

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: November 29, 2023	)	Washington, D.C.
	)	
For: SYSTEM PROVIDING FASTER	)	
AND MORE EFFICIENT DATA	)	
COMMUNICATION	)	November 29, 2023
	)	

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Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
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., 11. 7-19, please amend the section as follows:

The present application is a reissue application of U.S. Patent No. 11,190,622 which issued on Nov. 30, 2021 from U.S. Non-provisional patent application Ser. No. 16/600,505 filed Oct. 13, 2019, which is a continuation application of U.S. Non-provisional patent application Ser. No. 16/278,109 filed Feb. 17, 2019 and issued as U.S. Patent No. 10,484,511 on Nov. 19, 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 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

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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 fetching, by a first client device, a first content that comprises a web-page, an audio, or a video content, and is identified by a first Uniform Resource Locator (URL) and stored in a first web server, for fetching, by the first client device, a second content that comprises a web-page, an audio, or a video content, and is identified by a second URL and stored in a second web server, for use with a first server that stores a group of IP addresses, the method by the first server comprising:

receiving, from the first client device, the first URL;

selecting, in response to the receiving of the first URL from the first client device, a[n] first IP address from the group based on a first determination made by the first server of a numerical closeness of the first IP address and an IP address of the first web server;

sending, in response to the selecting, the first URL to the first web server using the selected first IP address;

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

receiving, from the first client device, the second URL;

selecting, in response to the receiving of the second URL from the first client device, a[n additional] second IP address from the group based on a second determination made by the first

server of a numerical closeness of the second IP address and an IP address of the second web server;

sending, in response to the selecting, the second URL to the second web server using the selected [additional] second IP address; and

receiving, in response to the sending of the second URL, the second content from the second web server;

wherein each of the IP addresses in the group is associated with a respective client device that is identified over the Internet using a respective IP address.

2. (Canceled)

3. (Currently Amended) The method according to claim [2]1, wherein the sending of the first URL to the first web server comprises sending, by the first server, the first URL to the client device addressed by the selected first IP address.

4. (Currently Amended) The method according to claim 3, wherein the sending of the first URL to the first web server further comprises sending, by the client device addressed by the selected first IP address, the first URL to the first web server, and receiving, from the first web server, the first content.

5. (Currently Amended) The method according to claim 3, wherein the receiving of the first content from the first web server comprises receiving the first content from the client device addressed by the selected first IP address.

6. (Currently Amended) The method according to claim [2]1, further comprising communicating, by the first server, with each of the client devices that are identified over the Internet using[by] the stored IP addresses.

7. (Original) The method according to claim 6, further comprising storing, by the first server, the IP addresses of each of the client devices in response to the communicating.

8. (Currently Amended) The method according to claim 6, further comprising receiving a 'keep alive' message, by the first server, from each of the client devices that are identified over the Internet using[by] the stored IP addresses.

9. (Currently Amended) The method according to claim [2]1, wherein each of the IP addresses in the group is associated with a respective client device that is identified over the Internet using a respective IP address and is currently online.

10. (Currently Amended) The method according to claim [2]1, further comprising establishing, by the first server, a Transmission Control Protocol (TCP) connection with each of the client devices that are identified over the Internet using the IP addresses in the group.

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

sending, a 'keep alive' message to each of the client devices that are identified over the Internet using[by] the stored IP addresses; and

waiting for a response to the 'keep alive' message from each of the client devices.

12. (Currently Amended) The method according to claim 11, further comprising responsive to not receiving, by the first server, a response to the 'keep alive' message from a client device, removing the IP address of the non-responsive third client device from the group of IP addresses.

13. (Original) The method according to claim 11, wherein the sending of the 'keep alive' message comprises periodically

sending by the first server the 'keep alive' message to at least part of the client devices.

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

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

19. (Currently Amended) The method according to claim 18, further comprising sending, by the first server to the first client device, the first software application.

20. (Original) The method according to claim 1, further comprising sending the received first content to the first client device.

21. (Original) The method according to claim 20, further comprising sending the received second content to the first client device.

22. (Currently Amended) The method according to claim 1, wherein the first client device is addressed over the Internet using a first Internet Protocol (IP) address, and the method further comprising storing, in the first server, the first IP address of the first client device.

23. (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 client devices based on, according to, or using, TCP/IP protocol or connection.

24. (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.

25. (Currently Amended) The method according to claim 1, further comprising responsive to the receiving of the first URL from the first client device, adding the IP address of the first client device to the group of IP addresses.

26. (Original) The method according to claim 1, for use with a second client device, the method further comprising, by the first server:

receiving a message from the second client device; and
responsive to the receiving of the message from the second client device, adding the IP address of the second device to the group of IP addresses.

27. (Currently Amended) The method according to claim 1, wherein the sending of the first URL to the first web server comprises using the selected first IP address as a source address.

28. (Currently Amended) The method according to claim 1, further comprising sending, by the first server to the first client device, the selected first IP address in response to the selecting.

29. (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.

30. (Original) The method according to claim 1, further comprising storing, operating, or using, by the first server, a server operating system.

31. (Original) 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.

32. (Original) The method according to claim 1, wherein the first web server comprises a web server that is a Hypertext Transfer Protocol (HTTP) server responding to HTTP requests and addressed in the Internet using a web server Internet Protocol (IP) address.

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. 11,190,622, which issued on Nov. 30, 2021 from U.S. Non-provisional patent application Ser. No. 16/600,505. There are otherwise no changes to the priority chain, as reflected in the ADS submitted with U.S. Non-provisional patent application Ser. No. 16/600,505 filed on Oct. 13, 2019.

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, 8-12, 18-19, 22, 25, and 27-28; and cancel claims 2 and 14-17 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 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. 11,190,622 was involved in IPR2022-00687, which resulted in a Final Written Decision on October 4, 2023. In that IPR, the PTAB concluded that original independent claim 1 is invalid.

With the present amendments, Applicant seeks to narrow independent claim 1, including by at least incorporating the subject matter of original dependent claims 2, 14, and 15. Notably, original dependent claim 15 was not challenged in IPR2022-00687. Applicant submits additional amendments to correct dependencies, to correct grammatical/typographical errors, and to use consistent terminology.

Additionally, Applicant expressly notes for purposes of clear lexicography that the current claims recite the terms "client device" and "first server". To be clear, Applicant understands "client device" to mean "consumer computer". See, e.g., specification at col. 2, ll. 44-46. Applicant understands "first server" to be a server, which is a type of hardware

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component as understood by persons skilled in the art, and which is different from a client device, a router, or a switch.

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,

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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 dependent claims to narrow independent claim 1; terminology clarifications <i>See original claims 1, 2, 14, 15; see also, e.g., Figs. 1, 3, 7, 13; see also, e.g., specification at col. 13:8-30, col. 16:65-17:6</i>
2	Canceled	--
3	Currently Amended	Dependency correction; consistent terminology correction <i>See original claim 3</i>
4	Currently Amended	Consistent terminology correction <i>See original claim 4</i>
5	Currently Amended	Consistent terminology correction <i>See original claim 5</i>
6	Currently Amended	Dependency correction; grammatical/typographical correction <i>See original claim 6</i>
7	Original	--
8	Currently Amended	Grammatical/typographical correction <i>See original claim 8</i>
9	Currently Amended	Dependency correction <i>See original claim 9</i>

10	Currently Amended	Dependency correction See original claim 10
11	Currently Amended	Grammatical/typographical correction See original claim 11
12	Currently Amended	Grammatical/typographical correction See original claim 12
13	Original	--
14	Canceled	--
15	Canceled	--
16	Canceled	--
17	Canceled	--
18	Currently Amended	Consistent terminology correction; grammatical/typographical correction See original claim 18
19	Currently Amended	Consistent terminology correction; grammatical/typographical correction See original claim 19
20	Original	--
21	Original	--
22	Currently Amended	Consistent terminology correction See original claim 22
23	Original	--
24	Original	--
25	Currently Amended	Grammatical/typographical correction See original claim 25

26	Original	--
27	Currently Amended	Consistent terminology correction See original claim 27
28	Currently Amended	Consistent terminology correction See original claim 28
29	Original	--
30	Original	--
31	Original	--
32	Original	--