim 147, wherein ~~the computer program product is operable such that~~ the connection request is redirected to a message.

149. (Currently Amended) The computer program product of Claim 148, wherein ~~the computer program product is operable such that~~ the message includes to a web page.

150. (Currently Amended) The computer program product of Claim 148, wherein ~~the computer program product is operable such that~~ the message explains why a connection is not being made.

151. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, includes cross referencing a Common Vulnerabilities and Exposures (CVE) identifier associated with the first occurrence with one or more particular actual vulnerabilities of the at least one networked device.

152. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable for reporting~~ the first occurrence is reported in a manner that indicates that the first occurrence including the at least one first occurrence

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packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable.

153. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the automatic application of at least one of the first technique for utilizing the intrusion prevention system for occurrence mitigation [[or]] and the second technique for utilizing the firewall for occurrence mitigation affects software installed on the at least one networked device.

154. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the automatic application of at least one of the first technique for utilizing the intrusion prevention system for occurrence mitigation [[or]] and the second technique for utilizing the firewall for occurrence mitigation affects communications to or from the at least one networked device.

155. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of:

- said result includes the second information;
- said at least one first data storage includes at least one first database;
- said at least one first data storage is a component of a network operations center (NOC) server;
- said at least one second data storage includes at least one second database;
- said first information is from the at least one first data storage via at least one of: receiving at least one update therefrom; pulling at least one update therefrom, communicating therewith, or synchronizing therewith;
- said at least one operation includes a vulnerability scan operation;
- said at least one operation is automatic;
- said identifying the at least one configuration is automatic;

said at least one actual vulnerability includes at least one of the potential vulnerabilities to which the at least one networked device is determined to be actually vulnerable based on identified at least one configuration;

said at least one configuration includes at least one of: service pack information, one or more elements contained in files including at least one of an *.ini or *.conf file, registry information, identification of an operating system, identification of a software version, or identification of software;

said determining that the at least one networked device is actually vulnerable to the at least one actual vulnerability includes at least one of: matching the identified at least one configuration with a guideline associated with at least one update, or cross-referencing an identifier with the configuration;

said second information identifies the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

said second information is stored in the at least one second storage when it is utilized;

said indication of ~~the at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable includes an identification of ~~the at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

said computer program product is embodied on a single non-transitory computer readable medium;

said first technique and second technique are of different types;

at least one of said first or second techniques include at least one of remediation techniques, mitigation techniques, attack mitigation techniques, or vulnerability mitigation techniques;

said occurrence mitigation includes at least one of removing the at least one actual vulnerability, occurrence prevention, or reducing an effect of a particular occurrence;

said first technique for utilizing the intrusion prevention system for occurrence mitigation, [[and]] the second technique for utilizing the firewall for occurrence

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mitigation, and the third technique for installing the software update for occurrence mitigation are displayed via the same user interface;

said first technique for utilizing the intrusion prevention system for occurrence mitigation, and the second technique for utilizing the firewall for occurrence mitigation, and the third technique for installing the software update for occurrence mitigation are displayed via different user interface elements;

said first technique for utilizing the intrusion prevention system for occurrence mitigation, the second technique for utilizing the firewall for occurrence mitigation, and the third technique for installing the software update for occurrence mitigation are displayed via the at least one user interface utilizing at least one of options or graphical user interface elements;

said first technique for utilizing the intrusion prevention system for occurrence mitigation results in the first technique being automatically applied at a later time;

at least one of said first or second techniques, after the user selection thereof, is automatically applied at a later time;

said user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation results in the first technique being automatically applied at a later time;

said user input causing selection of the first technique and the user input causing selection of the second technique including separate user inputs;

said automatic application of the first technique puts a policy in place for being utilized at a later time;

said automatic application of the second technique puts a policy in place for being utilized at a later time;

at least one of said first or second techniques, after the automatic application thereof, is utilized at a later time for the occurrence mitigation;

said user input selecting the first technique is received utilizing the at least one user interface;

said user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation specifically identifies the first technique;

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said user input causing selection of the second technique for utilizing the firewall for occurrence mitigation specifically identifies the second technique;

said user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation is received in response to the display of the first technique;

said user input causing selection of the second technique for utilizing the firewall for occurrence mitigation is received in connection with the display of the second technique;

said first technique for utilizing the intrusion prevention system for occurrence mitigation involves an intrusion prevention system action that prevents an attack;

said second technique for utilizing the firewall for occurrence mitigation includes a firewall action that blocks an attack;

said first technique for utilizing the intrusion prevention system for occurrence mitigation utilizes the intrusion prevention system to deploy a patch utilizing an update component;

said second technique for utilizing the firewall for occurrence mitigation utilizes the firewall to deploy a patch utilizing an update component;

said automatic application of the first technique for utilizing the intrusion prevention system for occurrence mitigation includes the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

said automatic application of the first technique for utilizing the intrusion prevention system for occurrence mitigation results in the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

said automatic application of the first technique for utilizing the intrusion prevention system for occurrence mitigation results from the determination that the first occurrence including the at least one first occurrence packet directed to the at least one

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networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

said intrusion prevention system and the firewall are separate;

said intrusion prevention system and the firewall are integrated on the same single platform;

said first occurrence includes an attack;

said first occurrence includes an incident and said second occurrence includes an event;

said determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, is carried out utilizing at least one of vulnerability identifiers, profiles, threat information, or the second information;

said reporting includes reporting of the second occurrence;

said reporting is carried out utilizing a log;

said at least one first occurrence packet of the first occurrence is prevented by terminating or dropping the same;

said software update includes at least one of a security product upgrade or a signature update; or

said update includes a patch.

156. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that:~~

said result includes the second information;

said at least one first data storage includes at least one first database;

said first information is from the at least one first data storage via at least one of: receiving at least one update therefrom; pulling at least one update therefrom, communicating therewith, or synchronizing therewith;

said at least one operation includes a vulnerability scan operation;

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said at least one actual vulnerability includes at least one of the potential vulnerabilities to which the at least one networked device is determined to be actually vulnerable based on identified at least one configuration;

said at least one configuration includes at least one of: service pack information, one or more elements contained in files including at least one of an *.ini or *.conf file, registry information, identification of an operating system, identification of a software version, or identification of software;

said second information identifies the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

said second information is stored in the at least one second storage when it is utilized;

said indication of ~~the at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable includes an identification of the ~~at least one networked device and~~ the at least one actual vulnerability to which the at least one networked device is actually vulnerable;

at least one of said first or second techniques include at least one of remediation techniques, mitigation techniques, attack mitigation techniques, or vulnerability mitigation techniques;

said occurrence mitigation includes at least one of removing the at least one actual vulnerability, occurrence prevention, or reducing an effect of the first occurrence;

said first occurrence includes a possible attack;

said at least one first occurrence packet of the first occurrence is prevented by terminating or dropping the same;

said software update includes at least one of a security product upgrade or a signature update; and

said update includes a patch.

157. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable for determining~~ which of the networked devices have weaknesses is determined by directly querying a firmware or operating system thereof.

158. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that,~~ by reporting at least the first occurrence based on the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, a user is capable of discerning between potential attacks that are relevant to actual vulnerabilities of the at least one networked device and potential attacks that are irrelevant to the actual vulnerabilities of the at least one networked device.

159. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that,~~ by preventing the at least one first occurrence packet of the first occurrence, disruption of business systems that would result from an immediate installation of the update is minimized.

160. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ only the techniques that are relevant to the actual vulnerabilities of the at least one networked device are automatically applied to avoid automatically application of techniques that are irrelevant to the actual vulnerabilities of the at least one networked device.

161. (Previously Presented) The computer program product of Claim 21, and further comprising:

code for further displaying, via the at least one user interface, a graphical user interface element for setting an option in connection with the second technique for utilizing the firewall for occurrence mitigation; and

code for, based on the user input causing selection of the graphical user interface element for setting the option, automatically applying the option in connection with the second technique for utilizing the firewall for occurrence mitigation.

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162. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the first technique or the second technique is capable of being rolled back after being automatically applied.

163. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ at least one of the first technique or the second technique is capable of being rolled back via a single click.

164. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ configuration information is received, and a subset of the plurality of techniques is conditionally displayed based on the configuration information for selection.

165. (Currently Amended) The computer program product of Claim 164, wherein ~~the computer program product is operable such that~~ the configuration information identifies an operating system.

166. (Currently Amended) The computer program product of Claim 164, wherein ~~the computer program product is operable such that~~ the configuration information is received automatically.

167. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ which of the plurality of techniques ~~including~~ the first technique ~~[[and]]~~ or the second technique that ~~[[are]]~~ is displayed ~~[[are]]~~ is based on particular actual vulnerabilities to which the multiple networked devices are actually vulnerable so that only relevant techniques are displayed for selection by a user for automatic application to avoid false positives.

168. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ one or more of the user input causing

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selection of the first technique and the user input causing selection of the second technique are capable of being received via the at least one user interface for different networked devices, for allowing different technique types involving different security technologies including intrusion prevention and firewall technologies to be selectively applied to the different networked devices for different actual vulnerabilities.

169. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that which of the plurality of techniques including at least one of the first technique [[and]] or the second technique that are~~ displayed [[are] based on particular actual vulnerabilities to which the multiple networked devices are actually vulnerable so that only relevant techniques are displayed for selection by a user for automatic application to avoid false positives, and one or more of the user input causing selection of the first technique and the user input causing selection of the second technique are capable of being received via at least one console for different networked devices, for allowing different technique types involving different security technologies including intrusion prevention and firewall technologies to be selectively applied to the different networked devices for different actual vulnerabilities.

170. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that which of the plurality of techniques including the first technique and the second technique that are~~ displayed [[are] based on particular actual vulnerabilities to which the multiple networked devices are actually vulnerable ~~so that only relevant techniques are displayed~~ for selection by a user in connection with the particular actual vulnerabilities for automatic application to avoid false positives, and one or more of the user input causing selection of the first technique and the user input causing selection of the second technique are capable of being received via at least one console for different networked devices, for allowing different technique types involving different security technologies including intrusion prevention and firewall technologies to be selectively applied by the user to the different networked

devices for different actual vulnerabilities, so as to be capable of resulting in: only the first technique being selectively applied by the user to at least one first networked device, only the second technique being selectively applied by the user to at least one second networked device, and both the first technique and the second technique being selectively applied by the user to at least one third networked device.

171. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ which of at least one of the plurality of techniques including the first technique [[and]] or the second technique that are displayed are based on and displayed in connection with particular actual vulnerabilities to which the multiple networked devices are actually vulnerable so that only relevant techniques are displayed for selection by a user for automatic application to avoid false positives, and one or more of the user input causing selection of the first technique and the user input causing selection of the second technique are capable of being received via at least one console for different networked devices, for allowing different technique types involving different security technologies including intrusion prevention and firewall technologies to be selectively applied by the user to the different networked devices for different actual vulnerabilities, so as to be capable of resulting in: only the first technique being selectively applied by the user to at least one first networked device, only the second technique being selectively applied by the user to at least one second networked device, and both the first technique and the second technique being selectively applied by the user to at least one third networked device.

172. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation is automatically applied utilizing a first communication from a server to intrusion prevention system-supporting client code, and the second technique for utilizing the firewall for occurrence mitigation is automatically applied utilizing a second communication from the server to firewall-supporting client code.

173. (Currently Amended) The computer program product of Claim 21, wherein ~~the computer program product is operable such that~~ the first technique for utilizing the intrusion prevention system for occurrence mitigation and the second technique for utilizing the firewall for occurrence mitigation are automatically applied utilizing a encrypted communications from a server to a client agent that supports both the intrusion prevention system and the firewall.

174. (Currently Amended) An apparatus, comprising:
an intrusion prevention system including computer program product embodied on at least one non-transitory computer readable medium, including:
code for receiving a result of at least one operation performed on at least one of a plurality of networked devices, the at least one operation based on first information from at least one first data storage identifying a plurality of potential vulnerabilities including at least one first potential vulnerability and at least one second potential vulnerability, the at least one operation configured for:
identifying at least one configuration associated with the at least one networked device, and
determining that the at least one networked device is actually vulnerable to at least one actual vulnerability, based on the identified at least one configuration and the first information from the at least one first data storage identifying the plurality of potential vulnerabilities, such that second information associated with the result is stored in at least one second data storage separate from the at least one first data storage, the second information relating to the at least one actual vulnerability to which the at least one networked device is actually vulnerable;
code for displaying, via at least one user interface, a plurality of techniques including a first technique for utilizing an intrusion prevention system for occurrence mitigation, ~~[[and]]~~a second technique for utilizing a firewall for occurrence mitigation, and a third technique for installing a software update for occurrence mitigation;

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code for receiving user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation;

code for, based on the user input causing selection of the first technique for utilizing the intrusion prevention system for occurrence mitigation, applying the first technique for utilizing the intrusion prevention system for occurrence mitigation;

code for receiving user input causing selection of the second technique for utilizing the firewall for occurrence mitigation;

code for, based on the user input causing selection of the second technique for utilizing the firewall for occurrence mitigation, applying the second technique for utilizing the firewall for occurrence mitigation;

code for receiving user input causing selection of the third technique for installing the software update for occurrence mitigation;

code for, based on the user input causing selection of the third technique for installing the software update for occurrence mitigation, applying the third technique for installing the software update for occurrence mitigation;

code for identifying:

for the at least one networked device, a first occurrence including at least one first occurrence packet, and

for the at least one networked device, a second occurrence including at least one second occurrence packet;

code for determining:

that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable;

that the second occurrence including the at least one second occurrence packet directed to the at least one networked device is not capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable; [[and]]

code for reporting at least the first occurrence based on the determination that the first occurrence including the at least one first occurrence packet is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable; and

code for preventing the at least one first occurrence packet of the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, regardless of whether an update has been installed at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.

~~wherein the intrusion prevention system is operable such that the at least one first occurrence packet of the first occurrence is prevented in response to the identification of the first occurrence, to prevent the first occurrence from taking advantage of the at least one actual vulnerability to which the at least one networked device is actually vulnerable, regardless of whether an update has been installed at the at least one of the networked device that removes the at least one actual vulnerability from the at least one networked device.~~

175. (New) The apparatus of Claim 174, wherein the at least one user interface is a component of a system that includes integrated intrusion prevention functionality for supporting the first technique and firewall functionality for supporting the second technique, such that the intrusion prevention functionality and the firewall functionality are both supported by a security component of the system that in turn supports at least one aspect of the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, the system further including logic that receives the second information and utilizes the second information to conditionally display, as a function of an existence of one or more actual vulnerabilities, one or more of the plurality of techniques to allow selective utilization of the intrusion prevention functionality and the firewall functionality, so that only relevant techniques are displayed

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for selection to reduce false positives in connection with both the intrusion prevention functionality and the firewall functionality.

176. (New) The apparatus of Claim 174, wherein the at least one user interface is a component of a system that includes integrated intrusion prevention functionality for supporting the first technique and firewall functionality for supporting the second technique, such that the intrusion prevention functionality and the firewall functionality are both supported by a security component of the system that in turn supports at least one aspect of the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, the system further including logic that receives actual vulnerability information and utilizes the actual vulnerability information to relevantly display, as a function of one or more actual vulnerabilities identified utilizing the actual vulnerability information, multiple of the plurality of techniques to allow selective utilization of the intrusion prevention functionality and the firewall functionality.

177. (New) The computer program product of Claim 21, wherein the at least one user interface is a component of a system that includes integrated intrusion prevention functionality for supporting the first technique and firewall functionality for supporting the second technique, such that the intrusion prevention functionality and the firewall functionality are both supported by a security component that in turn supports at least one aspect of the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, the system further including logic that receives the second information and utilizes the second information to conditionally display, as a function of an existence of one or more actual vulnerabilities, one or more of the plurality of techniques to allow selective utilization of the intrusion prevention functionality and the firewall functionality, so that only relevant techniques are displayed

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for selection to reduce false positives in connection with both the intrusion prevention functionality and the firewall functionality.

178. (New) The computer program product of Claim 21, wherein the at least one user interface is a component of a system that includes integrated intrusion prevention functionality for supporting the first technique and firewall functionality for supporting the second technique, such that the intrusion prevention functionality and the firewall functionality are both supported by a security component that in turn supports at least one aspect of the determination that the first occurrence including the at least one first occurrence packet directed to the at least one networked device is capable of taking advantage of the at least one of the actual vulnerability to which the at least one networked device is actually vulnerable, the system further including logic that utilizes actual vulnerability information to conditionally and relevantly display, as a function of one or more actual vulnerabilities identified based on the actual vulnerability information, multiple of the plurality of techniques to allow selective utilization of the intrusion prevention functionality and the firewall functionality, to reduce false positives.

-----End Examiner's Amendment-----

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 06/27/2015 was filed after the mailing date of the notice of allowance on 02/24/2015. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Double Patenting

5. Applicant's eternal disclaimer filed on 05/26/2015 was approved on 05/26/2015.

Response to Amendment

6. Applicant's amendments to the claims according to the examiner's amendment above have been fully considered, and are persuasive. See the office action below.

7. Regarding the claim objection on claim 4, the claim objection is withdrawn based on applicant's cancellation of the claim.

8. Regarding claims 4, 5, 8 under the provisional obvious type double patenting rejections, the rejections are withdrawn based on applicant's cancellation of the claims.

9. Regarding claim(s) 4, 5, 8, 10, 12, 13, 16, 18 that were rejected under pre-AIA 35 U.S.C. 102b as being taught by Shostack et al. (US Patent No. 6298445), applicant's cancellation of the claim or the examiner's amendment to the claim above have been considered; therefore, the rejections are withdrawn based on applicant's cancellation of the claim or the examiner's amendment to the claim.

10. Regarding claim(s) 4, 7, 12, 15, 19, 20 that were rejected under pre-AIA 35 U.S.C. 102b as being taught by Todd, Sr. et al. (US Patent No. 6185689), applicant's cancellation of the claim or the examiner's amendment to the claim above have been considered; therefore, the rejections are withdrawn based on applicant's cancellation of the claim or the examiner's amendment to the claim.

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11. Regarding claim(s) 6, 11, 14 that were rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Shostack et al. (US Patent No. 6298445) in view of Gales et al. (US PG PUB # 2003/0135749), applicant's cancellation of the claims is noted; therefore, the rejections are withdrawn based on applicant's cancellation of the claims.

12. Regarding claim(s) 9, 17 that were rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Shostack et al. (US Patent No. 6298445) in view of Hatfalvi et al. (US Patent No. 7240193), applicant's cancellation of the claims is noted; therefore, the rejections are withdrawn based on applicant's cancellation of the claims.

Allowable Subject Matter

13. Claims 12, 21 – 25, 27 – 45, 47 – 69, 71 – 91, 94 – 178 are allowed, but are renumbered as 1 – 154.

14. Applicant's amendments to the claims as shown in the examiner's amendment above for application # 14/138014 have been considered, and are persuasive.

Therefore, the previously filed claim objections and claim rejections have been withdrawn. **The record is clear; therefore, no reason for allowance is necessary.**

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANT SHAFER HARRIMAN whose telephone number is (571)272-7910. The examiner can normally be reached on Monday - Friday: 9:00am - 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. 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.

07/08/2015
/DANT SHAIFFER HARRIMAN/
Primary Examiner, Art Unit 2434

Issue Classification 	Application/Control No. 14138014	Applicant(s)/Patent Under Reexamination OLIPHANT ET AL.
	Examiner DANT SHAIER HARRIMAN	Art Unit 2434

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION									
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED				
726			25			G	0	6	F	11 / 00 (2006.01.01)					
CROSS REFERENCE(S)						G	0	6	F	12 / 14 (2006.01.01)					
						G	0	6	F	12 / 16 (2006.01.01)					
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					G	0	8	B	23 / 00 (2006.01.01)					

NONE		Total Claims Allowed:	
		154	
(Assistant Examiner)	(Date)		
/DANT SHAIER HARRIMAN/ Primary Examiner, Art Unit 2434	07/08/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	11

Issue Classification 	Application/Control No. 14138014	Applicant(s)/Patent Under Reexamination OLIPHANT ET AL.
	Examiner DANT SHAFER HARRIMAN	Art Unit 2434

☐ Claims renumbered in the same order as presented by applicant															
☐ CPA															
☒ T.D.															
☐ R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1	5	24	26	47		70		93	92	116	115	139	138	162
	2	6	25	27	48	49	71	70	94	93	117	116	140	139	163
	3		26	28	49	50	72	71	95	94	118	117	141	140	164
	4	7	27	29	50	51	73	72	96	95	119	118	142	141	165
	5	8	28	30	51	52	74	73	97	96	120	119	143	142	166
	6	9	29	31	52	53	75	74	98	97	121	120	144	143	167
	7	10	30	32	53	54	76	75	99	98	122	121	145	144	168
	8	11	31	33	54	55	77	76	100	99	123	122	146	145	169
	9	12	32	34	55	56	78	77	101	100	124	123	147	146	170
	10	13	33	35	56	57	79	78	102	101	125	124	148	147	171
	11	14	34	36	57	58	80	79	103	102	126	125	149	148	172
1	12	15	35	37	58	59	81	80	104	103	127	126	150	149	173
	13	16	36	38	59	60	82	81	105	104	128	127	151	150	174
	14	17	37	39	60	61	83	82	106	105	129	128	152	151	175
	15	18	38	40	61	62	84	83	107	106	130	129	153	152	176
	16	19	39	41	62	63	85	84	108	107	131	130	154	153	177
	17	20	40	42	63	64	86	85	109	108	132	131	155	154	178
	18	21	41	43	64	65	87	86	110	109	133	132	156		
	19	22	42	44	65	66	88	87	111	110	134	133	157		
	20	23	43	45	66	67	89	88	112	111	135	134	158		
2	21	24	44	46	67	68	90	89	113	112	136	135	159		
3	22	25	45	47	68	69	91	90	114	113	137	136	160		
4	23		46	48	69		92	91	115	114	138	137	161		

NONE		Total Claims Allowed:	
		154	
(Assistant Examiner)	(Date)		
/DANT SHAFER HARRIMAN/ Primary Examiner Art Unit 2434	07/08/2015	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	11

U.S. Patent and Trademark Office

Part of Paper No. 20150708

Search Notes 	Application/Control No. 14138014	Applicant(s)/Patent Under Reexamination OLIPHANT, BRETT M.
	Examiner DANT SHAFER HARRIMAN	Art Unit 2434

CPC- SEARCHED		
Symbol	Date	Examiner
G06F 21/50, 55, 70, 564	07/08/2015	dsh
G06F2221/21	02/13/2015	dsh
H04L63/20, 0263, 1416	02/13/2015	dsh

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
726	25	07/08/2015	dsh

SEARCH NOTES		
Search Notes	Date	Examiner
updated NPL search: www.google.com/scholar - see attached	02/01/2015	dsh
updated Stic Plus 2.0 search - see IFW	02/09/2015	dsh
updated Inventor Name Search - reviewed related applications	02/10/2015	dsh
updated East Search - see attached	07/08/2015	dsh

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
726	25	02/13/2015	dsh
G06F	21/50, 55, 70, 564	02/13/2015	dsh
H04L	63/20, 0263, 1416	02/13/2015	dsh
G06F	2221/21	02/13/2015	dsh

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	196	(("5922051") or ("5950012") or ("5983348") or ("5987473") or ("5987610") or ("6041347") or ("6073172") or ("6321338") or ("6449624") or ("6530024") or ("6715084") or ("6779120") or ("7010807") or ("7013395") or ("7055173") or ("7089590") or ("7155487") or ("7185232") or ("7331061") or ("7353390") or ("7428300") or ("7496960") or ("8200818") or ("6205552") or ("6711127") or ("7305709") or ("8561175") or ("20010023486") or ("20020162026") or ("20020178380") or ("20030065773") or ("20030101353") or ("20030105973") or ("20040107274") or ("20050097199") or ("20050182949") or ("20050248457") or ("20050267954") or ("20050273853") or ("20060085852") or ("20060101518") or ("20080104702") or ("20020078381") or ("20030154269") or ("20030204632") or ("20040015728") or ("20040064726") or ("20040073800") or ("20040193918") or ("20050010821") or ("20010023486") or ("20020078381") or ("20020162026") or ("20020178380") or ("20020199122") or ("20030014669") or ("20030101353") or ("20030126472") or ("20030135749") or ("20030140250") or ("20030154269") or ("20030177389") or ("20030188194") or ("20030195861") or ("20030204632") or ("20030233438") or ("20040015728") or ("20040064726") or ("20040073800") or ("20040193918") or ("20050010821") or ("20050182949") or ("20050235360") or ("20050248457") or ("20080104702") or ("5892903") or ("5922051") or ("5950012") or ("5983348") or ("5987473") or ("5987610") or ("6041347") or ("6073172") or ("6205552") or ("6321338") or ("6324656") or ("6449624") or ("6530024") or ("6711127") or ("6766458") or ("6779120") or ("6952779") or ("6957348") or ("7010807") or ("7073198") or ("7249187") or ("7305709") or ("7353539") or ("7428300") or ("7627891") or ("7913303") or ("8561175")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/07/08 13:32
L3	4858	(726/25.ccls.)	US-PGPUB; USPAT;	OR	OFF	2015/07/08 13:33

EAST Search History

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
L4	6960	G06F21/50,55,70,564.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/07/08 13:33
L5	3	(displaying or showing or rendering or presenting or portraying) with (interface) with (remediation or mitigation) with (techniques or procedures or protocols or tactics or options) and (IDS or IPS or (intrusion near3 (detection or prevention) near3 system)) and (fire adj2 wall or gateway or filter) and (patching or updating or replacing)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:43
L6	2	3 and 5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:43
L8	456	3 and 4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:43
L9	18	8 and (first and second) with data with storage	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:45
L10	176	8 and vulnerability	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:49
L12	15	9 and 10	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/07/08 13:49

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EASTSearchHistory.14138014_AccessibleVersion.htm[7/8/2015 1:52:21 PM]

Receipt date: 06/27/2015

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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.

14138014 - GAI: 2434

Approved for use through 07/31/2012. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14138014
	Filing Date	2013-12-21
	First Named Inventor	Brett M. Oliphant
	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	5922051		1999-07-13	Sidey, Michael J.	
	2	5950012		1999-09-07	Shiell, et al.	
	3	5983348		1999-11-09	Ji, Shuang	
	4	5987473		1999-11-16	Jorgensen, Nielss	
	5	5987610		1999-11-16	Franczek et al.	
	6	6041347		2000-03-21	Harsham et al.	
	7	6073172		2000-06-06	Frailong et al.	
	8	6321338		2001-11-20	Porras et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.S./

Receipt date: 06/27/2015 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014 14138014 - GAU: 2434
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

	9	6449624		2002-09-10	Hammack et al.	
	10	6530024		2003-03-04	Proctor, Paul E.	
	11	6715084		2004-03-30	Aaron et al.	
	12	6779120		2004-08-17	Valente et al.	
	13	7010807		2006-03-07	Yanovsky, Boris	
	14	7013395		2006-03-14	Swiler et al.	
	15	7055173		2006-05-30	Chaganty, et al.	
	16	7089590		2006-08-08	Judge et al.	
	17	7155487		2006-12-26	Yau, et al.	
	18	7185232		2007-02-27	Leavy et al.	
	19	7331061		2008-12-02	Ramsey et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.S./

Receipt date: 06/27/2015 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014	14138014 - GAU: 2434
	Filing Date		2013-12-21	
	First Named Inventor	Brett M. Oliphant		
	Art Unit	2434		
	Examiner Name	SHAIFER HARRIMAN, DANT B		
	Attorney Docket Number	SP1P009		

	20	7353390		2008-04-01	Chandley, et al.	
	21	7428300		2008-09-23	Drew et al.	
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Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010023486		2001-09-20	Kayashima et al.	

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Receipt date: 06/27/2015 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014 14138014 - GAU: 2434
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

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	Filing Date		2013-12-21	
	First Named Inventor	Brett M. Oliphant		
	Art Unit	2434		
	Examiner Name	SHAIFER HARRIMAN, DANT B		
	Attorney Docket Number	SP1P009		

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	23	20050010821		2005-01-13	Cooper et al.	

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	1	Viega, John, et al. "ITS4: A static vulnerability scanner for C and C++ code." Computer Security Applications, 2000. ACSAC'00. 16th Annual Conference. IEEE, 2000.						☐
	2	Ghosh, Anup K., Tom O'Connor, and Gary McGraw. "An automated approach for identifying potential vulnerabilities in software." Security and Privacy, 1998. Proceedings. 1998 IEEE Symposium on. IEEE, 1998.						☐
	3	Office Action Summary in U.S. Pat. App. No. 14/499,226 dated 05/19/2015						☐
	4	Office Action Summary in U.S. Pat. App. No. 14/499,230 dated 03/19/2015						☐
	5	Office Action Summary in U.S. Pat. App. No. 14/499,236 dated 05/06/2015						☐
	6	Office Action Summary in U.S. Pat. App. No. 14/499,239 dated 3/13/2015						☐

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	Attorney Docket Number	SP1P009	

	7	Office Action Summary in U.S. Pat. App. No. 14/499,241 dated 3/4/2015	☐
	8	Office Action Summary in U.S. Pat. App. No. 14/499,244 dated 2/23/2015	☐
	9	Office Action Summary in U.S. Pat. App. No. 14/499,246 dated 03/30/2015	☐
	10	Office Action Summary in U.S. Pat. App. No. 14/499,239 dated 6/18/2015	☐
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Examiner Signature	/Dant Shaifer Harriman/ (07/08/2015)	Date Considered	07/08/2015
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	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):			
☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).			
OR			
☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).			
☐ See attached certification statement.			
☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.			
☒ A certification statement is not submitted herewith.			
SIGNATURE			
A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.			
Signature	/Brian Owens/	Date (YYYY-MM-DD)	2015-06-26
Name/Print	Brian Owens	Registration Number	55,517
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067

TITLE OF INVENTION: REAL-TIME VULNERABILITY MONITORING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$480	\$00.00	10/13/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAIFER HARRIMAN, DANT B	2434	726-025000

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

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Authorized Signature /Brian Owens/

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Typed or printed name Brian Owens, Esq.

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Page 2 of 3

Electronic Patent Application Fee Transmittal				
Application Number:		14138014		
Filing Date:		21-Dec-2013		
Title of Invention:		REAL-TIME VULNERABILITY MONITORING		
First Named Inventor/Applicant Name:		Brett M. Oliphant		
Filer:		Brian Dean Owens		
Attorney Docket Number:		SP1P009		
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:				
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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				90

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EFS ID:	22932144
Application Number:	14138014
International Application Number:	
Confirmation Number:	1067
Title of Invention:	REAL-TIME VULNERABILITY MONITORING
First Named Inventor/Applicant Name:	Brett M. Oliphant
Customer Number:	127962
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	SP1P009
Receipt Date:	16-JUL-2015
Filing Date:	21-DEC-2013
Time Stamp:	01:54:36
Application Type:	Utility under 35 USC 111(a)

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Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14138014
	Filing Date	2013-12-21
	First Named Inventor	Brett M. Oliphant
	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

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	Attorney Docket Number	SP1P009	

1	Office Action Summary in U.S. Pat. App. No. 14/499,244 dated 7/7/2015	☐
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	Art Unit	2434
	Examiner Name	SHAIFER HARRIMAN, DANT B
	Attorney Docket Number	SP1P009

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

OR

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

☐ See attached certification statement.

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

☐ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Brian Owens/	Date (YYYY-MM-DD)	2015-07-15
Name/Print	Brian Owens	Registration Number	55,517

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

Privacy Act Statement

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

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

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

Best Available Copy

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)

127962 7590 07/10/2015
Brian Owens, Esq.
3712 Kimble Dr
Plano, TX 75025



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.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067

TITLE OF INVENTION: REAL-TIME VULNERABILITY MONITORING

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$480	\$500.00	10/13/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAIF HARRIMAN, DANT B	2434	726-025000

07/17/2015 HVL0062 00000003 14138014

01 FC:2501

480.00 OP

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 Brian Owens, Esq.

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

SecurityProfiling, LLC

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

Garland, TX

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: /Brian Owens/

Typed or printed name: Brian Owens, Esq.

Date: July 15, 2015

Adjustment date: 07/17/2015 HVL0062

Registration date: 07/15/2015 06:15:07 00000003 14138014

01 FC:2501

480.00 OP

Page 2 of 3



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.
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	1067
127962 7500 07/22/2015 Brian Owens, Esq. 3712 Kimble Dr Plano, TX 75025			EXAMINER SHAIFER HARRIMAN, DANT B	
			ART UNIT 2434	PAPER NUMBER
			MAIL DATE 07/22/2015	DELIVERY MODE 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.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
14/138,014	21 December, 2013	OLIPHANT ET AL.	SP1P009

Brian Owens, Esq. 3712 Kimble Dr Plano, TX 75025		EXAMINER	
		DANT SHAFER HARRIMAN	
		ART UNIT	PAPER
		2434	20150721

DATE MAILED:

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

Commissioner for Patents

Applicant be advised that the IDS submitted on 07/16/2015 has been considered by the examiner.	
	/DANT SHAFER HARRIMAN/ Primary Examiner, Art Unit 2434

PTO-90C (Rev.04-03)

Receipt date: 07/16/2015

Doc code: 105

Doc description: Information Disclosure Statement (IDS) Filed

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.

14138014 - GAI: 2434

Approved for use through 07/31/2012. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

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Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear		
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If you wish to add additional U.S. Patent citation information please click the Add button.							Add	
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Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
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NON-PATENT LITERATURE DOCUMENTS							Remove	
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.						T ⁵

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.S./

Receipt date: 07/16/2015 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014 14138014 - GAU: 2434
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

/D.S./	1	Office Action Summary in U.S. Pat. App. No. 14/499,244 dated 7/7/2015	☐
/D.S./	2	Office Action Summary in U.S. Pat. App. No. 14/499,250 dated 05/13/2015	☐
If you wish to add additional non-patent literature document citation information please click the Add button Add			
EXAMINER SIGNATURE			
Examiner Signature	/Dant Shaifer Harriman/ (07/21/2015)		Date Considered 07/21/2015
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.			

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.S./

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14138014 14138014 - GAU: 2434
	Filing Date		2013-12-21
	First Named Inventor	Brett M. Oliphant	
	Art Unit	2434	
	Examiner Name	SHAIFER HARRIMAN, DANT B	
	Attorney Docket Number	SP1P009	

CERTIFICATION STATEMENT			
Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):			
☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).			
OR			
☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).			
☐ See attached certification statement.			
☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.			
☐ A certification statement is not submitted herewith.			
SIGNATURE			
A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.			
Signature	/Brian Owens/	Date (YYYY-MM-DD)	2015-07-15
Name/Print	Brian Owens	Registration Number	55,517
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			

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1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.S./

EFS Web 2.1.17



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.
14/138,014	08/25/2015	9117069	SP1P009	1067

127962 759 08/05/2015
Brian Owens, Esq.
3712 Kimble Dr
Plano, TX 75025

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

SecurityProfiling, LLC., Garland, TX;
Brett M. Oliphant, Plano, TX;
John P. Blignaut, West Lafayette, IN;

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

IR103 (Rev. 10/09)

A-120 (Rev. 08/10)

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

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the Eastern District of Texas _____ on the following

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

DOCKET NO.	DATE FILED 7/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT INTEL CORPORATION and MCAFFEE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,266,699	9/11/2012	SECURITYPROFILING, LLC
2 8,984,644	3/17/2015	SECURITYPROFILING, LLC
3 9,100,431	8/4/2015	SECURITYPROFILING, LLC
4 9,117,069	8/25/2015	SECURITYPROFILING, LLC
5 9,118,708	8/25/2015	SECURITYPROFILING, LLC

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

A-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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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO.	DATE FILED 7/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT INTEL CORPORATION and MCAFFEE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,225,686	12/29/2015	SECURITYPROFILING, LLC
2		
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 judgment issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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 for the Eastern District of Texas on the following

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

DOCKET NO.	DATE FILED 7/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT INTEL CORPORATION and MCAFEE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,266,699	9/11/2012	SECURITYPROFILING, LLC
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3 9,100,431	8/4/2015	SECURITYPROFILING, LLC
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5 9,118,708	8/25/2015	SECURITYPROFILING, LLC

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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 for the Eastern District of Texas on the following

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

DOCKET NO.	DATE FILED 7/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT INTEL CORPORATION and MCAFEE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,225,686	12/29/2015	SECURITYPROFILING, LLC
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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A-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 _____ for the Eastern District of Texas (Tyler Division) _____ on the following

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

DOCKET NO. 6:16-cv-01165	DATE FILED 9/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas (Tyler Division)
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT TREND MICRO AMERICA, INC. AND TREND MICRO INCORPORATED
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,266,699	9/11/2012	SECURITYPROFILING, LLC
2 8,984,644	3/17/2015	SECURITYPROFILING, LLC
3 9,100,431	8/4/2015	SECURITYPROFILING, LLC
4 9,117,069	8/25/2015	SECURITYPROFILING, LLC
5 9,118,708	8/25/2015	SECURITYPROFILING, LLC

continued on Page 2

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

DOCKET NO.	DATE FILED 7/14/2016	U.S. DISTRICT COURT for the Eastern District of Texas
PLAINTIFF SECURITYPROFILING, LLC		DEFENDANT INTEL CORPORATION and MCAFFEE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 9,225,686	12/29/2015	SECURITYPROFILING, LLC
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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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE	REQUEST ID
14/138,014	12/21/2013	Brett M. Oliphant	SP1P009	82176

Acknowledgement of Loss of Entitlement to Entity Status Discount

The entity status change request below filed through Private PAIR on 02/22/2019 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

☒ Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be notification of loss of entitlement to small or micro entity status, as applicable.

This portion must be completed by the signatory or signatories making the entity status change in accordance with 37 CFR 1.4(d)(4).

Signature:	/Patrick Caldwell/
Name:	Patrick Caldwell
Registration Number:	44580

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 Northern District of Texas on the following

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

DOCKET NO. 3:17-cv-01484-D	DATE FILED 6/6/2017	U.S. DISTRICT COURT Northern District of Texas
PLAINTIFF SecurityProfiling, LLC		DEFENDANT Trend Micro America, Inc. et al
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8266 699		(See Attached)
2 8984 644		
3 9100 431		
4 9117 069		
5 9118 708		

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 9225 686		
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In the above--entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Karen Mitchell	(BY) DEPUTY CLERK s/ N. Taylor	DATE 6/6/2017
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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