

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:	)	Confirmation No. TBD
	)	
Shribman, Derry, et al.	)	Art Unit: TBD
	)	
Appln. No.: TBD	)	Examiner: TBD
	)	
Filed: March 12, 2024	)	
	)	
For: SYSTEM PROVIDING FASTER	)	
AND MORE EFFICIENT DATA	)	
COMMUNICATION	)	March 12, 2024
	)	

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Alexandria, Virginia 22313-1450

Preliminary Amendment

Dear Examiner,

Prior to examination on the merits, Applicant respectfully submits the amendments and remarks set forth below:

Amendments to the Specification:

Under "Cross-Reference to Related Applications" spanning col 1., ll. 7-19, please amend the section as follows:

The present application is a reissue application of U.S. Patent No. 11,616,826 which issued on Mar. 28, 2023 from U.S. non-provisional patent application Ser. No. 17/332,001 filed May 27, 2021, which is a continuation application of U.S. non-provisional patent application Ser. No. 16/600,504 filed Oct. 13, 2019 and issued as U.S. Patent No. 11,044,341 on Jun. 22, 2021, which is a continuation application of U.S. non-provisional patent application Ser. No. 16/278,105 filed Feb. 17, 2019 and issued as U.S. Patent No. 10,469,628 on Nov. 5, 2019, which is a continuation application of U.S. non-provisional patent application Ser. No. 15/957,950 filed Apr. 20, 2018 and issued as U.S. Patent No. 10,225,374 on Mar. 5, 2019, which is a continuation application of U.S. non-provisional patent application entitled "SYSTEM PROVIDING FASTER AND MORE EFFICIENT DATA COMMUNICATION" having Ser. No. 14/025,109, filed Sep. 12, 2013 and issued as U.S. Patent No. 10,069,936 on Sep. 4, 2018, which is a divisional application of U.S. non-provisional patent application entitled "SYSTEM AND METHOD FOR PROVIDING FASTER AND MORE EFFICIENT DATA

Appln. No. TBD
Preliminary Amendment

COMMUNICATION" having Ser. No. 12/836,059, filed Jul. 14, 2010 and issued as U.S. Pat. No. 8,560,604 on Oct. 15, 2013, and claims priority to U.S. provisional patent application entitled "SYSTEM AND METHOD FOR REDUCING INTERNET CONGESTION," having Ser. No. 61/249,624, filed Oct. 8, 2009, which are hereby incorporated herein by reference in their entirety.

Amendments to the Claims:

1. (Currently Amended) A method for use with a web server that stores a first content identified by a first content identifier, and for use with a first client device that is addressed over the Internet using a first Internet Protocol (IP) address, for use with a list of IP addresses stored in ~~the~~a first server, the method by the first server comprising:

storing, operating, or using, a server operating system;
receiving, from the first client device, the first content identifier;

selecting, an IP address from the list according to a criterion, wherein a second client device is addressed over the Internet using the selected IP address;

sending, in response to the receiving of the first content identifier, using the selected IP address, the first content identifier to the web server;

receiving, in response to the sending of the first content identifier, the first content from the web server; and

sending the received first content, or a part thereof, to the first client device,

wherein the first and second client devices are consumer computer hardware devices, and wherein the first server is a server hardware device that is not a consumer computer.

2. (Canceled)

3. (Currently Amended) The method according to claim ~~2~~1, wherein the sending of the first content identifier comprises sending to the second client device.

4. (Currently Amended) The method according to claim 3, further comprising:

receiving, by the second client device from the first server, the first content identifier;

sending, by the second client device to the web server, the first content identifier;

~~sending~~receiving, by the second client device from the web server, the first content; and

sending, by the second client device to the first server, the received first content or a part thereof.

5. (Currently Amended) The method according to claim ~~2~~1, further comprising, by the first server:

~~communicating with~~receiving a communication from the second client device; and

storing an IP address of the second client device in the list in response to the ~~communicating~~communication.

6. (Currently Amended) The method according to claim 1, ~~for use with a second client device, the method~~ further comprising:

sending, by the first server, a 'keep alive' message to the second client device; and

waiting, by the first server, for a response to the 'keep alive' message from the second client device.

7. (Original) The method according to claim 6, further comprising:

receiving, by the first server, the response to the 'keep alive' message from the second client device; and

responsive to the receiving of the response, adding the IP address of the second client device to the list.

8. (Original) The method according to claim 6, further comprising responsive to not receiving, by the first server, a response to the 'keep alive' message from the second client device, removing the IP address of the second client device from the list.

9. (Original) The method according to claim 6, wherein the sending of the 'keep alive' message comprises periodically sending by the first server the 'keep alive' message to the second client device.

10. (Original) The method according to claim 1, wherein the criterion is stored in the first server.

11. (Original) The method according to claim 10, wherein the criterion is based on, or comprises, a numerical closeness to the web server IP address.

12. (Currently Amended) The method according to claim 10, wherein the criterion is based on, or comprises, a geographical location of ~~a~~the second client device addressed by the selected IP address, or a response time when communicating with the second client device addressed by the selected IP address.

13. (Original) The method according to claim 1, for use with a software application stored in the first server and associated with a first version number, the method further comprising sending, by the first server to the first client device, a message that comprises the first version number of the software application.

14. (Original) The method according to claim 13, further comprising sending, by the first server to the first client device, the first software application.

15. (Original) The method according to claim 1, wherein the first server is a Transmission Control Protocol/Internet Protocol (TCP/IP) server that communicates over the Internet with the first client device based on, according to, or using, TCP/IP protocol or connection.

16. (Original) The method according to claim 1, wherein the first server communicates over the Internet based on, or according to, one out of UDP, DNS, TCP, FTP, POP*, SMTP, or SQL standards.

17. (Original) The method according to claim 1, wherein the first content comprises web-page, audio, or video content, and wherein the first content identifier comprises a Uniform Resource Locator (URL).

18. (Currently Amended) The method according to claim 1, for use with a plurality of client devices that includes ~~a~~the second client device, each identified over the Internet using a respective IP address from the list, wherein the method further ~~comprising~~comprises:

selecting, by the first server, multiple client devices including the second client device from the plurality of client

devices by selecting the IP addresses of the multiple client devices from the list; and

sending, by the first server to the first client device,
the selected IP addresses in response to the selecting,
wherein the plurality of client devices are consumer
computer hardware devices.

19. (Currently Amended) The method according to claim 1, further comprising sending ~~of~~ the selected IP addresses to the first client device.

20. (Currently Amended) The method according to claim 1, further comprising responsive to the receiving of the first content identifier from the first client device, adding the first IP address ~~of the first client device~~ to the list.

21. (Original) The method according to claim 1, wherein the first client device is identified by a first Internet Protocol (IP) address, Media Access Control (MAC) address, or a hostname.

22. (Original) The method according to claim 1, wherein the web server is a Hypertext Transfer Protocol (HTTP) server responding to HTTP requests.

23. (Original) The method according to claim 1, wherein the steps are sequentially executed.

24. (Currently Amended) The method according to claim 1, for use with a software application that includes computer instructions that, when executed by a computer processor, cause the processor to perform the steps of ~~the~~ claim 1.

25. (Original) A non-transitory computer readable medium containing computer instructions that, when executed by a computer processor, cause the processor to perform the method according to claim 1.

Remarks:

Applicant respectfully submits the following remarks related to the amendments submitted herein.

Regarding amendments to the specification:

Applicant seeks to update the section entitled "Cross-Reference to Related Applications" to properly reflect the priority chain of the present application. The present application is a reissue application of U.S. Patent No. 11,616,826, which issued on March 28, 2023 from U.S. non-provisional patent application Ser. No. 17/332,001. There are otherwise no changes to the priority chain, as reflected in the ADS submitted with U.S. non-provisional patent application Ser. No. 17/332,001 filed on May 27, 2021.

Regarding amendments to the claims:

Pursuant to the April 2019 Notice Regarding Options for Amendments by Patent Owner Through Reissue or Reexamination During a Pending AIA Trial Proceeding (see 84 Fed. Reg. 16,654 (Apr. 22, 2019)); Applicant seeks to amend claims 1, 3-6, 12, 18-20, and 24; and cancel claim 2 in the present application. No new subject matter is added in the amendments and the current claims are fully supported in the specification, as demonstrated in the attached Appendix entitled Status of Claims and Exemplary

Appln. No. TBD
Preliminary Amendment

Support for Changes Made to the Claims, as required by 37 C.F.R. §1.173(c). The support shown in the Appendix is by way of example only and the Applicant makes no representation that the identified support is the only or best support for the current claims. Other support may be found in the specification, drawings, and original claims, as well.

As background, U.S. Patent No. 11,616,826 is involved in IPR2024-00126, which is currently pending pre-institution. Applicant concurrently files herewith the petition, expert declaration, and asserted prior art references from IPR2024-00126 in an IDS. Applicant notes that the all asserted references in IPR2024-00126 (Kocherlakota, Cohen, and RFC 1122) were reviewed during original prosecution of U.S. non-provisional patent application Ser. No. 17/332,001 which issued as U.S. Patent No. 11,616,826. Applicant expressly requests consideration of the art and arguments in IPR2024-00126 in view of the current claims.

With the present amendments, Applicant seeks to narrow independent claim 1, including by at least incorporating the subject matter of original dependent claim 2 and clarifying the scope of the terms "client device" and "first server". Applicant expressly notes for purposes of lexicography that Applicant understands "client device" to mean "consumer computer" (see, e.g., specification at col. 2, ll. 44-46) and that Applicant

understands "first server" to mean a server, which is a type of hardware component as understood by persons skilled in the art, and which is different from a client device, a router, or a switch. Applicant submits additional amendments to correct dependencies, to correct grammatical/typographical errors, to add clarification, and to use consistent terminology.

With the present amendments, Applicant believes that the current claims are in condition for allowance. The Examiner is invited to contact the undersigned to address any questions or concerns regarding the present application.

Respectfully submitted,

By /Thomas M. Dunham/
Thomas M. Dunham
Registration No. 39,965
tomd@cherianllp.com
202-838-1567

Appendix:
Status of Claims and
Exemplary Support for Changes Made to the Claims

Claim	Status	Exemplary Support for Changes Made to the Claims
1	Currently Amended	Incorporation of subject matter from original dependent claim 2 to narrow this independent claim; terminology clarifications <i>See original claims 1 and 2; see also, e.g., Figs. 1, 3, 7, 13; see also, e.g., specification at col. 2, ll. 44-46, col. 4, ll. 43-50, col. 5, ll. 8-49, col. 13:8-49, col. 16:65-17:6</i>
2	Canceled	--
3	Currently Amended	Dependency correction <i>See original claim 3</i>
4	Currently Amended	Consistent terminology correction; clarification added <i>See original claim 4</i>
5	Currently Amended	Dependency correction; consistent terminology correction; clarification added <i>See original claim 5</i>
6	Currently Amended	Consistent terminology correction <i>See original claim 6</i>
7	Original	--
8	Original	--
9	Original	--
10	Original	--

11	Original	--
12	Currently Amended	Consistent terminology correction See original claim 12
13	Original	--
14	Original	--
15	Original	--
16	Original	--
17	Original	--
18	Currently Amended	Consistent terminology correction; grammatical/typographical correction See original claim 18; see also, e.g., specification at col. 2, ll. 44-46
19	Currently Amended	Grammatical/typographical correction See original claim 19
20	Currently Amended	Grammatical/typographical correction; clarification added See original claim 20
21	Original	--
22	Original	--
23	Original	--
24	Currently Amended	Grammatical/typographical correction See original claim 24
25	Original	--