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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/180,890	08/30/2016	9427662	09685-0044-01000	8221

22852 7590 08/10/2016
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

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 65 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):

GOSUB 60, Inc., Santa Monica, CA;
Joshua Hartwell, Santa Monica, CA;

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	14/180,890
				Filing Date	February 14, 2014
				First Named Inventor	Joshua HARTWELL
				Art Unit	3714
				Examiner Name	David Lee LEWIS
Sheet	2	of	2	Attorney Docket Number	09685 0044-01000

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ⁵ Number ⁶ Kind Code ⁷ (if known)				
		EP 1087312 A2	03-28-2001	NOKIA CORP		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Advisory Action for U.S. App. No. 11/768,890, mailed November 22, 2011 (3 pages)	
		Final Office Action for U.S. App. No. 11/768,890, mailed August 2, 2011 (12 pages)	
		Final Office Action for U.S. App. No. 11/768,892, mailed June 5, 2013 (8 pages)	
		International Search Report and the Written Opinion of the International Searching Authority, or the Declaration; International Application No. PCT/US08/68249; International Filing Date June 25, 2008 (8 pages)	
		International Search Report and the Written Opinion of the International Searching Authority, or the Declaration; International Application No. PCT/US08/68250; International Filing Date June 25, 2008 (8 pages)	
		Notice of Allowance for U.S. App. No. 11/768,890, mailed November 14, 2013 (9 pages)	
		Notice of Panel Decision from Pre-Appeal Brief Review for U.S. App. No. 11/768,892, mailed October 22, 2013 (2 pages)	
		Office Action for U.S. App. No. 11/768,890, mailed May 6, 2010 (8 pages)	
		Office Action for U.S. App. No. 11/768,890, mailed September 30, 2010 (8 pages)	
		Office Action for U.S. App. No. 11/768,890, mailed February 2, 2011 (9 pages)	
		Office Action for U.S. App. No. 11/768,890, mailed March 13, 2013 (9 pages)	
Change(s) applied to document, /YYS/ 5/19/2016		Office Action for U.S. App. No. 11/768,892, mailed September 10, 2012 (8 pages)	
		Office Action for U.S. App. No. 11/768,892, mailed January 4, 2013 (6 pages)	
		Office Action for U.S. App. No. 11/768,892, mailed March 25, 2014 (9 pages)	
		PCT Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability; International Application No. PCT/US/2008/068250; January 14, 2010 (7 pages)	
		PCT Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability; International Application No. PCT/US/2008/068249; January 14, 2010 (6 pages)	
		U.S. Patent Application No. 11/768,890 (filed June 26, 2007) (now U.S. Patent No. 8,688,089). Hartwell	04/2014
		U.S. Patent Application No. 11/768,892 (filed June 26, 2007).	

Examiner Signature	/Omkar Deodhar/	Date Considered	07/15/2015
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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 "TEE ADDRESS" for maintenance fee notifications.

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

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.

22852 7590 05/11/2016

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
 LLP
 901 NEW YORK AVENUE, NW
 WASHINGTON, DC 20001-4413

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.
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221

TITLE OF INVENTION: Methods and Systems for Providing In-Game Hot Spots

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/11/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
DEODHAR, OMKAR A	3714	463-031000

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 Finnegan, Henderson, Farabow,

2 Garrett & Dunner, LLP

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)

GOSUB 60, INC.

Santa Monica, California (US)

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.

☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number **06-0916** (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 /Jeff T. Watson/

Date July 26, 2016

Typed or printed name Jeff T. Watson

Registration No. 70,587

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Joshua HARTWELL) Group Art Unit: 3714
)
Application No. 14/180,890) Examiner: Omkar A. DEODHAR
)
Filed: February 14, 2014)
)
For: METHODS AND SYSTEMS FOR) Confirmation No.: 8221
PROVIDING IN-GAME HOT SPOTS)

Mail Stop: M Correspondence

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

Dear Commissioner:

FEE ADDRESS FOR MAINTENANCE FEE PURPOSES
IN ACCORDANCE WITH 37 C.F.R. 1.363

In accordance with the provisions of 37 C.F.R. 1.363, the fee address set forth below is being supplied for purposes of receiving notices, receipts, and other correspondence relating to the payment of maintenance fees:

GOSUB 60, Inc.
1334 Third Street Promenade
Santa Monica, California 90401

Customer No.: 121879

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 26, 2016

/Jeff T. Watson/
By: _____
Jeff T. Watson
Reg. No. 70,587
(404) 653-6551

Electronic Patent Application Fee Transmittal				
Application Number:		14180890		
Filing Date:		14-Feb-2014		
Title of Invention:		Methods and Systems for Providing In-Game Hot Spots		
First Named Inventor/Applicant Name:		Joshua Hartwell		
Filer:		Jeff Taylor Watson/Gwendolyn Ramsey		
Attorney Docket Number:		09685-0044-01000		
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	960	960

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				960

Electronic Acknowledgement Receipt

EFS ID:	26462183
Application Number:	14180890
International Application Number:	
Confirmation Number:	8221
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots
First Named Inventor/Applicant Name:	Joshua Hartwell
Customer Number:	22852
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey
Filer Authorized By:	Jeff Taylor Watson
Attorney Docket Number:	09685-0044-01000
Receipt Date:	26-JUL-2016
Filing Date:	14-FEB-2014
Time Stamp:	17:31:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$960
RAM confirmation Number	4207
Deposit Account	
Authorized User	

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

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	09685_0044_01_IssueFee.pdf	1635350	no	1
			3c1adb5f85217593fe0696fccca289d17c50924e8		
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	09685_0044_01_MaintenanceFee.pdf	57366	no	1
			1e02e4fb1cafc4a0a33294111a95eb52af9aafe1		
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30488	no	2
			47aee70251eb6ff52997a1e9f07caa2955604c01		
Warnings:					
Information:					
Total Files Size (in bytes):			1723204		
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.					



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NOTICE OF ALLOWANCE AND FEE(S) DUE

22852 7590 05/11/2016
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DEODHAR, OMKAR A

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 05/11/2016

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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14/180,890

02/14/2014

Joshua Hartwell

09685-0044-01000

8221

TITLE OF INVENTION: Methods and Systems for Providing In-Game Hot Spots

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/11/2016

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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.

22852 7590 05/11/2016

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNE
 LLP
 901 NEW YORK AVENUE, NW
 WASHINGTON, DC 20001-4413

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.
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221

TITLE OF INVENTION: Methods and Systems for Providing In-Game Hot Spots

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	08/11/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
DEODHAR, OMKAR A	3714	463-031000

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

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

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

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

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

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

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

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

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

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

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

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

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

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221
22852	7590	05/11/2016	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			DEODHAR, OMKAR A	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 05/11/2016

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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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. 14/180,890	Applicant(s) HARTWELL, JOSHUA	
	Examiner OMKAR DEODHAR	Art Unit 3714	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 4/25/2016.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,2,4,5,7-13,18,20-27. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

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

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

Attachment(s)

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

/OMKAR DEODHAR/
Primary Examiner, Art Unit 3714

Search Notes 	Application/Control No. 14180890	Applicant(s)/Patent Under Reexamination HARTWELL, JOSHUA
	Examiner OMKAR DEODHAR	Art Unit 3714

CPC- SEARCHED		
Symbol	Date	Examiner
a63f13/12	7/15/2014	OD

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Updated east search	1/19/2016	OD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
a63f	13/12	5/3/2016	OD

	/OMKAR DEODHAR/ Primary Examiner.Art Unit 3714
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BIB DATA SHEET

CONFIRMATION NO. 8221

SERIAL NUMBER 14/180,890	FILING or 371(c) DATE 02/14/2014 RULE	CLASS 463	GROUP ART UNIT 3714	ATTORNEY DOCKET NO. 09685-0044-01000	
APPLICANTS GOSUB 60, Inc., Santa Monica, CA; INVENTORS Joshua Hartwell, Santa Monica, CA; ** CONTINUING DATA ***** This application is a CON of 11/768,890 06/26/2007 PAT 8688089 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 03/04/2014					
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /OMKAR A DEODHAR/ Acknowledged Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 7	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 3
ADDRESS FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413 UNITED STATES					
TITLE Methods and Systems for Providing In-Game Hot Spots					
FILING FEE RECEIVED 1680	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit		

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	8197	a63f13/12.cpc.	US-PGPUB; USPAT	OR	OFF	2016/05/03 09:36
L2	4	L1 and hartwell.in.	US-PGPUB; USPAT	OR	OFF	2016/05/03 09:39
S1	1	"8688089".pn.	USPAT	OR	OFF	2015/07/15 10:08
S2	10	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	USPAT	OR	OFF	2015/07/15 10:25
S3	29	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S4	7733	a63f13/12.cpc.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S5	1	"20140162784"	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:26
S6	0	S4 and "non-promotional" with hidden	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S7	0	S4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S8	0	S4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	ON	2015/07/15 11:44

S9	24	("20010052000" "20020067730" "20020078456" "20030117433" "20040015398" "20050137958" "20050216342" "20050267813" "5848396" "5935004" "6385591" "6553178" "6690481" "7188085" "7213005" "7685191" "7694271" "7702318" "7930206" "7954064").PN. OR ("8401903").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2015/07/15 11:45
S10	0	"20060205510".pn.	USPAT	OR	OFF	2016/01/19 10:39
S11	1	"20060205510".pn.	US- PGPUB; USPAT	OR	OFF	2016/01/19 10:39
S12	1	"20060111979"	US- PGPUB; USPAT	OR	OFF	2016/01/19 10:39

5/ 3/ 2016 9:40:35 AM
C:\ Users\ odeodhar\ Documents\ EAST\ Workspaces\ 14180890.wsp

Issue Classification 	Application/Control No. 14180890	Applicant(s)/Patent Under Reexamination HARTWELL, JOSHUA	
	Examiner OMKAR DEODHAR	Art Unit 3714	

CPC					
Symbol				Type	Version
A63F	13	/	12	F	2013-01-01
H04W	4	/	02	I	2013-01-01
H04L	67	/	20	I	2013-01-01
H04L	67	/	04	I	2013-01-01
H04L	67	/	18	I	2013-01-01
H04L	67	/	38	I	2013-01-01
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CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 20	
/OMKAR DEODHAR/ Primary Examiner.Art Unit 3714 (Primary Examiner) _____ (Date) _____		05/03/2016 O.G. Print Claim(s) 1	O.G. Print Figure 2B

Issue Classification 	Application/Control No. 14180890	Applicant(s)/Patent Under Reexamination HARTWELL, JOSHUA
	Examiner OMKAR DEODHAR	Art Unit 3714

☐ 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	1		17												
2	2	12	18												
	3		19												
3	4	13	20												
4	5	14	21												
	6	15	22												
5	7	16	23												
6	8	17	24												
7	9	18	25												
8	10	19	26												
9	11	20	27												
10	12														
11	13														
	14														
	15														
	16														

NONE	Total Claims Allowed: 20	
(Assistant Examiner)	(Date)	
/OMKAR DEODHAR/ Primary Examiner.Art Unit 3714	05/03/2016	O.G. Print Claim(s) 1
(Primary Examiner)	(Date)	O.G. Print Figure 2B

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL	Application Number: 14/180,890	Confirmation Number: 8221
	Filing Date: February 14, 2014	
	First Named Inventor: Joshua HARTWELL	
	Group Art Unit: 3714	
	Examiner: Omkar A. DEODHAR	
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
Attorney Docket Number: 09685.0044-01000		
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.		
Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.		
1. Submission required under 37 C.F.R. § 1.114: <u>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.</u> If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment.		
a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.		
i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.		
ii. ☐ Other		
b. ☐ DO NOT ENTER the amendment(s) previously filed on _____. An alternate submission is attached.		
c. ☒ Enclosed submission:		
i. ☒ Amendment/Reply		
ii. ☐ Affidavit(s)/Declaration(s)		
iii. ☐ Information Disclosure Statement		
iv. ☐ Other _____		
2. Miscellaneous		
a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)		
b. ☐ Other _____		
3. Fees		
a. ☒ The filing fee is calculated as follows:		
i. ☒ \$1,200.00 RCE fee required under 37 C.F.R. § 1.17(e)		
ii. ☐ Petition for extension of time for (_ Months)		
iii. ☐ Other _____		
b. ☒ Payment in the amount of \$1,200.00 enclosed.		
c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to deposit account 06-0916.		
Signature of Applicant, Attorney, or Agent Required		
Name: Jeff T. Watson	(404) 653-6551	Reg. No.: 70,587
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.		
Signature: /Jeff T. Watson/		Date: April 25, 2016
Certificate of Mailing or Transmission		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]		
Name: [Text]		
Signature:		Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Joshua HARTWELL	)	Group Art Unit: 3714
	)	
Application No.: 14/180,890	)	Examiner: DEODHAR, Omkar A.
	)	
Filed: February 14, 2014	)	
	)	
For: METHODS AND SYSTEMS FOR	)	Confirmation No.: 8221
PROVIDING IN-GAME HOT	)	
SPOTS	)	

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

VIA EFS-Web

Dear Commissioner:

AMENDMENT WITH REQUEST FOR CONTINUED EXAMINATION

In reply to the Final Office Action mailed January 25, 2016, the period for response to which extends to April 25, 2016, and filed concurrently with a Request for Continued Examination ("RCE") pursuant to 37 C.F.R. § 1.114, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks follow the amendment section of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:
 - a) contacting a server for hot spot information to download, comprising providing the server with at least one of: a game for which hot spot information is desired, a scene for which hot spot information is desired, an element for which hot spot information is desired, the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider for the mobile communications device, the base location of the mobile communication device, the current location of the mobile communication device, a version identifier for hot spot information currently on the mobile communication device, user-identification information, preset location, amount of game-play time, game score, and level of play;
 - b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising:
 - 1) hidden content for presenting to the user when the hot spot is activated; and
 - 2) coordinate information;
 - c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information;
 - d) displaying an object at the designated non-promotional location; and

[[d))] e) displaying the hidden content when the user activates the hot spot.

2. (Previously Presented) The method of claim 1, wherein the hidden content is promotional.

3. (Canceled).

4. (Previously Presented) The method of claim 1, wherein the coordinate information comprises time information for placing the hot spot in-game.

5. (Previously Presented) The method of claim 1, wherein the coordinate information comprises one or more predefined in-game locations.

6. (Canceled).

7. (Currently Amended) The method of claim 1, wherein the hot spot information further comprises an [[item]] object to be displayed in-game at the non-promotional location.

8. (Currently Amended) The method of claim 1, wherein the hot spot information specifies a type of manipulation required to activate[[d]] the hot spot.

9. (Previously Presented) The method of claim 1, further comprising saving on the mobile communication device a version identifier for the downloaded hot spot information.

10. (Currently Amended) The method of claim 1, wherein the hidden content comprises [[a]] one or more objects selected from the group consisting of messages, graphics, animations, and[[/or]] sounds.

11. (Previously Presented) The method of claim 10, wherein the hidden content is promotional.

12. (Previously Presented) The method of claim 1, wherein the hidden content is displayed in a pop-up window.

13. (Previously Presented) The method of claim 1, wherein the hidden content is displayed on the mobile communication device in a website separate from the video game.

14-17. (Canceled).

18. (Previously Presented) The method of claim 1, wherein the hidden content comprises a second hot spot.

19. (Canceled).

20. (Currently Amended) A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:

a) contacting a server for hot spot information to download, comprising providing the server with user-identification information;

- b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising:
- 1) hidden promotional content for presenting to the user when the hot spot is activated; and
 - 2) coordinate information;
- c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information;
- d) displaying an object at the designated non-promotional location; and
- [[d)]] e) displaying the hidden promotional content when the user activates the hot spot.

21. (New) The method of claim 20, wherein the hidden content is promotional.

22. (New) The method of claim 20, wherein the coordinate information comprises time information for placing the hot spot in-game.

23. (New) The method of claim 20, wherein the hot spot information further comprises an object to be displayed in-game at the non-promotional location.

24. (New) The method of claim 20, wherein the hot spot information specifies a type of manipulation required to activate the hot spot.

25. (New) The method of claim 20, wherein the hidden content comprises one or more objects selected from the group consisting of messages, graphics, animations, and sounds.

26. (New) The method of claim 20, wherein the hidden content is displayed in a pop-up window.

27. (New) The method of claim 20, wherein the hidden content comprises a second hot spot.

REMARKS

Applicant submits these Remarks in reply to the Final Office Action mailed January 25, 2016. Prior to this Amendment, claims 1, 2, 4-13, 18, and 20 were pending in the application.

In the Final Office Action, Applicant understands that the Office has rejected claims 1, 2, 4-13, 18, and 20 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2006/0205510 ("*Lauper*") in view of U.S. Patent Application Publication No. 2006/0111979 ("*Chu*").

By this Amendment, Applicant amends claims 1 and 20. No prohibited new matter has been added. Upon entry of these amendments, claims 1, 2, 4-13, 18, and 20 will remain pending in this application, of which claims 1 and 20 are independent. Applicant respectfully traverses all pending rejections for at least the reasons discussed below.

I. Summary of Examiner Interview

Applicant thanks the Examiner for the courtesies extended during the telephone interview with Applicant's representative on March 24, 2016. During the interview, Applicant's representative discussed the previously presented claims, as well as the deficiencies of the cited prior art with respect to those claims. Applicant's representative proposed amending the independent claims to recite "displaying an object at the designated non-promotional location." The Examiner agreed that this amendment "would probably distinguish over the prior art." See April 1, 2016, Interview Summary. While Applicant does not necessarily agree that this amendment is necessary, to move prosecution forward in an efficient manner, Applicant has amended the independent

claims as discussed in the interview. Accordingly, Applicant requests that the Examiner reconsider and allow the present application in view of the present response.

II. Rejection Under 35 U.S.C. § 103

Claims 1, 2, 4-13, 18, and 20 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Lauper* in view of *Chu*. Final Office Action at 5. Applicant respectfully traverses the rejections under 35 U.S.C. § 103(a) because a *prima facie* case of obviousness has not been established.

Amended independent claims 1 and 20 recite, among other things:

- c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information;
- d) displaying an object at the designated location;
- and
- e) displaying the hidden promotional content when the user activates the hot spot.

In an exemplary embodiment, a server may send a mobile device coordinate information specifying a location along the horizontal and vertical axes of the mobile device screen. See, e.g., Applicant's Specification ¶ [079]. An object (which may also be referred to as an "item"), such as a shirt, poster, or dart board, may be displayed at the designated location. See, e.g., *id.* ¶¶ [046], [049]; Figs. 2A, 2B. When the hot spot is activated, such as by manipulation of the displayed object, hidden content (e.g., a promotional message) may be presented to the user. See, e.g., *id.* ¶¶ [046], [049], [085], [086]. The asserted combination of *Lauper* and *Chu* fails to disclose or render obvious at least this subject matter.

In the Office Action, the Examiner correctly acknowledges that *Lauper* fails to disclose “designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information” and “displaying the hidden content when the user activates the hot spot.” Final Office Action, p. 5. Rather, the Examiner contends that this subject matter is disclosed by *Chu*. *Id.* In particular, the Examiner states:

Chu teaches a virtual racing game with a pit-stop location where engine oil brands are advertised, (Chu, ¶ 63.) Since the player does not know the content of the advertisement prior to making the pit-stop, this advertising information is interpreted as “hidden content,” activated during the pit-stop.

Id. Applicant disagrees.

In order to advance prosecution, however, Applicant has amended the independent claims to recite both “displaying an object at the designated location” and “displaying the hidden promotional content when the user activates the hot spot.” *Chu* fails to disclose or teach this subject matter. For example, whereas the Examiner apparently contends that *Chu* discloses “displaying the hidden content when the user activates the hot spot” based on its disclosure that advertising information (i.e., the alleged “hidden content”) is displayed when a user arrives at a pit stop (i.e., the alleged “hot spot”), *Chu* fails to disclose that any object is displayed at a designated location, which, when activated, results in the display of the advertising information.

Lauper fails to cure this deficiency of *Chu*. Therefore, the asserted combination of *Lauper* and *Chu* fails to disclose or render obvious at least “designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information,” “displaying an object at the designated location,” and “

displaying the hidden promotional content when the user activates the hot spot,”
as recited in amended independent claims 1 and 20.

In view of at least the above-noted differences between claims 1 and 20 and the applied references, Applicant respectfully submits that independent claims 1 and 20 are allowable. As claims 2, 4-13, and 18 depend from independent claim 1, those additional claims should be allowable at least due to their dependence on an allowable base claim. Therefore, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 1, 2, 4-13, 18, and 20.

III. Conclusion

In view of the foregoing, Applicant submits that the pending claims are neither anticipated nor rendered obvious in view of the cited art. Applicant, therefore, requests reconsideration of the application, withdrawal of the rejections, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 25, 2016

/Jeff T. Watson/
By: _____
Jeff T. Watson
Reg. No. 70,587
(404) 653-6551

Electronic Patent Application Fee Transmittal

Application Number:	14180890			
Filing Date:	14-Feb-2014			
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots			
First Named Inventor/Applicant Name:	Joshua Hartwell			
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey			
Attorney Docket Number:	09685-0044-01000			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for Continued Examination	1801	1	1200	1200
Total in USD (\$)				1200

Electronic Acknowledgement Receipt

EFS ID:	25587852
Application Number:	14180890
International Application Number:	
Confirmation Number:	8221
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots
First Named Inventor/Applicant Name:	Joshua Hartwell
Customer Number:	22852
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey
Filer Authorized By:	Jeff Taylor Watson
Attorney Docket Number:	09685-0044-01000
Receipt Date:	25-APR-2016
Filing Date:	14-FEB-2014
Time Stamp:	15:44:43
Application Type:	Utility under 35 USC 111(a)

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Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1200
RAM confirmation Number	2252
Deposit Account	
Authorized User	

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

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	09685_0044_01_RCE.pdf	66337	no	1
			8f34cdd6b7f4821e4b82d48a4c40c85743cb56b9		
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
2		09685_0044_01_Amendment.pdf	90084	yes	10
			4a0f74ef4346bd86c8c19c00a780d591e046bf38		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment Submitted/Entered with Filing of CPA/RCE		1	1	
	Claims		2	6	
	Applicant Arguments/Remarks Made in an Amendment		7	10	
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30445	no	2
			5aa7061eccb36873b627d2c44226cb077377c624		
Warnings:					
Information:					
Total Files Size (in bytes):			186866		

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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/180,890	Filing Date 02/14/2014	☐ To be Mailed
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ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO**APPLICATION AS FILED – PART I**

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	04/25/2016	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 21	Minus	** 20	= 1	X \$80 =	80
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	X \$420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	80

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	☐ Application Size Fee (37 CFR 1.16(s))					
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
						TOTAL ADD'L FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/TONI HAKIM/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Document code: WFEE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221

22852 7590 04/01/2016
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DEODHAR, OMKAR A

ART UNIT	PAPER NUMBER
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3714

NOTIFICATION DATE	DELIVERY MODE
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04/01/2016

ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

regional-desk@finnegan.com

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



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14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221

22852 7590 01/25/2016
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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901 NEW YORK AVENUE, NW
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EXAMINER

DEODHAR, OMKAR A

ART UNIT	PAPER NUMBER
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01/25/2016

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

regional-desk@finnegan.com

Office Action Summary	Application No. 14/180,890	Applicant(s) HARTWELL, JOSHUA	
	Examiner OMKAR DEODHAR	Art Unit 3714	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/17/2015.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1,2,4-13 and 18-20 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1,2,4-13,18-20 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) ☐ Notice of References Cited (PTO-892) | 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____. | 4) ☐ Other: ____. |

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

Procedural Summary

1. This is responsive to the claim amendments filed 11/17/2015.
2. Claims 1, 2, 4-13, 18 & 20 are pending.
3. Applicant's filing of a terminal disclaimer is noted.
 - a. The terminal disclaimer is approved. (See file wrapper, 11/17/2015.)

Response to Arguments and Amendment

4. Regarding Applicant's arguments for 35 USC § 101:
 - b. Applicant's arguments concerning the rejection under 35 USC § 101 have been considered and found **persuasive**. (See Remarks, 11/17/2015, pages 6-8.)
5. Regarding Applicant's prior art arguments:
 - c. Applicant's arguments concerning the prior art have been fully considered but are not persuasive. Applicant's arguments are drawn to the amended features of the independent claims, i.e. "coordinate information". It is noted that this limitation was previously presented in dependent claim 3.
 - d. Applicant suggests that the Examiner is relying on Chu for teaching "downloading coordinate information." (Remarks, Page 9.) Respectfully, Applicant appears to be laboring under a misunderstanding: Examiner relied on the base reference to Lauper for the teaching of downloading advertisement information (i.e. hot-spot information) from a server to a mobile device. (See Lauper ¶ 18 where it is made clear that advertisement information is downloaded from one or more servers to mobile

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devices.). **Thus the base reference, Lauper, establishes that a mobile device downloads advertisement information from a server.**

e. Chu is relied on for its teaching that advertisement information (i.e. hot-spot information) includes coordinate information indicating where the advertisements should appear in the game:

“[0068] Define advertisement locations and objects: In one embodiment, the present invention provides a method for defining advertisement locations and objects. In this context, *the term "defining" refers to a unique method of specifying the areas or objects within a game in which advertisements may display* (e.g., game publishers provide information to the remote server that specifies the areas and objects for a game or set of games that the remote server will interact with).

[0069] Moreover, the term "defining" also refers to the unique method of restricting the types of advertisements that may display within a given area or object within a game (e.g., game publishers specify content and format of content that is useable and/or appropriate for the specified areas and objects). Examples of such restrictions include but are not limited to the multimedia type (image, video, or audio), dimensions, file size, and duration of an advertisement. *"Areas" in this context refers to any region mapped to any two or three-dimensional **coordinate** system bounded by the spatial dimensions of the described space.*”¹ (Emphasis Added.)

f. As evidenced above, Chu is explicit that advertisements are associated with coordinates in the game. Advertisements are thus displayed on the screen based on “coordinate information” as claimed. Since Lauper teaches downloading all content associated with advertisements, when Lauper is modified by Chu, the result is that additional content, namely coordinate information, is downloaded from the server to the mobile device. This is a change to the prior art utilizing known methods yielding predictable and expected results.

¹ See Chu reference, Paragraphs 68, 69

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g. Applicant also argues that Chu fails to disclose designating a non-promotional location ... based on the coordinate information. (Remarks, Page 10.) Again, Examiner respectfully disagrees because Chu was not relied on for this limitation. Lauper was relied on for “designating a non-promotional location...”. Chu was relied on only for its teaching of coordinate information. Applicant appears to be attacking the references individually instead of as a combination. The amendment is also addressed below and underlined for clarity.

6. Regarding the double patenting rejection:

h. In light of the terminal disclaimer filed on 11/17/2015, the double patenting rejection is **withdrawn**.

Claim Rejections - 35 USC § 103

7. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1, 2, 4-13, 18 & 20 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Lauper (US 2006/0205510) in view of Chu (US 2006/0111979.)

10. Regarding Claims 1 & 20: Lauper discloses a method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device. (Abstract.).

Lauper discloses a) contacting a server for hot spot information to download, (Fig. 1), comprising providing the server with user-identification information, (§20), b) downloading hot spot information from the server to the mobile communication device, (§18).

11. Lauper discloses the invention substantially but does not disclose that the hot spot information comprises hidden content for presenting to the user when the hot spot is activated and coordinate information; c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information; and d) displaying the hidden content when the user activates the hot spot. Additionally, Lu is not explicit that hot spot information includes coordinate information.

12. In a related invention, Chu teaches these elements. For example, Chu teaches a virtual racing game with a pit-stop location where engine oil brands are advertised, (Chu, ¶ 63.) Since the player does not know the content of the advertisement prior to making the pit-stop, this advertising information is interpreted as "hidden content;" activated during the pit-stop. Chu also teaches placing content in non-promotional locations that lack a nexus to advertisement data, (e.g. ¶¶ 65, 66, wherein a game location comprises an area with a treasure chest configured to be

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manipulated open by the player. Upon activation of the hot spot, (i.e. opening of the chest), previously hidden content is dynamically and variably displayed to the player.)

- i. Regarding the amendment: Chu additionally teaches that locations both for advertisements and non-promotional content are associated with game coordinates, (§ 69.)
- j. Chu is relied on for its teaching that advertisement information (i.e. hot-spot information) includes coordinate information indicating where the advertisements should appear in the game:

“[0068] Define advertisement locations and objects: In one embodiment, the present invention provides a method for defining advertisement locations and objects. In this context, *the term "defining" refers to a unique method of specifying the areas or objects within a game in which advertisements may display* (e.g., game publishers provide information to the remote server that specifies the areas and objects for a game or set of games that the remote server will interact with).

[0069] Moreover, the term "defining" also refers to the unique method of restricting the types of advertisements that may display within a given area or object within a game (e.g., game publishers specify content and format of content that is useable and/or appropriate for the specified areas and objects). Examples of such restrictions include but are not limited to the multimedia type (image, video, or audio), dimensions, file size, and duration of an advertisement. *"Areas" in this context refers to any region mapped to any two or three-dimensional **coordinate** system bounded by the spatial dimensions of the described space.*”² (Emphasis Added.)

- k. As evidenced above, Chu is explicit that advertisements are associated with coordinates in the game. Advertisements are thus displayed on the screen based on “coordinate information” as claimed.

13. It would have been obvious to a person of ordinary skill in the art at the time of Applicant’s invention to modify Lauper’s system to include hidden content within non-

² See Chu reference, Paragraphs 68, 69

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promotional game locations, and associate locations with coordinates, as taught by Chu, for the purpose of making Lauper's game world more amenable to insertion of more dynamic content.

14. Since Lauper teaches downloading all content associated with advertisements, when Lauper is modified by Chu, the result is that additional content, namely coordinate information, is downloaded from the server to the mobile device. This is a change to the prior art utilizing known methods yielding predictable and expected results.

15. Regarding Claim 2: Lauper in view of Chu teaches that the hidden content is promotional, (Chu, ¶ 63.)

16. Regarding Claims 4, 5: Lauper in view of Chu teaches that the coordinate information is time information and includes a predefined in-game location, (Lauper, ¶ 20 and citations above to Chu.)

17. Regarding Claims 6-8: Lauper in view of Chu teaches that the non-promotional item is an in-game object and an item to be displayed, requiring manipulation to activate the hot spot, (Chu, ¶¶ 65, 66).

18. Regarding Claim 9: Lauper in view of Chu teaches saving a version identifier, (Lauper, ¶ 20.)

19. Regarding Claims 10, 11: Lauper in view of Chu teaches that the hidden content includes graphics and is promotional, (Chu, ¶ 63.)

20. Regarding Claims 12, 13: Lauper in view of Chu teaches displaying the hidden content in a pop-up window, (Chu, ¶ 63.), wherein Examiner construes a pop-window as a separate website overlaying the video game screen. (Alternately, displaying Chu's hidden content in a separate website is a design consideration failing to patentably distinguish over the prior art.)

21. Regarding Claim 18 as amended:

22. Lauper in view of Chu teaches that the hidden content includes a second hot-spot in the game, (Chu, ¶ 65, noting that nothing precludes multiple non-promotional content locations from being dynamically determined by the server. Alternately, providing another hot-spot location is viewed as a mere duplication of existing parts.)

Conclusion

23. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

24. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **OMKAR DEODHAR** whose telephone number is (571)272-1647. The examiner can normally be reached on M-F: 8AM - 4:30 PM.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on 571-272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

27. 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.

/OMKAR DEODHAR/
Primary Examiner, Art Unit 3714

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	"8688089".pn.	USPAT	OR	OFF	2015/07/15 10:08
L2	10	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	USPAT	OR	OFF	2015/07/15 10:25
L3	29	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
L4	7733	a63f13/12.cpc.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
L5	1	"20140162784"	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:26
L6	0	L4 and "non-promotional" with hidden	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
L7	0	L4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
L8	0	L4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	ON	2015/07/15 11:44

7/ 15/ 2015 11:44:32 AM
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Search Notes 	Application/Control No. 14180890	Applicant(s)/Patent Under Reexamination HARTWELL, JOSHUA
	Examiner OMKAR DEODHAR	Art Unit 3714

CPC- SEARCHED		
Symbol	Date	Examiner
a63f13/12	7/15/2014	OD

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Updated east search	1/19/2016	OD

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

	/OMKAR DEODHAR/ Primary Examiner.Art Unit 3714
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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	"20060205510".pn.	USPAT	OR	OFF	2016/01/19 10:39
L2	1	"20060205510".pn.	US-PGPUB; USPAT	OR	OFF	2016/01/19 10:39
L3	1	"20060111979"	US-PGPUB; USPAT	OR	OFF	2016/01/19 10:39
S1	1	"8688089".pn.	USPAT	OR	OFF	2015/07/15 10:08
S2	10	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	USPAT	OR	OFF	2015/07/15 10:25
S3	29	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S4	7733	a63f13/12.qpc.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S5	1	"20140162784"	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:26
S6	0	S4 and "non-promotional" with hidden	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S7	0	S4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S8	0	S4 and "non-promotional" with (hidden	US-	OR	ON	2015/07/15

		obcur\$4 secret\$4)	PGPUB; USPAT			11:44
S9	24	("20010052000" "20020067730" "20020078456" "20030117433" "20040015398" "20050137958" "20050216342" "20050267813" "5848396" "5935004" "6385591" "6553178" "6690481" "7188085" "7213005" "7685191" "7694271" "7702318" "7930206" "7954064").PN. OR ("8401903").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2015/07/15 11:45

1/ 19/ 2016 11:26:09 AM
C:\ Users\ odeodhar\ Documents\ EAST\ Workspaces\ 14180890.wsp

Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed		PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	
Application Number	14180890	
Filing Date	14-Feb-2014	
First Named Inventor	Joshua Hartwell	
Attorney Docket Number	09685-0044-01000	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots	
☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action ☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.		
Owner	Percent Interest	
GOSUB 60, Inc.	100%	
The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s) 8688089 as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.		

☐ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
Applicant claims the following fee status: ☐ Small Entity ☐ Micro Entity ☒ Regular Undiscounted	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ☒ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number <u>55830</u> ☐ A sole inventor ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application ☐ A joint inventor; all of whom are signing this request	
Signature	/Robert C Stanley/
Name	Robert C Stanley

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

Electronic Patent Application Fee Transmittal

Application Number:	14180890			
Filing Date:	14-Feb-2014			
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots			
First Named Inventor/Applicant Name:	Joshua Hartwell			
Filer:	Robert Carroll Stanley			
Attorney Docket Number:	09685-0044-01000			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Statutory or Terminal Disclaimer	1814	1	160	160
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

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

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 14180890

Filing Date: 14-Feb-2014

Applicant/Patent under Reexamination: Hartwell et al.

Electronic Terminal Disclaimer filed on November 17, 2015

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

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

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

EFS ID:	24111375
Application Number:	14180890
International Application Number:	
Confirmation Number:	8221
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots
First Named Inventor/Applicant Name:	Joshua Hartwell
Customer Number:	22852
Filer:	Robert Carroll Stanley
Filer Authorized By:	
Attorney Docket Number:	09685-0044-01000
Receipt Date:	17-NOV-2015
Filing Date:	14-FEB-2014
Time Stamp:	17:00:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	4015
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	Electronic Terminal Disclaimer-Filed	eTerminal-Disclaimer.pdf	33349	no	2
			7cf0c6e3d4698b8620eaea300cfcbed047ebaf67		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30323	no	2
			a7e2463a58ecd7e76ecc65b8d9a332f33b67af32		
Warnings:					
Information:					
Total Files Size (in bytes):			63672		
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.					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Joshua HARTWELL	)	Group Art Unit: 3714
	)	
Application No.: 14/180,890	)	Examiner: DEODHAR, Omkar A.
	)	
Filed: February 14, 2014	)	
	)	
For: METHODS AND SYSTEMS FOR	)	Confirmation No.: 8221
PROVIDING IN-GAME HOT	)	
SPOTS	)	

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

VIA EFS-Web

Dear Commissioner:

AMENDMENT

In reply to the Office Action mailed July 17, 2015, the period for response to which having been extended to November 17, 2015, by the request for a one-month extension of time and fee payment filed concurrently herewith, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks follow the amendment section of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:
 - a) contacting a server for hot spot information to download, comprising providing the server with at least one of: a game for which hot spot information is desired, a scene for which hot spot information is desired, an element for which hot spot information is desired, the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider for the mobile communications device, the base location of the mobile communication device, the current location of the mobile communication device, a version identifier for hot spot information currently on the mobile communication device, user-identification information, preset location, amount of game-play time, game score, and level of play;
 - b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising:
 - 1) hidden content for presenting to the user when the hot spot is activated; and
 - 2) coordinate information;
 - c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information; and
 - d) displaying the hidden content when the user activates the hot spot.

2. (Previously Presented) The method of claim 1, wherein the hidden content is promotional.
3. (Canceled).
4. (Currently Amended) The method of claim [[4]] 1, wherein the coordinate information comprises time information for placing the hot spot in-game.
5. (Currently Amended) The method of claim [[3]] 1, wherein the coordinate information comprises one or more predefined in-game locations.
6. (Previously Presented) The method of claim 1, wherein the non-promotional location is an in-game object.
7. (Previously Presented) The method of claim 1, wherein the hot spot information further comprises an item to be displayed in-game at the non-promotional location.
8. (Previously Presented) The method of claim 1, wherein the hot spot information specifies a type of manipulation required to activated the hot spot.
9. (Previously Presented) The method of claim 1, further comprising saving on the mobile communication device a version identifier for the downloaded hot spot information.

10. (Previously Presented) The method of claim 1, wherein the hidden content comprises a message, graphics, animation, and/or sound.
11. (Previously Presented) The method of claim 10, wherein the hidden content is promotional.
12. (Previously Presented) The method of claim 1, wherein the hidden content is displayed in a pop-up window.
13. (Previously Presented) The method of claim 1, wherein the hidden content is displayed on the mobile communication device in a website separate from the video game.
- 14-17. (Canceled).
18. (Currently Amended) The method of claim 1, wherein the hidden content comprises ~~placing a different~~ a second hot spot ~~in game~~.
19. (Canceled).
20. (Currently Amended) A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:
- a) contacting a server for hot spot information to download, comprising providing the server with user-identification information;
 - b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising:

- 1) hidden promotional content for presenting to the user when the hot spot is activated; and
- 2) coordinate information;
- c) designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information; and
- d) displaying the hidden promotional content when the user activates the hot spot.

REMARKS

Applicant submits these Remarks in reply to the non-final Office Action mailed July 17, 2015. Prior to this Amendment, claims 1-20 were pending in the application.

In the Office Action, Applicant understands that the Office has rejected claims 1-20 under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter, rejected claims 1-20 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2006/0205510 ("*Lauper*") in view of U.S. Patent Application Publication No. 2006/0111979 ("*Chu*"), and rejected claims 1-20 on the ground of nonstatutory double patenting as being allegedly unpatentable over claim 6 of U.S. Patent No. 8,688,089 in view of *Chu*.

By this Amendment, Applicant amends claims 1, 4, 5, 18, and 20 and cancels claims 3, 14-17, and 19. No prohibited new matter has been added. Upon entry of these amendments, claims 1, 2, 4-13, 18, and 20 will remain pending in this application, of which claims 1 and 20 are independent. Applicant respectfully traverses all pending rejections for at least the reasons discussed below.

I. Claim Rejection Under 35 U.S.C. § 101

Claims 1-20 are rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Office Action at 2. In particular, the Examiner alleges that the claims are "directed to the abstract idea of methods for retrieving and displaying hot spot information in video games." *Id.* The Examiner further contends that "the claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because they amount to mere instructions for implementing

the abstract idea on a generic computing device.” *Id.* Applicant respectfully submits that this rejection is incorrect and not supported by any evidence of record.

A. Applicant’s Claims are Not Directed to an Abstract Idea

As an initial matter, and contrary to the instructions outlined in the “2014 Interim Guidance on Patent Subject Matter Eligibility” dated December 16, 2014 (the “Interim Guidance”), the Examiner provides no reasoning as to how any of the claims are directed to an abstract idea. See Interim Guidance, 79 Fed. Reg. 74618, 74622-74624 (December 16, 2014) (to be codified at 37 C.F.R. pt. 1). Instead, and without analyzing the actual language of the claims, the Examiner merely generalizes that the claims are drawn to “retrieving and displaying hot spot information in video games.” Office Action at 2. This is an overstatement and clearly at odds with the recited elements of the independent and dependent claims. Therefore, for at least this reason, the § 101 rejection is improper and should be withdrawn because the Examiner provides no reasoning or evidence, at all, to support the assertion that each of the independent claims and each of the dependent claims are directed to the alleged abstract idea.

Furthermore, the pending claims cannot be directed to an abstract idea because they do not attempt to preempt or monopolize every application of the asserted abstract idea of “retrieving and displaying hot spot information in video games.” This is at least evident from the prior art of record, which demonstrates that alternative methods in the art exist for “retrieving and displaying hot spot information in video games,” including those that fall outside of the elements of the pending claims. Indeed, even the *Lauper* and *Chu* references, which are cited against the pending claims, are distinguishable from the claimed subject matter for the reasons discussed below. Thus, because

Applicant's claims do not monopolize these techniques, the pending claims are not directed to an abstract idea. For at least this additional reason, the rejection under 35 U.S.C. § 101 is legally deficient and should be withdrawn.

B. Applicant's Claims Recite "Significantly More" Than the Alleged Abstract Idea

Even if an abstract idea is somehow related to the pending claims, which Applicant disputes, the pending claims amount to "significantly more" than whatever abstract idea may be asserted by the Examiner. For example, the claims require specialized computer processing and hardware (e.g., independent claims 1 and 20 recite "contacting a server for hot spot information to download"). Further, by way of example, independent claims 1 and 20 recite "downloading hot spot information from the server to the mobile communication device."

As evidenced by the language of the claims, Applicant's independent claims do not merely correspond to conventional functions of a general purpose computer. Instead, these operations or functions require special design and programmed operations and hardware, and equate to "significantly more" than any abstract idea.

The dependent claims of this application also demonstrate that the claimed subject matter is "significantly more" than the alleged abstract idea. For example, claim 9 recites "saving on the mobile communication device a version identifier for the downloaded hot spot information." Further, claim 13 recites that "the hidden content is displayed on the mobile communication device in a website separate from the video game."

Accordingly, in view of the above, Applicant submits that the rejection of claims 1-20 under 35 U.S.C. § 101 is legally deficient and should be withdrawn.

II. Claim Rejection Under 35 U.S.C. § 103(a) Based on *Lauper* and *Chu*

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Lauper* in view of *Chu*. Office Action at 3. Claims 3, 14-17, and 19 are canceled by this Amendment, thus mooted the Examiner's rejection of those claims. Applicant respectfully traverses the rejections of the remaining claims under 35 U.S.C. § 103(a) because a *prima facie* case of obviousness has not been established.

Amended independent claims 1 and 20 recite, among other things, "downloading hot spot information from the server to the mobile communication device, the hot spot information comprising . . . hidden content for presenting to the user when the hot spot is activated" and "coordinate information." Claims 1 and 20 also recite "designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information." In an exemplary embodiment, "the coordinates may specify a location along the horizontal axis of the screen and the vertical axis to monitor for user interaction." See, *e.g.*, Applicant's Specification ¶ [079]. In one embodiment, "the coordinates may also include scene, level, or time information for playing the hot spot in-game." See, *e.g.*, *id.* ¶ [080]. In yet another embodiment, "the coordinates comprise a selection of one or more predefined in-game locations." See, *e.g.*, *id.* ¶ [081]. The mobile communication device may designate the location represented by the downloaded coordinate information as activating the hot spot. See, *e.g.*, *id.* The asserted combination of *Lauper* and *Chu* fails to disclose or render obvious at least this subject matter.

In the Office Action the Examiner appears to contend that "downloading . . . coordinate information" is taught by *Chu*. Office Action at 4. In particular, the Office

Action contends that *Chu* “teaches that locations both for advertisements and non-promotional content are associated with game coordinates.” *Id.* However, even if *Chu* teaches that advertisements or non-promotional content are ultimately associated with coordinates when they are displayed at the client device, which Applicant does not concede, *Chu* does not disclose or teach that these objects are displayed on the screen at those coordinates based on “coordinate information” that was downloaded from a server to the client device. Indeed, *Chu* fails to disclose that “coordinate information” is downloaded to a client device.

For example, in the portion of *Chu* cited by the Examiner, *Chu* discloses that advertisements “may display within a given area or object within a game,” and “[a]reas’ in this context refers to any region mapped to any two or three-dimensional coordinate system bounded by the spatial dimensions of the described space.” *Chu* ¶ [0069]. Nothing in the cited portion of *Chu*, or any other portion, discloses that coordinate information for a potential advertisement or object is downloaded to a client device. Moreover, *Chu* also fails to teach “designating a non-promotional location in-game associated with activating the hot spot **based on the coordinate information.**”

Lauper fails to cure this deficiency of *Chu*. Indeed, the Examiner does not cite to *Lauper* for this subject matter. Therefore, the asserted combination of *Lauper* and *Chu* fails to disclose or render obvious at least “downloading hot spot information from the server to the mobile communication device, the hot spot information comprising . . . hidden content for presenting to the user when the hot spot is activated” and “coordinate information” and “designating a non-promotional location in-game associated with

activating the hot spot based on the coordinate information,” as recited in amended independent claims 1 and 20.

In view of at least the above-noted differences between claims 1 and 20 and the applied references, Applicant respectfully submits that independent claims 1 and 20 are allowable. As claims 2, 4-13, and 18 depend from independent claim 1, those additional claims should be allowable at least due to their dependence on an allowable base claim. Therefore, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 1, 2, 4-13, 18, and 20.

III. Double Patenting Rejection

Applicant respectfully traverses the rejection of 1-20 in view of the asserted ground of non-statutory obviousness-type double patenting over claim 6 of related U.S. Patent No. 8,688,089 in view of *Chu*. Applicant disagrees with the characterization and assertions in the Office Action. Moreover, Applicant submits that the claims are patentably distinct.

Although Applicant does not agree with the characterizations or conclusions concerning the double patenting rejection set forth in the Office Action, in order to advance prosecution, Applicant files concurrently herewith a Terminal Disclaimer with respect to U.S. Patent No. 8,688,089. Accordingly, the double patenting rejection should be withdrawn.

Applicant notes that the filing of the Terminal Disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991).

IV. Conclusion

In view of the foregoing, Applicant submits that the pending claims are neither anticipated nor rendered obvious in view of the cited art. Applicant, therefore, requests reconsideration of the application, withdrawal of the rejections, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 17, 2015

/Jeff T. Watson/
By: _____
Jeff T. Watson
Reg. No. 70,587
(404) 653-6551

Electronic Patent Application Fee Transmittal

Application Number:	14180890			
Filing Date:	14-Feb-2014			
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots			
First Named Inventor/Applicant Name:	Joshua Hartwell			
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey			
Attorney Docket Number:	09685-0044-01000			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 1 month with \$0 paid	1251	1	200	200
Miscellaneous:				
Total in USD (\$)				200

Electronic Acknowledgement Receipt

EFS ID:	24111141
Application Number:	14180890
International Application Number:	
Confirmation Number:	8221
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots
First Named Inventor/Applicant Name:	Joshua Hartwell
Customer Number:	22852
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey
Filer Authorized By:	Jeff Taylor Watson
Attorney Docket Number:	09685-0044-01000
Receipt Date:	17-NOV-2015
Filing Date:	14-FEB-2014
Time Stamp:	16:51:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 200
RAM confirmation Number	3858
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	Extension of Time	09685_0044_01_EOT.pdf	51164	no	1
			edcf4567afa485d272c81cfd7f42d3419c3d23c5		
Warnings:					
Information:					
2		09685_0044_01_Amendment.pdf	110331	yes	12
			e0d4f86158dac1b7c65a5f8a6d78c1fda16e6685		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	12	
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30457	no	2
			afc1a441dfd6ac87fc11dbe4586aa23a8ba56deb		
Warnings:					
Information:					
Total Files Size (in bytes):			191952		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Joshua HARTWELL	)	Group Art Unit: 3714
	)	
Application No.: 14/180,890	)	Examiner: DEODHAR, Omkar A.
	)	
Filed: February 14, 2014	)	
	)	
For: METHODS AND SYSTEMS FOR	)	Confirmation No.: 8221
PROVIDING IN-GAME HOT	)	
SPOTS	)	

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

Dear Commissioner:

PETITION FOR EXTENSION OF TIME

Applicant petitions for a one-month extension of time to file a reply to the Office
Action of July 17, 2015. A fee of \$200.00 is enclosed.

Please grant any additional extensions of time required to enter the attached
reply and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

/Jeff T. Watson/

Dated: November 17, 2015

By: _____
Jeff T. Watson
Reg. No. 70,587
(404) 653-6551

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 14/180,890		Filing Date 02/14/2014		☐ To be Mailed				
ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO													
APPLICATION AS FILED – PART I													
(Column 1)			(Column 2)										
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)					
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A							
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A							
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A							
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =		*		X \$ =							
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		X \$ =							
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).											
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))													
* If the difference in column 1 is less than zero, enter "0" in column 2.						TOTAL							
APPLICATION AS AMENDED – PART II													
(Column 1)			(Column 2)			(Column 3)							
AMENDMENT	11/17/2015		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		* 14		Minus	** 20		= 0		X \$80 =		0	
	Independent (37 CFR 1.16(h))		* 2		Minus	*** 3		= 0		X \$420 =		0	
	☐ Application Size Fee (37 CFR 1.16(s))												
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))												
										TOTAL ADD'L FEE		0	
(Column 1)			(Column 2)			(Column 3)							
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		*		Minus	**		=		X \$ =			
	Independent (37 CFR 1.16(h))		*		Minus	***		=		X \$ =			
	☐ Application Size Fee (37 CFR 1.16(s))												
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))												
										TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.													

LIE
/ZURIASHWORK ZENEBE/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000	8221

22852 7590 07/17/2015
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DEODHAR, OMKAR A

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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07/17/2015

PAPER

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

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 14/180,890	Applicant(s) HARTWELL, JOSHUA	
	Examiner OMKAR DEODHAR	Art Unit 3714	AIA (First Inventor to File) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/14/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1-20 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) _____ is/are allowed.
- 7) ☒ Claim(s) 1-20 is/are rejected.
- 8) ☐ Claim(s) _____ is/are objected to.
- 9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 2/14/2014 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 6/30/2014.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 4) ☐ Other: _____.

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

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Initially, under Step 1 of the analysis it is noted that the claims are directed towards eligible categories of subject matter (i.e. processes.)
2. However, under Step 2A, the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea). The claims are directed to the abstract idea of methods for retrieving and displaying hot spot information in video games.
3. Under Step 2B, the claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because they amount to mere instructions for implementing the abstract idea on a generic computing device.

Claim Rejections - 35 USC § 103

4. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 6. Claims 1-20 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Lauper (US 2006/0205510) in view of Chu (US 2006/0111979.)**
- 7. Regarding Claims 1, 19 & 20:** Lauper discloses a method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device. (Abstract.). Lauper discloses a) contacting a server for hot spot information to download, (Fig. 1), comprising providing the server with user-identification information, (§20), b) downloading hot spot information from the server to the mobile communication device, (§18).
- 8.** Lauper discloses the invention substantially but does not disclose that the hot spot information comprises hidden content for presenting to the user when the hot spot is activated; c) designating a non-promotional location in-game associated with activating the hot spot; and d) displaying the hidden content when the user activates the hot spot. Additionally, Lu is not explicit that hot spot information includes coordinate information.
- 9.** In a related invention, Chu teaches these elements. For example, Chu teaches a virtual racing game with a pit-stop location where engine oil brands are advertised, (Chu, ¶ 63.) Since the player does not know the content of the advertisement prior to making the pit-stop, this advertising information is interpreted as "hidden content;" activated during the pit-stop. Chu also teaches placing content in non-promotional locations that lack a nexus to advertisement data,

Art Unit: 3714

(e.g. ¶¶ 65, 66, wherein a game location comprises an area with a treasure chest configured to be manipulated open by the player. Upon activation of the hot spot, (i.e. opening of the chest), previously hidden content is dynamically and variably displayed to the player.) Chu additionally teaches that locations both for advertisements and non-promotional content are associated with game coordinates, (¶ 69.)

10. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify Lauper's system to include hidden content within non-promotional game locations, and associate locations with coordinates, as taught by Chu, for the purpose of making Lauper's game world more amenable to insertion of more dynamic content.

11. Regarding Claim 2: Lauper in view of Chu teaches that the hidden content is promotional, (Chu, ¶ 63.)

12. Regarding Claims 3, 14: Lauper in view of Chu teaches that the location is defined by coordinate information, (Chu, ¶ 69.)

13. Regarding Claims 4, 5, 15-17: Lauper in view of Chu teaches that the coordinate information is time information and includes a predefined in-game location, (Lauper, ¶ 20 and citations above to Chu.)

14. Regarding Claims 6-8: Lauper in view of Chu teaches that the non-promotional item is an in-game object and an item to be displayed, requiring manipulation to activate the hot spot, (Chu, ¶¶ 65, 66).

15. Regarding Claim 9: Lauper in view of Chu teaches saving a version identifier, (Lauper, ¶ 20.)

16. Regarding Claims 10, 11: Lauper in view of Chu teaches that the hidden contact includes graphics and is promotional, (Chu, ¶ 63.)

17. Regarding Claims 12, 13: Lauper in view of Chu teaches displaying the hidden content in a pop-up window, (Chu, ¶ 63.), wherein Examiner construes a pop-window as a separate website overlaying the video game screen. (Alternately, displaying Chu's hidden content in a separate website is a design consideration failing to patentably distinguish over the prior art.)

18. Regarding Claim 18: Lauper in view of Chu teaches that the hidden content includes placing a different hot-spot in the game, (Chu, ¶ 65, noting that nothing precludes multiple non-promotional content locations from being dynamically determined by the server. Alternately, providing another hidden content location is viewed as a mere duplication of existing parts.)

Double Patenting

19. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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20. A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the reference application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

21. The USPTO internet Web site contains terminal disclaimer forms which may be used. Please visit <http://www.uspto.gov/forms/>. The filing date of the application will determine what form should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to <http://www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp>.

22. **Claims 1-20 are rejected** on the ground of nonstatutory double patenting as being unpatentable over claim 6 of U.S. Patent No. 8,688,089 in view of U.S. Pub. No.: 2006/0111979. Although the claims at issue are not identical, they are not patentably distinct from each other because the patented claim in view of the '979 reference to Chu substantially discloses the claimed invention.

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMKAR DEODHAR whose telephone number is (571)272-1647. The examiner can normally be reached on M-F: 8AM - 4:30 PM.

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24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on 571-272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25. 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.

/OMKAR DEODHAR/
Primary Examiner, Art Unit 3714

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/180,890
				Filing Date	February 14, 2014
				First Named Inventor	Joshua HARTWELL
				Art Unit	3714
				Examiner Name	David Lee LEWIS
Sheet	1	of	2	Attorney Docket Number	09685 0044-01000

U.S. PATENTS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-6,219,696 B1	04-17-2001	WYNBLATT et al.	
		US-6,445,398 B1	09-03-2002	GERBA et al.	
		US-6,628,939 B2	09-30-2003	PAULSEN	
		US-7,158,798 B2	01-02-2007	LEE et al.	
		US-7,575,518 B2	08-18-2009	TABATA	
		US-7,577,978 B1	08-18-2009	WISTENDAHL et al.	
		US-7,753,791 B2	07-13-2010	HARTWELL	
		US-8,246,466 B2	08-21-2012	HERRMANN et al.	
		US-8,401,903 B2	03-19-2013	LERMAN et al.	
		US-8,688,089 B2	04-01-2014	HARTWELL	

U.S. PUBLISHED PATENT APPLICATIONS					
Examiner Initials	Cite No. ³	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ⁴ (if known)			
		US-2002/0166119 A1	11-07-2002	CRISTOFALO	
		US-2003/0105669 A1	06-05-2003	TSUCHIYA	
		US-2003/0224855 A1	12-04-2003	CUNNINGHAM	
		US-2004/0049419 A1	03-11-2004	KNIGHT	
		US-2004/0127279 A1	07-01-2004	GATTO et al.	
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		US-2006/0111979 A1	05-25-2006	CHU	
		US-2006/0128469 A1	06-15-2006	WILLIS et al.	
		US-2006/0130046 A1	06-15-2006	O'NEILL	
		US-2006/0136297 A1	06-22-2006	WILLIS et al.	
		US-2006/0205510 A1	09-14-2006	LAUPER et al.	
		US-2007/0022442 A1	01-25-2007	GIL et al.	
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		US-2008/0102956 A1	05-01-2008	BURMAN et al.	
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		US-2009/0007186 A1	01-01-2009	HARTWELL	
		US-2009/0156179 A1	06-18-2009	HAHN et al.	
		US-2010/0291907 A1	11-18-2010	MACNAUGHTAN et al.	
		US-2013/0282454 A1	10-24-2013	ALPERT et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/180,890
				Filing Date	February 14, 2014
				First Named Inventor	Joshua HARTWELL
				Art Unit	3714
				Examiner Name	David Lee LEWIS
Sheet	2	of	2	Attorney Docket Number	09685 0044-01000

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ⁵ Number ⁶ Kind Code ⁷ (if known)				
		EP 1087312 A2	03-28-2001	NOKIA CORP		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Advisory Action for U.S. App. No. 11/768,890, mailed November 22, 2011 (3 pages)	
		Final Office Action for U.S. App. No. 11/768,890, mailed August 2, 2011 (12 pages)	
		Final Office Action for U.S. App. No. 11/768,892, mailed June 5, 2013 (8 pages)	
		International Search Report and the Written Opinion of the International Searching Authority, or the Declaration; International Application No. PCT/US08/68249; International Filing Date June 25, 2008 (8 pages)	
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		U.S. Patent Application No. 11/768,890 (filed June 26, 2007) (now U.S. Patent No. 8,688,089).	
		U.S. Patent Application No. 11/768,892 (filed June 26, 2007).	

Examiner Signature	/Omkar Deodhar/	Date Considered	07/15/2015
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	1	"8688089".pn.	USPAT	OR	OFF	2015/07/15 10:08
S2	10	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	USPAT	OR	OFF	2015/07/15 10:25
S3	29	("20020166119" "20030105669" "20030224855" "20040049419" "20040127279" "20050240476" "20060111979" "20060128469" "20060130046" "20060136297" "20060205510" "20070022442" "20070242645" "20080102956" "20080109528" "20090007186" "20090156179" "20100291907" "20130282454" "6219696" "6445398" "6628939" "7158798" "7575518" "7577978" "7753791" "8246466" "8401903" "8688089").PN.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S4	7733	a63f13/12.cpc.	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:25
S5	1	"20140162784"	US-PGPUB; USPAT	OR	OFF	2015/07/15 10:26
S6	0	S4 and "non-promotional" with hidden	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S7	0	S4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	OFF	2015/07/15 11:44
S8	0	S4 and "non-promotional" with (hidden obcur\$4 secret\$4)	US-PGPUB; USPAT	OR	ON	2015/07/15 11:44
S9	24	("20010052000" "20020067730" "20020078456" "20030117433" "20040015398" "20050137958" "20050216342" "20050267813" "5848396" "5935004" "6385591" "6553178" "6690481" "7188085" "7213005" "7685191" "7694271" "7702318"	US-PGPUB; USPAT; USOCR	OR	OFF	2015/07/15 11:45

		"7930206" "7954064").PN. OR					
		("8401903").URPN.					

7/ 15/ 2015 12:49:54 PM
C:\ Users\ odeodhar\ Documents\ EAST\ Workspaces\ 14180890.wsp

Search Notes 	Application/Control No. 14180890	Applicant(s)/Patent Under Reexamination HARTWELL, JOSHUA
	Examiner OMKAR DEODHAR	Art Unit 3714

CPC- SEARCHED		
Symbol	Date	Examiner
a63f13/12	7/15/2014	OD

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner

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

	/OMKAR DEODHAR/ Primary Examiner.Art Unit 3714
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	14/180,890	
			Filing Date	February 14, 2014	
			First Named Inventor	Joshua HARTWELL	
			Art Unit	3714	
			Examiner Name	David Lee LEWIS	
Sheet	1	of	2	Attorney Docket Number	09685 0044-01000

U.S. PATENTS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-6,219,696 B1	04-17-2001	WYNBLATT et al.	
		US-6,445,398 B1	09-03-2002	GERBA et al.	
		US-6,628,939 B2	09-30-2003	PAULSEN	
		US-7,158,798 B2	01-02-2007	LEE et al.	
		US-7,575,518 B2	08-18-2009	TABATA	
		US-7,577,978 B1	08-18-2009	WISTENDAHL et al.	
		US-7,753,791 B2	07-13-2010	HARTWELL	
		US-8,246,466 B2	08-21-2012	HERRMANN et al.	
		US-8,401,903 B2	03-19-2013	LERMAN et al.	
		US-8,688,089 B2	04-01-2014	HARTWELL	

U.S. PUBLISHED PATENT APPLICATIONS					
Examiner Initials	Cite No. ³	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ⁴ (if known)			
		US-2002/0166119 A1	11-07-2002	CRISTOFALO	
		US-2003/0105669 A1	06-05-2003	TSUCHIYA	
		US-2003/0224855 A1	12-04-2003	CUNNINGHAM	
		US-2004/0049419 A1	03-11-2004	KNIGHT	
		US-2004/0127279 A1	07-01-2004	GATTO et al.	
		US-2005/0240476 A1	10-27-2005	BIGOTT	
		US-2006/0111979 A1	05-25-2006	CHU	
		US-2006/0128469 A1	06-15-2006	WILLIS et al.	
		US-2006/0130046 A1	06-15-2006	O'NEILL	
		US-2006/0136297 A1	06-22-2006	WILLIS et al.	
		US-2006/0205510 A1	09-14-2006	LAUPER et al.	
		US-2007/0022442 A1	01-25-2007	GIL et al.	
		US-2007/0242645 A1	10-18-2007	STEPHENSON et al.	
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		US-2009/0007186 A1	01-01-2009	HARTWELL	
		US-2009/0156179 A1	06-18-2009	HAHN et al.	
		US-2010/0291907 A1	11-18-2010	MACNAUGHTAN et al.	
		US-2013/0282454 A1	10-24-2013	ALPERT et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	14/180,890
				Filing Date	February 14, 2014
				First Named Inventor	Joshua HARTWELL
				Art Unit	3714
				Examiner Name	David Lee LEWIS
Sheet	2	of	2	Attorney Docket Number	09685 0044-01000

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ⁵ Number ⁶ Kind Code ⁷ (if known)				
		EP 1087312 A2	03-28-2001	NOKIA CORP		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Advisory Action for U.S. App. No. 11/768,890, mailed November 22, 2011 (3 pages)	
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		U.S. Patent Application No. 11/768,892 (filed June 26, 2007).	

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

Electronic Acknowledgement Receipt

EFS ID:	19453863
Application Number:	14180890
International Application Number:	
Confirmation Number:	8221
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots
First Named Inventor/Applicant Name:	Joshua Hartwell
Customer Number:	22852
Filer:	Jeff Taylor Watson/Gwendolyn Ramsey
Filer Authorized By:	Jeff Taylor Watson
Attorney Docket Number:	09685-0044-01000
Receipt Date:	30-JUN-2014
Filing Date:	14-FEB-2014
Time Stamp:	15:38:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		09685_0044_01_IDS.pdf	161736 be6afb014a7fcb0398645fe81f09a9f42b9b6904	yes	5

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Transmittal Letter	1	3
	Information Disclosure Statement (IDS) Form (SB08)	4	5
Warnings:			
Information:			
Total Files Size (in bytes):		161736	
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.			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Joshua HARTWELL	)	Group Art Unit: 3714
	)	
Application No.: 14/180,890	)	Examiner: David Lee LEWIS
	)	
Filed: February 14, 2014	)	
	)	
For: METHODS AND SYSTEMS FOR	)	Confirmation No.: 8221
PROVIDING IN-GAME HOT	)	
SPOTS	)	

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

Dear Commissioner:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the listed documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of co-pending applications and Office Actions therein are not enclosed, as they are available on the Image File Wrapper System of the United States Patent and Trademark Office's Patent Application Information Retrieval (PAIR) system. Moreover, copies of documents that are of record in prior Application No. 11/768,890, filing date June 26, 2007, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120, are not enclosed.

Applicant brings to the attention of the Examiner co-pending and commonly assigned U.S. Application No. 11/768,892, in the name of Joshua HARTWELL, and titled "Methods and Systems for Updating In-Game Content." A copy of this listed application is stored in the USPTO's Image File Wrapper system. Therefore, a copy of the application is not being submitted.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

/Jeff T. Watson/

Dated: June 30, 2014

By: _____
Jeff T. Watson
Reg. No. 70,587
(404) 653-6551



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/180,890	02/14/2014	Joshua Hartwell	09685-0044-01000

CONFIRMATION NO. 8221

PUBLICATION NOTICE



OC000000068981625

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

Title:Methods and Systems for Providing In-Game Hot Spots

Publication No.US-2014-0162784-A1

Publication Date:06/12/2014

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 14/180,890				
APPLICATION AS FILED - PART I										
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY				
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)			
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	280			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	600			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	720			
TOTAL CLAIMS (37 CFR 1.16(j))	20	minus 20 = *			OR	x 80 =	0.00			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *				x 420 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL	1600			
APPLICATION AS AMENDED - PART II										
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.										



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/180,890	02/14/2014	2642	1600	09685-0044-01000	20	3

CONFIRMATION NO. 8221

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

FILING RECEIPT



Date Mailed: 03/05/2014

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

Inventor(s)

Joshua Hartwell, Santa Monica, CA;

Applicant(s)

GOSUB 60, Inc., Santa Monica, CA

Assignment For Published Patent Application

GOSUB 60, Inc., Santa Monica, CA

Power of Attorney: The patent practitioners associated with Customer Number 22852

Domestic Priority data as claimed by applicant

This application is a CON of 11/768,890 06/26/2007

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

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

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 03/04/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/180,890**

Projected Publication Date: 06/12/2014

Non-Publication Request: No

Early Publication Request: No

Title

Methods and Systems for Providing In-Game Hot Spots

Preliminary Class

455

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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

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

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

NOT GRANTED

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

SelectUSA

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

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	09685-0044-01000
	First Named Inventor	Joshua Hartwell
	Title	Methods and Systems for Providing In-Game Hot Spots
	Express Mail Label No.	N/A - Filed by EFS-Web

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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1. ☐ Fee Transmittal Form (PTO/SB/17 or equivalent) 2. ☐ Applicant asserts small entity status. See 37 CFR 1.27 3. ☐ Applicant certifies micro entity status. See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent. 4. ☒ Specification [Total Pages <u>36</u>] Both the claims and abstract must start on a new page. (See MPEP § 608.01(a) for information on the preferred arrangement) 5. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets <u>7</u>] 6. Inventor's Oath or Declaration [Total Pages <u>1</u>] (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e)) a. ☒ Newly executed (original or copy) b. ☐ A copy from a prior application (37 CFR 1.63(d)) 7. ☒ Application Data Sheet * See note below. See 37 CFR 1.76 (PTO/AIA/14 or equivalent) 8. CD-ROM or CD-R in duplicate, large table, or Computer Program (Appendix) ☐ Landscape Table on CD 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. – c. are required) a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ Paper c. ☐ Statements verifying identity of above copies	ACCOMPANYING APPLICATION PAPERS 10. ☐ Assignment Papers (cover sheet & document(s)) Name of Assignee _____ 11. ☐ 37 CFR 3.73(c) Statement ☒ Power of Attorney (when there is an assignee) 12. ☐ English Translation Document (if applicable) 13. ☐ Information Disclosure Statement (PTO/SB/08 or PTO-1449) ☐ Copies of citations attached 14. ☐ Preliminary Amendment 15. ☐ Return Receipt Postcard (MPEP § 503) (Should be specifically itemized) 16. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed) 17. ☐ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 18. ☐ Other: _____ _____ _____ _____
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***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
 (2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

19. CORRESPONDENCE ADDRESS				
☒ The address associated with Customer Number: <u>22852</u> OR ☐ Correspondence address below				
Name				
Address				
City	State	Zip Code		
Country	Telephone	Email		

Signature	/Robert C. Stanley/	Date	February 14, 2014
Name (Print/Type)	Robert C. Stanley	Registration No. (Attorney/Agent)	55,830

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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 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.

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

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

Inventor 1					Remove		
Legal Name							
Prefix	Given Name		Middle Name		Family Name		Suffix
Mr.	Joshua				Hartwell		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service							
City	Santa Monica		State/Province	CA	Country of Residence i	US	
Mailing Address of Inventor:							
Address 1		838 Twenty-Sixth Street					
Address 2							
City	Santa Monica			State/Province	CA		
Postal Code	90403			Country i	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.							Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	22852		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	Methods and Systems for Providing In-Game Hot Spots		
Attorney Docket Number	09685-0044-01000	Small Entity Status Claimed ☐	
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	7	Suggested Figure for Publication (if any)	1

Filing By Reference :

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		

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

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

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

Publication Information:

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

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

Representative Information:

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

Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	22852		

Domestic Benefit/National Stage Information:

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

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

Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	11768890	2007-06-26
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			Add

Foreign Priority Information:

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		

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

			Remove
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ⁱ (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			Add

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

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices
--

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		

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

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

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

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.			
Applicant 1			Remove
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.			
Clear			
☒ Assignee	☐ Legal Representative under 35 U.S.C. 117	☐ Joint Inventor	
☐ Person to whom the inventor is obligated to assign.		☐ Person who shows sufficient proprietary interest	
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:			
Name of the Deceased or Legally Incapacitated Inventor :			
If the Applicant is an Organization check here. ☒			
Organization Name	GOSUB 60, Inc.		
Mailing Address Information:			
Address 1	1334 Third Street Promenade		
Address 2			
City	Santa Monica	State/Province	CA
Country ⁱ	US	Postal Code	90401
Phone Number	310-394-4760	Fax Number	

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			Add

Assignee Information including Non-Applicant Assignee Information:

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

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

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications				
Signature	/Robert C. Stanley/		Date (YYYY-MM-DD)	2014-02-14
First Name	Robert	Last Name	Stanley	Registration Number
				55830
Additional Signature may be generated within this form by selecting the Add button.				Add

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	09685-0044-01000
		Application Number	
Title of Invention	Methods and Systems for Providing In-Game Hot Spots		

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

Privacy Act Statement

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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.

AIA DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION FILED ON OR AFTER SEPTEMBER 16, 2012 (37 CFR 1.63)			ATTORNEY DOCKET NUMBER	09685-0044-01000
			FIRST NAMED INVENTOR	JOSHUA HARTWELL
			COMPLETE IF KNOWN	
☒ DECLARATION SUBMITTED WITH INITIAL FILING	OR	☐ DECLARATION SUBMITTED AFTER INITIAL FILING (SURCHARGE (37 CFR 1.18(F)) REQUIRED)	APPLICATION NUMBER	NOT YET ASSIGNED
			FILING DATE	FEBRUARY 14, 2014
			ART UNIT	NOT YET ASSIGNED
			EXAMINER NAME	NOT YET ASSIGNED
METHODS AND SYSTEMS FOR PROVIDING IN-GAME HOT SPOTS				

(Title of the Invention)

As a below named inventor, I hereby declare that: (1) This declaration is directed to the application which is attached; (2) the application was made or authorized to be made by me; (3) my residence and mailing address are as stated below next to my name; and (4) I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

As a below named inventor, I have reviewed and understand the contents of the application, including the claims, and am aware of the duty to disclose to the USPTO all information known to me to be material to patentability as defined in 37C.F.R. § 1.56.

Authorization To Permit Access To Application by Participating Offices:

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

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UNITED STATES PATENT APPLICATION
FOR
SYSTEMS AND METHODS FOR PROVIDING IN-GAME HOT SPOTS
BY
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[001] This application is a continuation of U.S. Application No. 11/768,890, filed June 26, 2007, which is hereby incorporated by reference herein in its entirety.

DESCRIPTION OF THE INVENTION

Field of the Invention

[002] The invention relates generally to systems and methods for providing in-game hot spots to a mobile communication device.

Background of the Invention

[003] Many mobile communication devices (including cellular phones, PDAs, and other handheld devices capable of communicating with a server) are capable of operating video games. Most current mobile communication devices come equipped with one or more games at the time of purchase, and most modern mobile communication devices also allow users to download and/or purchase new games. As mobile communication device technology has advanced, the games available for these devices have become more robust. For example, most current mobile communication devices include color screens that can support games with detailed color graphics, and more content may generally fit onto these screens than on screens of older mobile devices. As a result, gaming on mobile communication devices has become a popular mode of entertainment in a mobile environment.

[004] However, all video games tend to have a popularity life span. As game elements become increasingly familiar to players, the game may hold less surprises and/or no longer present a challenge to the user, at which point the user may stop playing that particular game in favor of others. Because mobile communication devices are generally less powerful than personal computers and stand-alone video game

consoles, some games for mobile communication devices may be relatively simple or repetitive by comparison. Typically, games that hold user interest for longer periods of time are more valuable than games that users leave behind quickly. As a result, game creators are always looking for ways to make games that hold the user's interest for a longer period of time.

[005] The recent surge in technical capabilities of mobile communication devices has also spawned attractive new promotional possibilities. Because an extremely large number of people worldwide own mobile communication devices, many third parties may wish to advertise within the screen of a mobile communication device. In particular, when a user plays a game on the mobile communication device, the user's full attention may be directed to the screen of the mobile communication device. Therefore, providing in-game advertising space in the palm of the user's hand is an attractive proposition for both buyers and sellers of the space.

[006] Permanent advertisements within a video game that is played on a mobile communication device may be presented in various ways. For example, the background of the video game might contain a permanent advertisement for a third party. In most cases, this advertisement would generate revenue for the maker of the game, while also serving as a valuable promotional opportunity for the third party.

[007] It is accordingly an object of the invention to provide systems and methods for providing hot spots of triggered content within the gaming environment of a mobile video game on a mobile communication device. A hot spot can be thought of as a location or item, sometimes hidden within the game, that triggers additional specialized content when activated by a user or some other in-game element. Some

embodiments may prolong user interest in a game for a mobile communication device, and make promotional opportunities more predictable and/or desirable, as follows.

SUMMARY OF THE INVENTION

[008] In accordance with embodiments of the invention, systems and methods for providing in-game hot spots on a mobile communication device are provided.

[009] In an embodiment, a mobile communication device may comprise a screen for viewing by the user, a processor, and a memory. The memory may contain instructions that, when executed by the processor, cause the communications device to operate a video game, contact a remote system to check for hot spot information to use in the video game, download the hot spot information to the communications device from a server, designate a location in-game for activating the hot spot, detect manipulation of the designated location as activating the hot spot; and display content when the user activates the hot spot. The video game itself may be presented on the screen.

[010] A hot spot is an in-game feature that includes an activation element and a content element that is triggered by the activation element. The downloaded hot spot information may include one or both of the elements. The mobile communication device may update the hot spot information periodically by contacting the remote system.

[011] The activation element may comprise an area location or an item, sometimes hidden in the game, that can be triggered by a user or some other in-game element. For example, the hot spot information may include coordinate information, and the coordinate information may be used to designate the location for activating the hot

spot. In some embodiments, the designated location is an item that is displayed in-game.

[012] In some embodiments, the hot spot information identifies the content (i.e., “content element”) to be displayed when the hot spot is activated. The content may include, for example, a message, and the message may be promotional. In some embodiments, the message includes a hint related to the game. Other content that can be triggered by a hot spot includes a new game level or an item useful in playing the game. The content triggered by a first hot spot can also include another hot spot that is then placed within the game. The content may be promotional in nature, but can also be non-promotional.

[013] Another embodiment disclosed herein includes a computer-readable medium containing instructions for execution by a mobile communication device. The instructions may cause the mobile communication device to operate a video game, contact a server to check for hot spot information for use in the video game, download the hot spot information to the communications device, designate a location in-game for activating the hot spot, detect manipulation of the designated location as activating the hot spot, and display content when the user activates the hot spot.

[014] A method for distributing hot spot information to a communications device for use in a video game that runs on the communications device is disclosed herein. In an embodiment, the method may comprise the steps of storing hot spot information on a computer-readable medium, receiving a request for hot spot information from a mobile communication device, the hot spot information being usable in a video-game that already exists on the communications device, and uploading hot

spot information to the communications device, the hot spot information identifying content for presenting to the user when the hot spot is activated.

[015] The hot spot information may designate a location in-game for activating the hot spot. In one case, the location may be fixed to a particular item, and therefore may be subject to the movement and/or boundaries of the item.

[016] In addition, the method may include tracking what hot spot information has been downloaded.

[017] Further, some embodiments may include a system for distributing updated video game content to a communications device. The system may comprise a storage medium for storing hot spot information for use in a video game, a server in communication with the storage medium, and an interface coupled to the server and a network, wherein the interface receives a request for hot spot information from the communications device over the network. In some systems, the server may be operative to receive a request through the interface and utilize the request to send the hot spot information from the storage medium to the communications device, the hot spot information designating an location in-game as associated with activating the hot spot.

[018] The hot spot information may identify content for presenting to the user when the hot spot is activated, and the content may be promotional in nature. In some embodiments, the content is pre-selected by the server based on a model type associated with the communications device, a service subscription associated with the communications device, or a service provider for the service subscription associated with the communications device.

[019] The server may track what hot spot information has been downloaded.

[020] It is to be understood that both the foregoing general description and the following detailed description are exemplary and explanatory only and are not restrictive of the invention, as claimed.

[021] The accompanying drawings, which are incorporated in and constitute a part of this specification, illustrate several embodiments of the invention and together with the description, serve to explain the principles of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

[022] Figure 1 is an overview diagram of exemplary components used to provide in-game hot spots on a mobile communication device in accordance with some embodiments of the present invention.

[023] Figures 2A-B are diagrams of an exemplary scene in a video game played on a mobile communication device in accordance with some embodiments of the present invention.

[024] Figures 3A-B are exemplary flow charts that include steps taken by a mobile communication device to update in-game hot spot information in accordance with an embodiment of the present invention.

[025] Figures 4A-B are exemplary flow charts that include steps taken by a server to update in-game hot spot information on a mobile communication device in accordance with an embodiment of the present invention.

DESCRIPTION OF THE EMBODIMENTS

[026] Reference will now be made in detail to the present exemplary embodiments of the invention, examples of which are illustrated in the accompanying

drawings. Wherever possible, the same reference numbers will be used throughout the drawings to refer to the same or like parts.

[027] It is to be understood that both the foregoing background description and the following detailed description are exemplary and explanatory only and are not restrictive of the invention as claimed.

[028] As used herein, a server includes any remote system capable of receiving communication from a handheld device over a network, such as the Internet, intranet, local area network, telecommunications network, and/or Ethernet.

[029] This application incorporates by reference herein in its entirety the U.S. Patent Application entitled "Systems and Methods for Updating In-Game Content," filed on June 26, 2007, as U.S. Application No. 11/768,892.

[030] Generally, a hot spot is an in-game feature that includes an activation element and a content element that is triggered by the activation element.. Hot spot information may include information that allows a mobile communication device to designate a location in-game (such as an item or hidden area) for activating the hot spot. When the location is electronically manipulated in some way during game play, such as by touching it, running over it, hitting it with an item, etc., the content associated with the hot spot may be displayed. For example, the content may be a promotional message.

[031] An embodiment of the invention described below allows a game company and/or provider to provide hot spots via hot spot information to a mobile communication device for use in a mobile video game that operates on the mobile communication device. The ability to provide hot spots and update in-game hot spot

information may allow game companies to keep game elements fresh and prolong user enjoyment of the game. For example, new interactive items and/or hidden features may be placed within a particular scene in the game so that the user has something new to look at or trigger (sometimes unexpectedly). In addition, the game company may charge third-party advertisers a fee per downloaded and/or activated hot spot in one aspect. Consequently, the game may sustain its popularity and be more profitable for the game creator than existing mobile communication device games.

[032] The game may also attract more third-party advertisers by providing an avenue for purchasing and selling time blocks of in-game advertising. Third parties may now have the option to advertise for a period of time, rather than permanently, within a video game for a mobile communication device. This flexibility may allow the negotiation of promotional contracts that involve less guess-work with respect to placing advertisements or virtual products within a video game on a mobile communication device. Further, an embodiment herein also provides promotional opportunities for third parties that could not previously afford to place advertisements within a game for a mobile communication device. For example, while purchasing a promotional spot that lasts the lifetime of the game may not be feasible, it may be much cheaper to purchase a smaller block of time for content used in a hot spot over that smaller block of time.

[033] In some embodiments, advertisements may be tracked on a per-view or per-download basis. In these embodiments, it may be possible for the game company and/or distributor to profit each time a promotional hot spot is downloaded. Some embodiments may track each time a hot spot is activated and/or viewed. In one aspect, a mobile communications device may maintain a continuous link with a remote system

while the game is operating, allowing the system to track the number of times a hot spot is activated. In another embodiment, no continuous link exists, but the mobile communication device may periodically report hot spot activation statistics to the remote system.

[034] In addition, local third party advertisers may be able to place promotional content on mobile communication devices located within a proximity to the locality.

[035] The ability to place or update a hot spot within the game may also provide an avenue for signing additional promotional contracts after the game has already been publicly released. For example, in a previously-released game, a new hot spot location may be placed in-game (i.e., as part of the gaming environment of the mobile video game) that was not present at the time of the game's launch. Alternatively, an item and/or message associated with an existing hot spot may be changed. Similarly, the location of a hot spot may vary, maintaining an element of surprise or newness within the game. The ongoing promotional aspects of such a system could be very attractive to both buyers and sellers of promotional space.

[036] Figure 1 is an overview diagram of exemplary components used to place or update hot spot information on a mobile communication device in accordance with several embodiments of the present invention. Turning to Figure 1, both a distribution block 125 and a creation block 140 are shown. In the distribution block 125, the user 105 plays a mobile video game on mobile communication device 110. In some embodiments, the game includes instructions to check 115 for hot spot information at server 120. The mobile communication device may perform this check 115 by connecting to server 120 through network 122.

[037] In some embodiments, the mobile communication device 110 may contain a processor and a memory. The program instructions for the video game may be located in the memory and executed by the processor, causing the game to operate on the mobile communication device. The mobile communication device may also contain a screen for displaying the mobile video game to the user 105.

[038] The network 122 may include, for example, the global Internet. Alternatively or in addition, the network 122 may include a phone or data network. In an embodiment, the mobile communication device 110 may connect to an interface (not shown) that may, in turn, pass a request for hot spot information to server 120. The interface may be part of server 120 or a separate device, depending on the embodiment. The interface may also include its own server and/or specialized firewall hardware. In addition, server 120 may actually be one or more servers.

[039] In the example of Figure 1, hot spot information is stored on a data storage medium 130. In this example, the data storage medium 130 is computer-readable. Potential data storage mediums include a hard drive, memory (such as RAM), and other storage devices (e.g., flash memory, a USB drive, compact disk, DVD, tape, or other media). The data storage medium may be implemented by one or more distinct storage mediums. In some embodiments, the hot spot information may be organized or indexed by a database. The storage medium 130 may be a part of server 120 in some embodiments.

[040] After server 120 receives a communication request from mobile communication device 110, server 120 may check whether hot spot information (or updated hot spot information) is available for one or more mobile video games. If any

hot spot information is available, server 120 may send or provide (e.g., upload) the information to mobile communication device 110. Other steps, such as performing a check of whether the user wishes to receive hot spot information, are possible in some embodiments. For example, the server 120 may store an indicator of whether hot spot information should be sent to the particular mobile communication device 110. Additionally, before or after the hot spot information is downloaded, the user 105 may be prompted by mobile communication device 110 to make sure the user 105 wishes to add the hot spot information to the video game.

[041] Other user information may also be utilized, such as the sex, age, or interests of the user. This may help in selecting more appropriate hot spot content for the user. Other checks are also possible, such as the geographic location of the user. In one embodiment, the user may be queried for this information. In another embodiment, the mobile communications device automatically transmits the information to the remote system and/or the remote system stores the information for later use.

[042] Once the hot spot information has been downloaded by mobile communication device 110, the hot spot may be placed in-game (e.g., within the gaming environment). Some hot spots may be initially part of the mobile video games, and hot spot information may replace or supplement previously existing hot spots within the game. For example, the updated hot spot information may change the location of the hot spot, associate the hot spot with a new item, change the content that is displayed when the hot spot is activated, and/or change the method of activating the hot spot.

[043] The hot spot information may be loaded into the server 120 and/or storage medium 130 from any number of external sources (although typical server

access restrictions may apply). In Figure 1, computer 140 may upload the hot spot information to the server 120. In other embodiments, the hot spot information may be created on server 120. In still other embodiments, a user 105 may create a component of the hot spot information. For example, some embodiments may allow the user 110 to upload a recorded message to server 120, either via the mobile communication device 110 or some other device, such as a personal computer. The message may play, for example, when a hot spot is activated. In another embodiment, the user 110 may be able to upload content (such as a picture, movie, text, etc.) to server 120 for sharing with others. Server 120 may distribute user-generated content as part of hot spot information, for example, if the user wins a contest.

[044] The server may be in communication with the storage medium that contains the hot spot information so that the information may be retrieved and sent to the mobile communication device.

[045] Figures 2A and B are diagrams of an exemplary scene in a mobile video game played on a mobile communication device in accordance with several embodiments. The exemplary screen is from a darts game, which includes dart board 210. However, embodiments disclosed herein may benefit all types of mobile communication device games, and are not limited to darts games or any other particular type of game that is available for mobile communication devices.

[046] Turning now to Fig. 2A, several items 210, 220, 225, 230, and 235 are shown within scene 200. In this example, virtually any of these items may be defined as hot spots on the mobile communication device. For instance, if the user throws a dart that hits shirt 230, a promotional message associated with third party X may pop up on

screen. A message may include a picture, text, video, audio, or combination thereof. Promotional messages might also be displayed if the user activates hot spots on poster 225 or chalk board 220. Additionally, if the user activates a hot spot defining a piece of chalk 232, a new message might be drawn on chalk board 220.

[047] Thus, hot spots may be provided by designating a location in-game for activating the hot spot, detecting activation of the hot spot during operation of the mobile video game, and displaying content when the hot spot is activated. The designated in-game location for the hot spot may be based on hot spot information. The activation may occur, for example, when the user manipulates the designated location.

[048] New hot spot information availability may be driven by promotional contract terms, such as with third parties exemplified by X, Y, and Z. In this example, when the promotional contract with third party X ends, the logo on shirt 230 and/or associated hot spot message may be removed. In addition, the mobile communication device may update hot spot information by downloading a new message to associate with the shirt 230. The updated message may not be promotional, or it may advertise the in-game availability for promotional content. As an example, the new message displayed when the hot spot on shirt 220 is activated might state that “ad space is available.” Localized promotional content used on the hot spot may be removed and/or replaced in a shorter time frame if the mobile communication device enters a new local area with different localized promotional content in some embodiments. The content may also include content provided by a friend of the user, or may be geographically selected.

[049] Turning to Fig. 2B, a hot spot may be assigned to window 222. When the user hits the window with a dart, the hot spot may be activated. Activation may cause the mobile communication device to display content, such as an animation of window 222 shattering. Additionally, a promotional message, such as for a window repair company, may be displayed to the user. In this example, the hot spot information may include coordinates for defining the placement and/or boundaries of the window, the window graphic, the shatter animation content, coordinates for displaying the animation, and the promotional message. In some embodiments, some of those components may already exist on the mobile communication device.

[050] Figures 3A-B are exemplary flow charts that include steps taken by a mobile communication device to update hot spot information in accordance with an embodiment of the present invention. Turning to Figure 3A, the mobile communication device operates a video game at step 305. The video game may be any type of game operable on a mobile communication device.

[051] At step 310, the mobile communication device may contact a server to check for hot spot information to download in one embodiment. As will be explained in more detail with reference to Figure 3B, contacting the server may be triggered by many different events and occur and occur at many different times, depending on the embodiment. The mobile video game may be concurrently operating in some embodiments, or not operating in other embodiments.

[052] After the server has been contacted, the mobile communication device may begin downloading the hot spot information at step 320. The length of time that passes between contacting the server at 310 and downloading the updated hot spot

information varies between embodiments and depends on many factors, some of which are discussed in more detail with reference to Figure 3B. For example, other communications, such as an authorization to download files or data initiation, may occur before downloading begins in some embodiments. Alternatively or in addition, downloading may be delayed in an embodiment until a time when more bandwidth is available or when downloading will not disrupt game play.

[053] At step 330, the mobile communication device may designate a location in-game as associated with activating the hot spot. The location may be an item or may be unassociated with an item, depending on the embodiment. The exact timing of when the location is designated varies depending on the embodiment. In addition, some embodiments may query whether the user wishes to implement the hot spot before the hot spot location is designated. An embodiment might also include presenting the user with a message explaining the updated hot spot information. For example, before the updated hot spot location is designated, the user might be presented with a message that states “x would like to hide a game tip in this room”. In some of those embodiments, the user may have the option of accepting or declining the hot spot implementation.

[054] At step 340, the mobile communication device may display the content associated with the hot spot within the video game (i.e., in-game). For example, a promotional jingle may play when the user touches the bottle 232 from Fig. 2B. The content may include a message, such as “Drink X - it is good for you!” The associated content may also be displayed in a pop-up window. Pop-up windows that are spawned

from the operation of the game are considered to be in-game for the purpose of this disclosure, even if a separate website is spawned.

[055] Turning now to Figure 3B, a more elaborate set of steps followed by a mobile communication device in some embodiments is presented. At step 305, the mobile communication device may operate a video game.

[056] Unlike in Figure 3A, Figure 3B includes intervening steps 306, 307, and 309 for triggering checks for hot spot information. Requests (i.e., checks) for updated hot spot information may or may not specify particular hot spot information to check for, depending on the embodiment. For example, the mobile communication device may not know what hot spot information, if any, is available when the mobile communication device contacts the server at step 310. In some embodiments, the mobile communication device may identify a particular game, scene, and/or element for which hot spot information is desired when the mobile communication device contacts the server. In other embodiments, the mobile communication device may request updated hot spot information for several games during contact with the server at step 310.

[057] Some of the methods for triggering a hot spot information update will now be discussed. In some embodiments, the user may manually request updated hot spot information at step 306. For example, the video game operating on the mobile communication device may include a selectable option to retrieve updated hot spot information. Selecting this option may cause the mobile communication device to immediately contact the server to check for content to download at step 310 in some embodiments. Alternatively, there may be further options, including retrieving updated hot spot information when the game ends or at some other time.

[058] At step 307, an embodiment may request updated hot spot information upon initialization of the video game. For example, when the game is selected or otherwise initialized by the user, the mobile communication device may automatically contact the server to check for hot spot information to download at step 310. In some of embodiments with the automatic request feature, the check may not be performed automatically on every startup. For example, upon initializing the game, the mobile communication device may check how much time has passed (or how many games have been played) since the previous download before automatically contacting to the server at 310. In those embodiments, the mobile communication device may track the dates of one or more previous updates.

[059] In some embodiments, at step 309, the mobile communication device may connect to the server to check for updated hot spot information when the time period since the last check and/or download exceeds a threshold. As previously stated, in some embodiments step 309 is combined with step 307. In other embodiments, the time period since the last update is checked at times other than upon initializing the game. For example, upon reaching a certain level or scene in the game, the mobile communication device may examine the last time the game, level, and/or scene was updated. If the time period exceeds a threshold, then the mobile device may contact the server at 310. The threshold time period between updates may vary depending upon the game and the embodiment. In some embodiments, the user may be able to increase or reduce the frequency of hot spot information updates by lowering or raising the threshold period. A user with lower bandwidth limits may not want to check for

updates as often as a user who has higher bandwidth limits included in their service plan.

[060] In other embodiments, the mobile communication device may utilize a separate scheduler program to schedule a request for updated hot spot information. When the scheduled time for checking arrives, the mobile communication device may contact the server. The video game may not be operating while the request is sent in some of those embodiments. Alternatively, at the scheduled time, the mobile communication device may launch a component of the game to request updated hot spot information from the server.

[061] At step 310, the mobile communication device may contact the server to check for hot spot information to download. Contacting the server may be accomplished by using the network accessible by the mobile communication device in an embodiment. Some embodiments may contact the server over the Internet. In some embodiments, the server is contacted by first connecting to an interface. The interface may validate the mobile communication device as belonging to a particular service and/or confirm that the mobile communication device is configured and/or allowed to receive hot spot information, such as at step 315.

[062] Other embodiments may not contact the server unless the user has selected a game option that allows hot spot information updates. In some of those embodiments, if the user requests a content update at step 306, the request may override current settings concerning whether hot spot information updates are allowed.

[063] In some embodiments, when the mobile communication device contacts the server, the mobile communication device may send the server one or more version

identification numbers for hot spot information currently on the mobile communication device. The server may use these version identification numbers to determine if the mobile communication device already has downloaded some or all of the hot spot information available for download. In those embodiments, sending the version identification number may help eliminate downloads of duplicative information.

[064] In one embodiment, the server may use a checksum algorithm to determine whether the mobile communication device has already received the hot spot information. Any known algorithm for checking whether content has previously been downloaded, thus reducing download redundancy, may be used in an embodiment.

[065] At step 315, the server in some embodiments may verify whether the mobile communication device should receive hot spot information updates before sending the updated hot spot information. This preference may be stored on the server in some embodiments.

[066] At step 312, the mobile communication device may receive an initial message from the server. In some embodiments, this message may alert the user of available hot spot information and/or ask the user whether they wish to receive the information. For example, an embodiment may require the user to allow the updated hot spot information at step 315 in order for the updating process to continue. The initial message, presented at step 312, may be influenced by whether the server data suggests that the mobile communication device should receive updates. For example, the initial message received at step 312 could be a message specifying that the mobile communication device is not configured to receive updated hot spot information. The initial message may also describe the features of the hot spot information to aid the user

in deciding whether to download the content. In addition, the initial message may specify details about the available hot spot information, such as file size, number of files, and/or estimated download time. In some embodiments, the user may setup game parameters so that this presentation and/or authorization is bypassed.

[067] The initial message may also include information that helps the mobile communication device to internally check what available updated hot spot information is already present on the mobile communication device. In some embodiments, this may allow the mobile device to present the user with only those new features that the mobile communication device has not already implemented.

[068] In addition, the initial message at step 312 may be promotional in nature. For example, the message may state “X would like to hide a secret within this scene. Do you accept?” Therefore, even if the user declines the update, an embodiment may still promote the third party (e.g., X) in some embodiments. Sending a promotional initial message at step 312 may also provide the game company with a means of tracking the number of times users view promotional content. This embodiment also may allow a game company to charge the advertising third party on a per-view basis. In other words, the game company may profit for each time the promotional initial message is presented to a user at step 312.

[069] Continuing at step 317, the mobile communication device may send a follow-up request to the server. The request may include whether or not the mobile communication device should receive the updated hot spot information. For example, if the mobile device determines, at step 315, that it should not receive hot spot information, the follow-up request may alert the server to take no further action. In

some embodiments, the mobile communication device may not send a follow-up request if receiving updates is disallowed. Conversely, if receiving updates is allowed, the follow-up request sent to the server at step 317 may include an indication that the updates should be sent to mobile device from the server.

[070] In some embodiments, the follow-up request may specify which hot spot information the user wishes to download. For example, the initial message at step 312 may allow the user to select less than all of the available hot spot information for download. Additionally, the mobile communication device may already have some of the hot spot information that is available on the server, in which case the mobile communication device may not need to download that content again.

[071] In yet another embodiment, the user may specify when to download the hot spot information. For example, the user may wish to delay the download of the hot spot information until some later time when the user is not placing calls, playing a game, or otherwise using the mobile communication device. The follow-up request may alert the server that the download may occur at some other time.

[072] The follow-up request (or some other communication) may also allow the server to track the success of promotional messages. For instance, if a high percentage of users reject downloading of hot spot information after being presented with a particular message, the message may be ineffective.

[073] At step 320, the mobile communication device may download hot spot information from the server. In some embodiments, this may occur while the game is operating on the mobile communication device. In other embodiments, the mobile

communication device may receive the updated at some other time. As stated previously, the user may specify when the download will occur in some embodiments.

[074] In some embodiments, the mobile communication device may recognize certain files (of hot spot information) as already downloaded to the mobile communication device. In these embodiments, the mobile communication device may automatically bypass the repeated download of this updated information.

[075] The server may track the number of mobile communication devices that have downloaded promotional hot spots. For example, the game company may use this information to profit from each download of a third-party advertisement. The server may also track user-identification information in conjunction, which may aid in determining whether the third-party advertiser reaches a particular demographic. Appropriate security safeguards may be implemented to make sure the information is not disclosed to unauthorized individuals.

[076] At step 325, a version identifier for the downloaded hot spot information may be saved. This identifier may be saved on the mobile communication device, the server, both, or neither, depending on the embodiment. Saving the identifier may help prevent against duplicative downloads. In embodiments where the server stores the version identifier, the version identifier may be stored in a database table in relation to a mobile communication device identification value. The identifier data may be stored on a storage medium such as described with reference to Figure 1 (e.g., storage medium 130). In one embodiment, the mobile communication device may execute a checksum algorithm on the version identifier (and/or compare the identifier to locally-stored data) to determine whether the updated hot spot associated with the version identifier has

already been downloaded. Any known algorithm for checking whether content has previously been downloaded, thus reducing download redundancy, may be used in an embodiment.

[077] Alternatively, the mobile communication device may compare available information identifiers received from the server with version identifiers on the mobile communication device, when analyzing which files to receive.

[078] At step 328, the mobile communication device may display the features of the downloaded hot spot information to the user. This step may be similar to the initial message step 312, in some embodiments.

[079] At step 330, the mobile communication device may use coordinate information from existing or updated hot spot information to designate a location in-game for activating the particular hot spot. For example, the coordinates may specify a location along the horizontal axis of the screen and the vertical axis to monitor for user interaction. The location may define the boundaries of an object. In some embodiments, such as games with three-dimensional views, the coordinates may additionally specify a location along a depth axis. In other embodiments, the coordinates may specify a fixed location on the screen of the mobile communication device.

[080] In some embodiments, the coordinates may also include scene, level, or time information for placing the hot spot in-game. For example, in the darts game illustrated in Figures 2A-B, different hot spots may be placed on dart board 210 when the user has been playing the game for a certain amount of time or has achieved a certain score.

[081] In still more embodiments, the coordinates comprise a selection of one or more predefined in-game locations. For example, turning back to Figure 2A, a first location may be the shirt 230, a second location may be poster 225, a third location may be dart board 210, and so on. In that embodiment, the coordinates need only identify the pre-defined location (rather than positions along the axes) and the mobile communication device may designate that location as activating the hot spot.

[082] In other embodiments, the hot spot information may not include coordinates. For example, the mobile communication device may have a predefined location associated with activating the hot spot.

[083] In some embodiments, the placement location of the hot spot is determined based on user interaction. For example, the activated content of a first hot spot may include placing a second hot spot in-game.

[084] If the hot spot information includes and/or defines an item, the item may be displayed in-game at the designated location at step 335.

[085] At step 337, the mobile communication device may detect activation of a hot spot via user manipulation of the hot spot location. As previously stated, the location may be an item in some embodiments. The hot spot information may specify what type of manipulation is required to activate the hot spot. For example, the user may need to cause a particular object, such as a cursor or game element, to enter into the hot spot location. In another embodiment, if the user causes a particular in-game character to touch or otherwise manipulate the hot spot location, the hot spot may be activated.

[086] When the hot spot is activated, content may be presented to the user at step 340. The content may include a message (e.g., step 342), graphics, animation, and/or sound, depending on the embodiment. The content may be displayed at a location specified in the hot spot information.

[087] Some embodiments include an option for the user to remove in-game hot spots. Similarly, the user may be able to restore original hot spots by selecting an option within the game, or by default in some situations. In some embodiments, this is achieved by archiving previous hot spot information on the mobile communication device. In other embodiments, hot spot information may be archived on the server for download by the mobile communication device.

[088] Figures 4A-B are exemplary flow charts that include steps taken by a server to update hot spot information on a mobile communication device in accordance with an embodiment of the present invention. Turning now to Figure 4A, the server may store hot spot information on a computer-readable medium in some embodiments. The computer-readable medium may be the storage medium discussed with respect to Figure 1 (e.g., storage medium 130) in some embodiments.

[089] At step 430, the server may receive a request for hot spot information from the mobile communication device. This request may be an inquiry regarding a particular game, scene, and/or element within the game. In some embodiments, the request is an inquiry for hot spot information for multiple games. The request may also contain a version identifier that may help the server determine what hot spot information the mobile communication device has already downloaded.

[090] At step 450, the server may upload the content to the mobile communication device. The uploaded content may include coordinates, an item, and/or other content for display after the hot spot is activated.

[091] Turning now to Figure 4B, a more elaborate set of steps followed by a server in some embodiments is presented. At step 410, the server may store updated hot spot information in a storage medium. In some embodiments, the updated hot spot information is indexed in a database, such as a relational database. The storage medium may be any number of types of memory or devices, such as described above with reference to Fig. 3B.

[092] At step 420, an interface may receive a request for hot spot information from a communications device. The interface may be configured differently depending on the embodiment, and as previously discussed with respect to Figure 1.

[093] In some embodiments, the request may include one or more version identification numbers, as previously mentioned.

[094] At step 425, the interface in some embodiments may verify whether the mobile communication device should receive hot spot information before sending the hot spot information. In an embodiment, the interface verifies that the mobile communication device belongs to a particular service subscription. In another embodiment, the interface may query stored data to determine whether the mobile device is configured to receive hot spot information. If the mobile communication device is configured to receive hot spot information, the interface may pass the request to the server. In some embodiments, the server will receive the request without (or regardless

of) any querying by the interface. In other embodiments, the verification is handled after the server receives the request.

[095] The server may receive the request at step 430. In some embodiments step 420 and 430 are combined.

[096] At step 440, the server may attempt to determine what hot spot information should be sent to the mobile communication device. For example, the determination may be based on the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider that provides the plan to the mobile device, the base location of the mobile device, the current location of the mobile device, which updates the mobile device has already received, user information, preset location, and/or other criteria.

[097] In an embodiment, the server uses the base location of the mobile communication device to provide localized promotional hot spots. For example, the server may query a database of hot spot information using the area code of the mobile communication device to promote businesses that are in or near the area code. Similarly, the mobile communication device may report its current location to the server. In some of those embodiments, the hot spot information to send to the mobile communication device may include promotional content for businesses near the mobile communication device's current location.

[098] The server may also add an element of randomness to the selection of hot spot information in some embodiments. In these embodiments, more than one promotional hot spot may be eligible for placement in a particular in-game scene or location, and the server may choose what hot spot information to send based at least

partially on chance. In another similar embodiment, the server may send content to one or more mobile communication devices on a rotational basis. For example, if hot spot information A was previously sent to a mobile communication device, hot spot information B may be sent to the next mobile communication device to contact the server. In this way, the server may take turns selecting which content to send to a mobile communication device that requests hot spot information. Alternatively, the mobile communication device may randomly select the hot spot. Additional methods of selection include the time of day, the date, and/or the level of play.

[099] At step 450, the hot spot information may be sent to the mobile communication device. The hot spot information may be sent immediately in some embodiments, or it may be sent at some other time. In addition, some hot spot information may be sent in different download blocks. In this way, the mobile communication device may be able to incorporate some hot spot information before receiving all of the information.

[0100] The server may also track the number of times promotional hot spots are sent, as previously mentioned.

[0101] In some embodiments, at step 460, the mobile communication device may send a confirmation to the server indicating a successful transaction. In embodiments comprising a server that tracks what hot spot information the mobile communication device has already received, the server may not count the hot spot information as received until the confirmation is returned. In some embodiments, the server receives confirmation when the last of the data is transferred to the mobile communication device.

[0102] Other embodiments of the invention will be apparent to those skilled in the art from consideration of the specification and practice of the invention disclosed herein. It is intended that the specification and examples be considered as exemplary only, with a true scope and spirit of the invention being indicated by the following claims.

WHAT IS CLAIMED IS:

1. A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:
 - a) contacting a server for hot spot information to download, comprising providing the server with at least one of: a game for which hot spot information is desired, a scene for which hot spot information is desired, an element for which hot spot information is desired, the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider for the mobile communications device, the base location of the mobile communication device, the current location of the mobile communication device, a version identifier for hot spot information currently on the mobile communication device, user-identification information, preset location, amount of game-play time, game score, and level of play;
 - b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising hidden content for presenting to the user when the hot spot is activated;
 - c) designating a non-promotional location in-game associated with activating the hot spot; and
 - d) displaying the hidden content when the user activates the hot spot.
2. The method of claim 1, wherein the hidden content is promotional.
3. The method of claim 1, wherein the location is defined by coordinate information.

4. The method of claim 4, wherein the coordinate information comprises time information for placing the hot spot in-game.

5. The method of claim 3, wherein the coordinate information comprises one or more predefined in-game locations.

6. The method of claim 1, wherein the non-promotional location is an in-game object.

7. The method of claim 1, wherein the hot spot information further comprises an item to be displayed in-game at the non-promotional location.

8. The method of claim 1, wherein the hot spot information specifies a type of manipulation required to activate the hot spot.

9. The method of claim 1, further comprising saving on the mobile communication device a version identifier for the downloaded hot spot information.

10. The method of claim 1, wherein the hidden content comprises a message, graphics, animation, and/or sound.

11. The method of claim 10, wherein the hidden content is promotional.

12. The method of claim 1, wherein the hidden content is displayed in a pop-up window.

13. The method of claim 1, wherein the hidden content is displayed on the mobile communication device in a website separate from the video game.

14. The method of claim 1, wherein the hot spot information further comprises coordinate information.

15. The method of claim 14, wherein the coordinate information is used for designating the non-promotional location in-game.

16. The method of claim 15, wherein the coordinate information comprises time information for placing the hot spot in-game.

17. The method of claim 15, wherein the coordinate information comprises one or more predefined in-game locations.

18. The method of claim 1, wherein the hidden content comprises placing a different hot spot in-game.

19. A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:

a) contacting a server for hot spot information to download, comprising providing the server with at least one of: a game for which hot spot information is desired, a scene for which hot spot information is desired, an element for which hot spot information is desired, the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider for the mobile communications device, the base location of the mobile communication device, the current location of the mobile communication device, a version identifier for hot spot information currently on the mobile communication device, user-identification information, preset location, amount of game-play time, game score, and level of play;

b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising:

1) hidden content for presenting to the user when the hot spot is activated; and

2) coordinate information;

c) designating a non-promotional location in-game associated with activating the hot spot based upon the coordinate information; and

d) displaying the hidden content when the user activates the hot spot.

20. A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:

a) contacting a server for hot spot information to download, comprising providing the server with user-identification information;

- b) downloading hot spot information from the server to the mobile communication device, the hot spot information comprising hidden promotional content for presenting to the user when the hot spot is activated;
- c) designating a non-promotional location in-game associated with activating the hot spot; and
- d) displaying the hidden promotional content when the user activates the hot spot.

ABSTRACT OF THE DISCLOSURE

Systems and methods for providing hot spots for mobile video games on mobile communication devices that receive hot spot information for mobile video games that operate on the devices. The hot spots may be hidden aspects of the game and promotional in nature, allowing game companies to generate extra revenue through selling non-permanent advertisement space to third parties. The game may contain instructions that cause the mobile communication device to contact an interface and/or server to receive hot spot information. After the hot spot information is received by the mobile communication device, the content may be displayed in-game. In addition, the server may track what hot spot information has already been received by the mobile communication device.

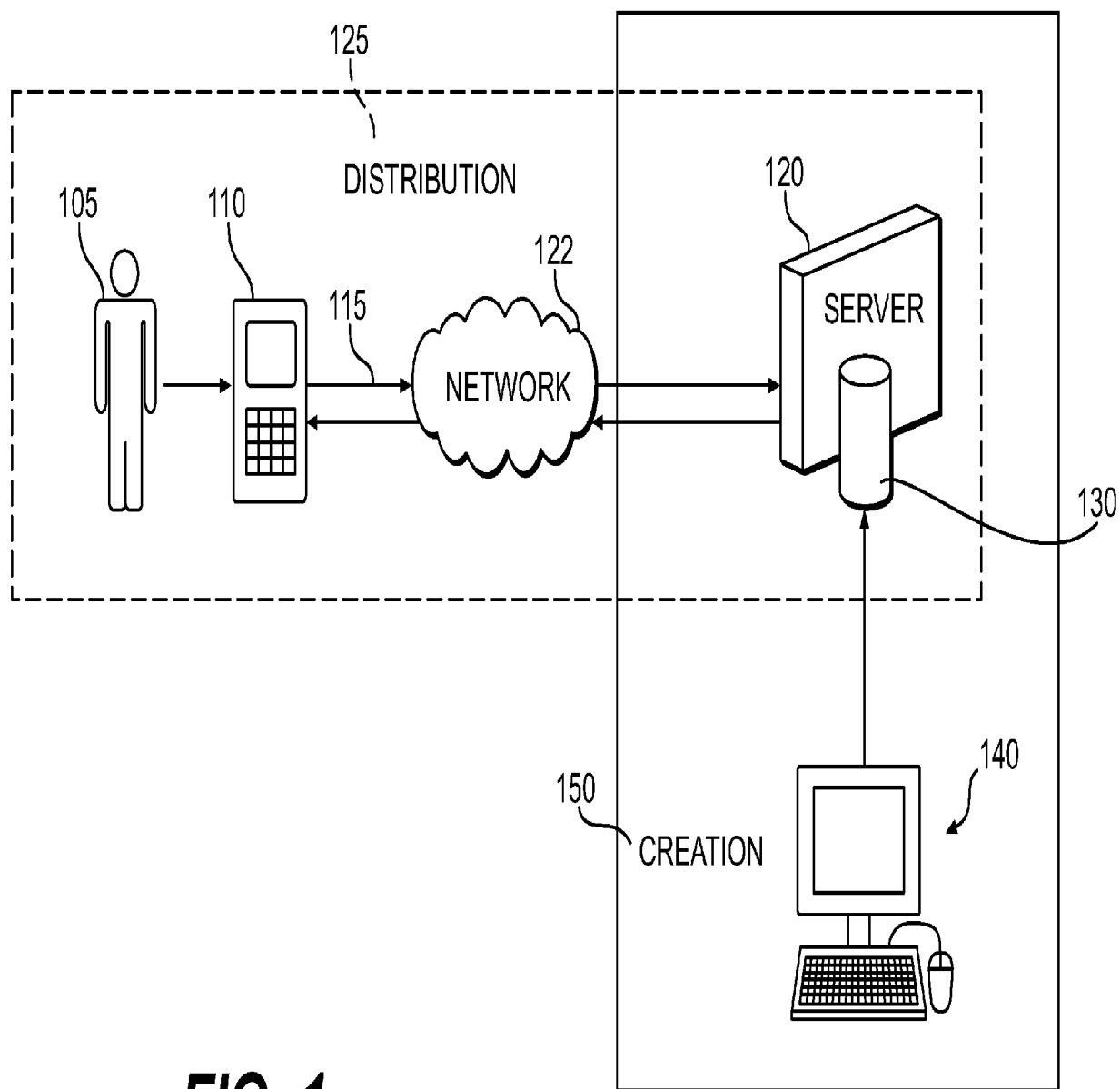


FIG. 1

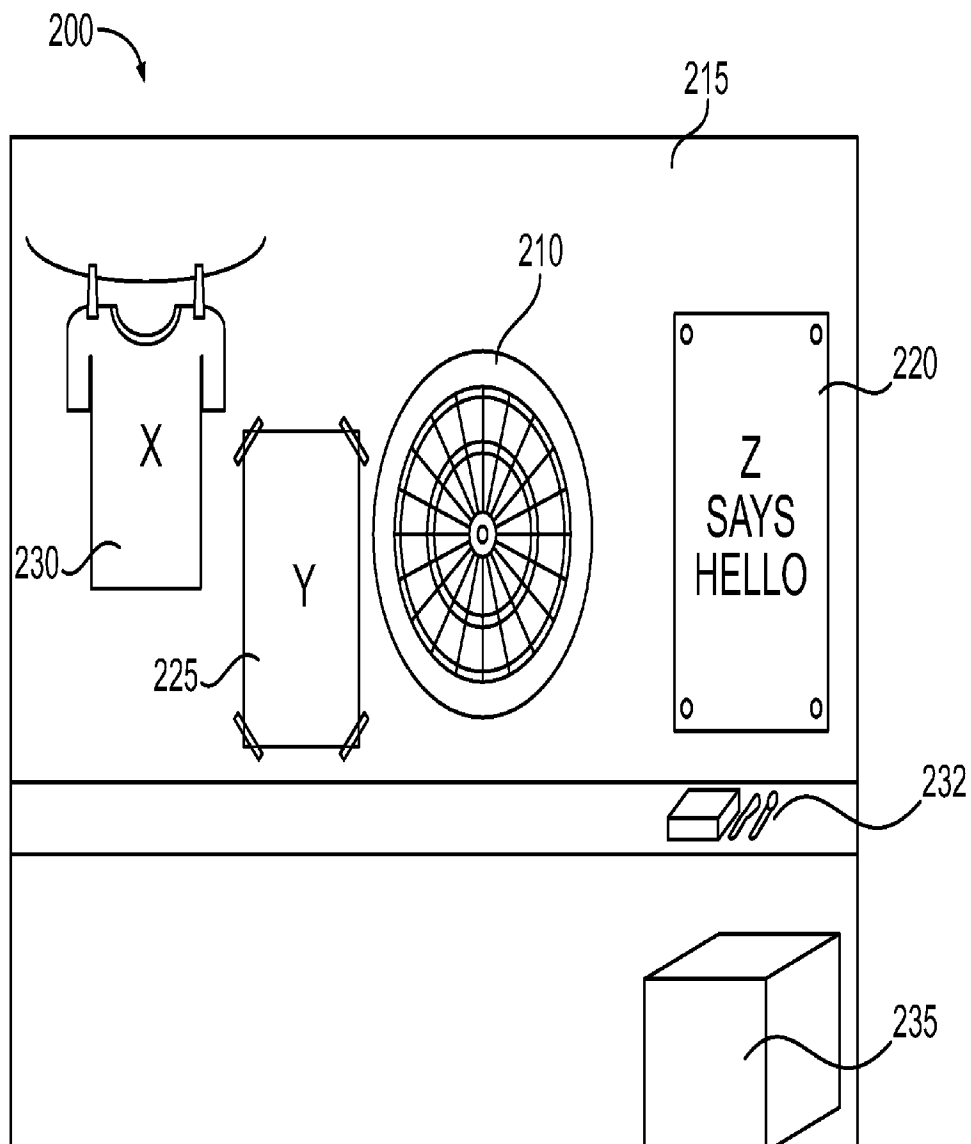


FIG. 2A

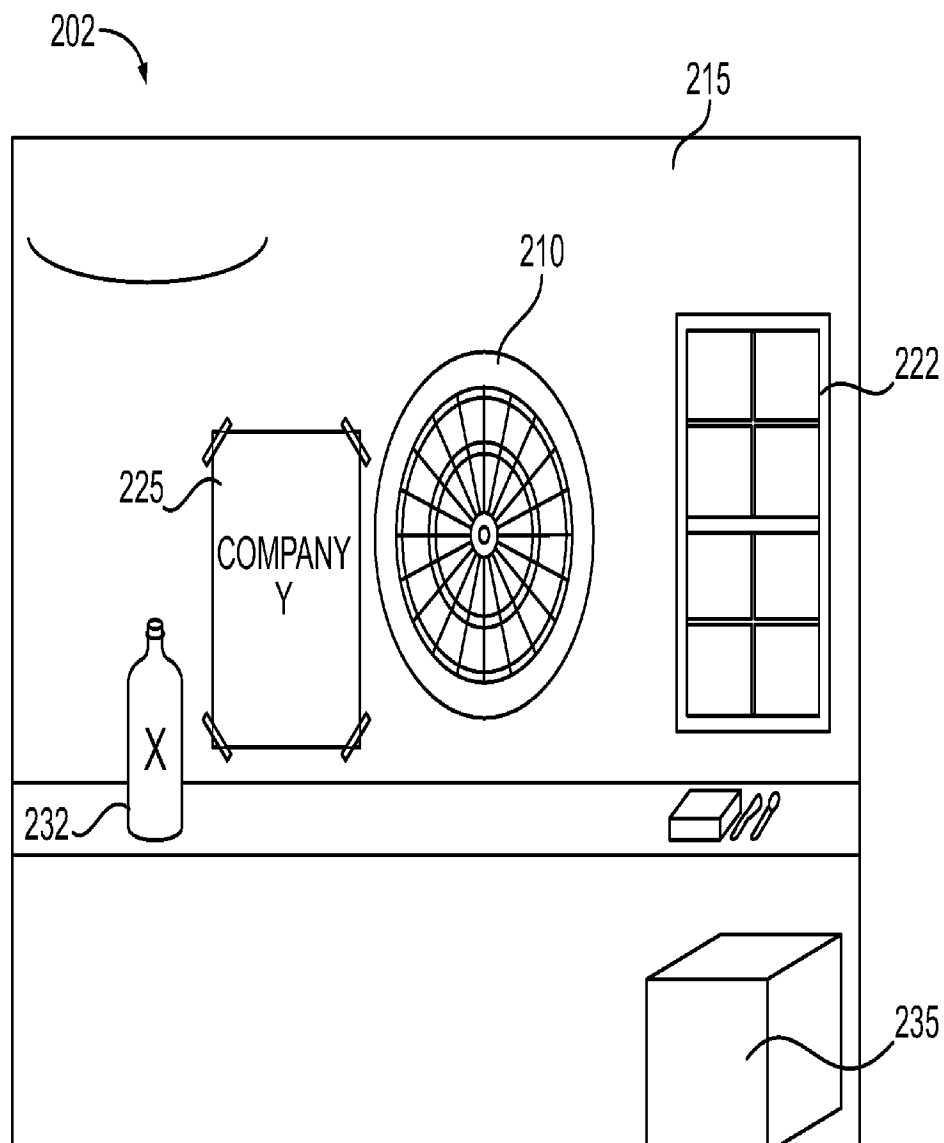


FIG. 2B

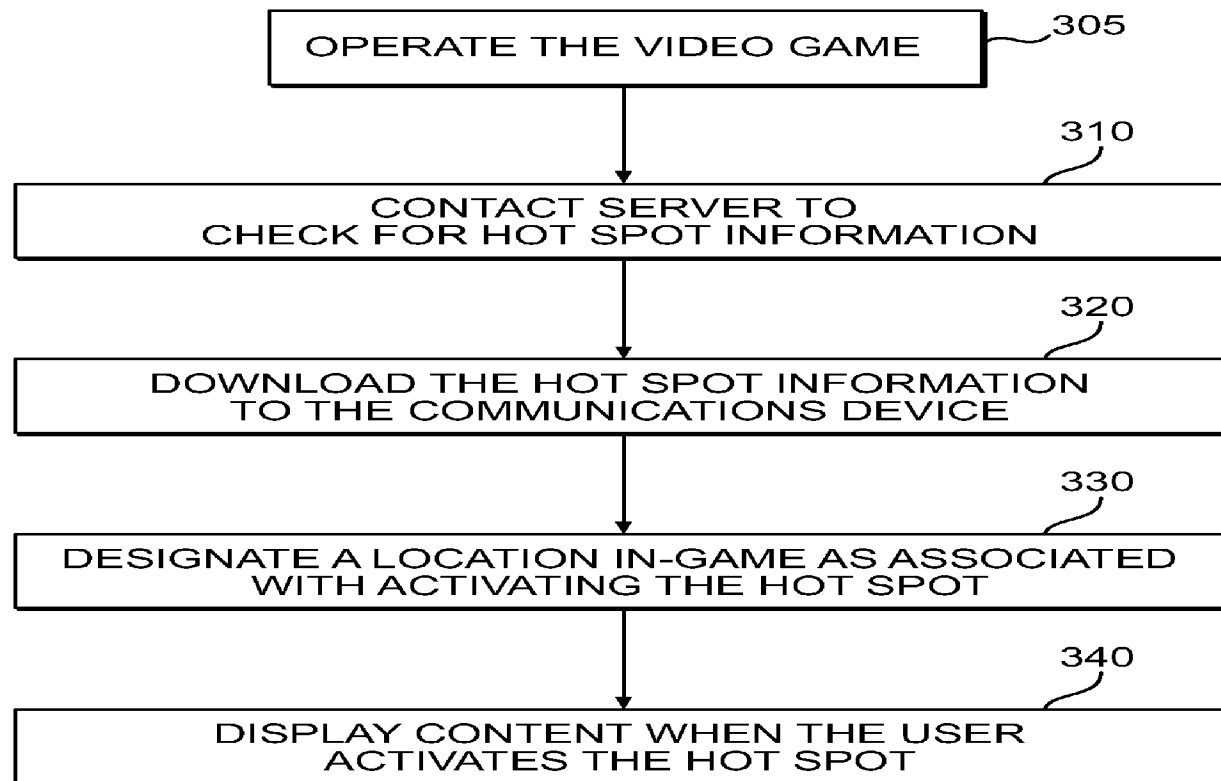


FIG. 3A

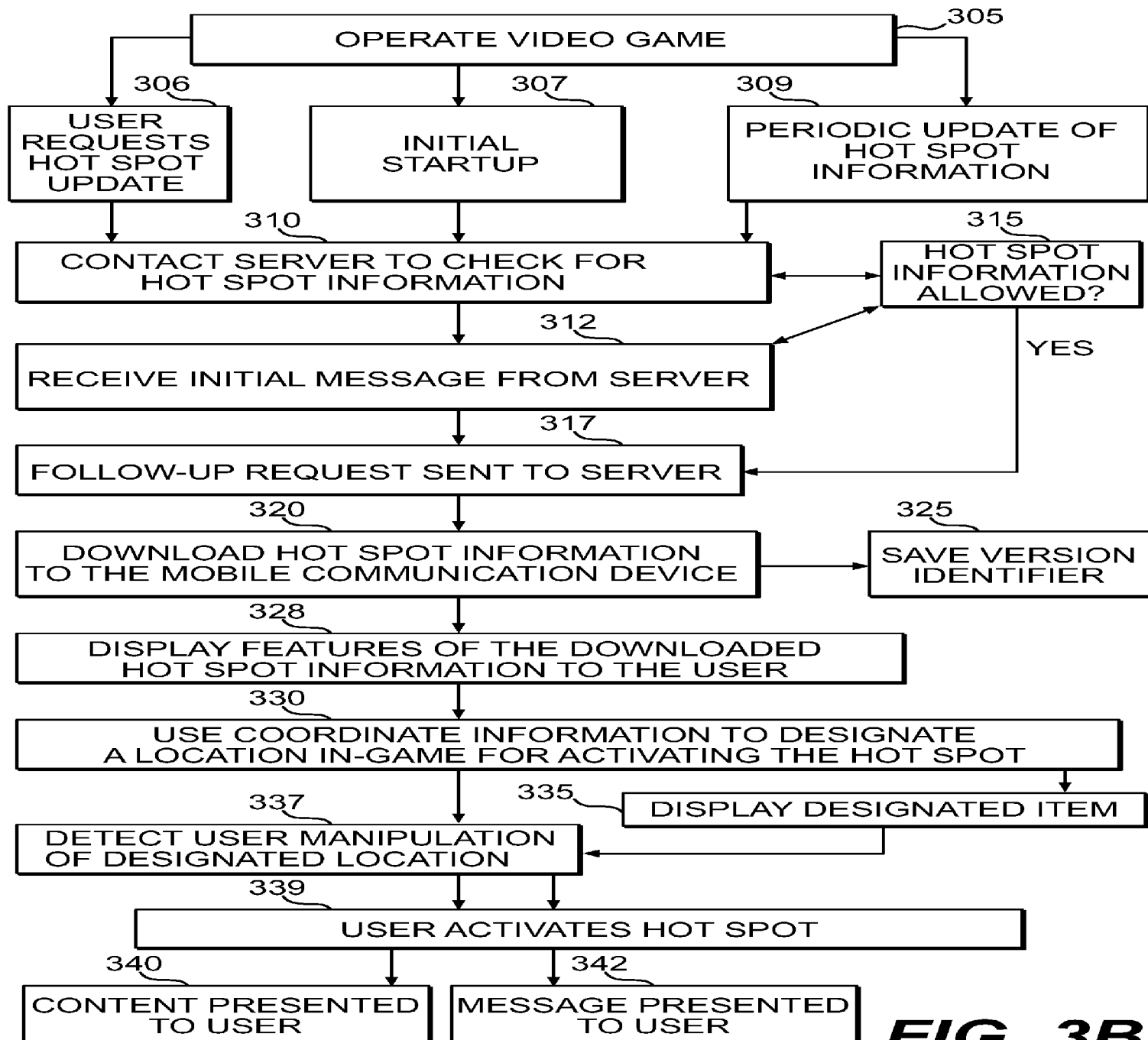


FIG. 3B

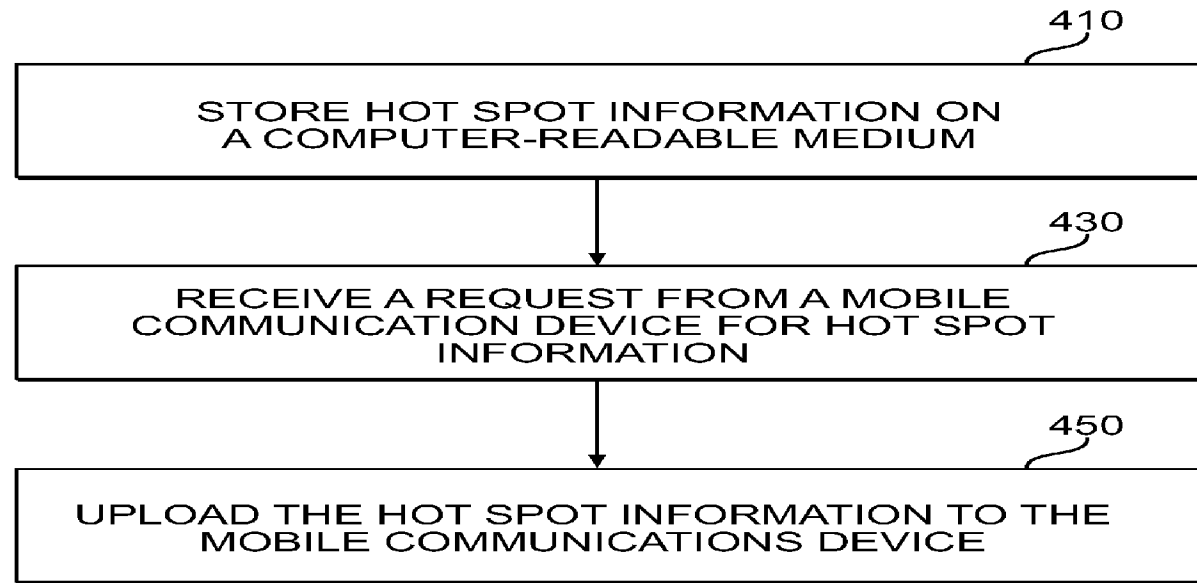


FIG. 4A

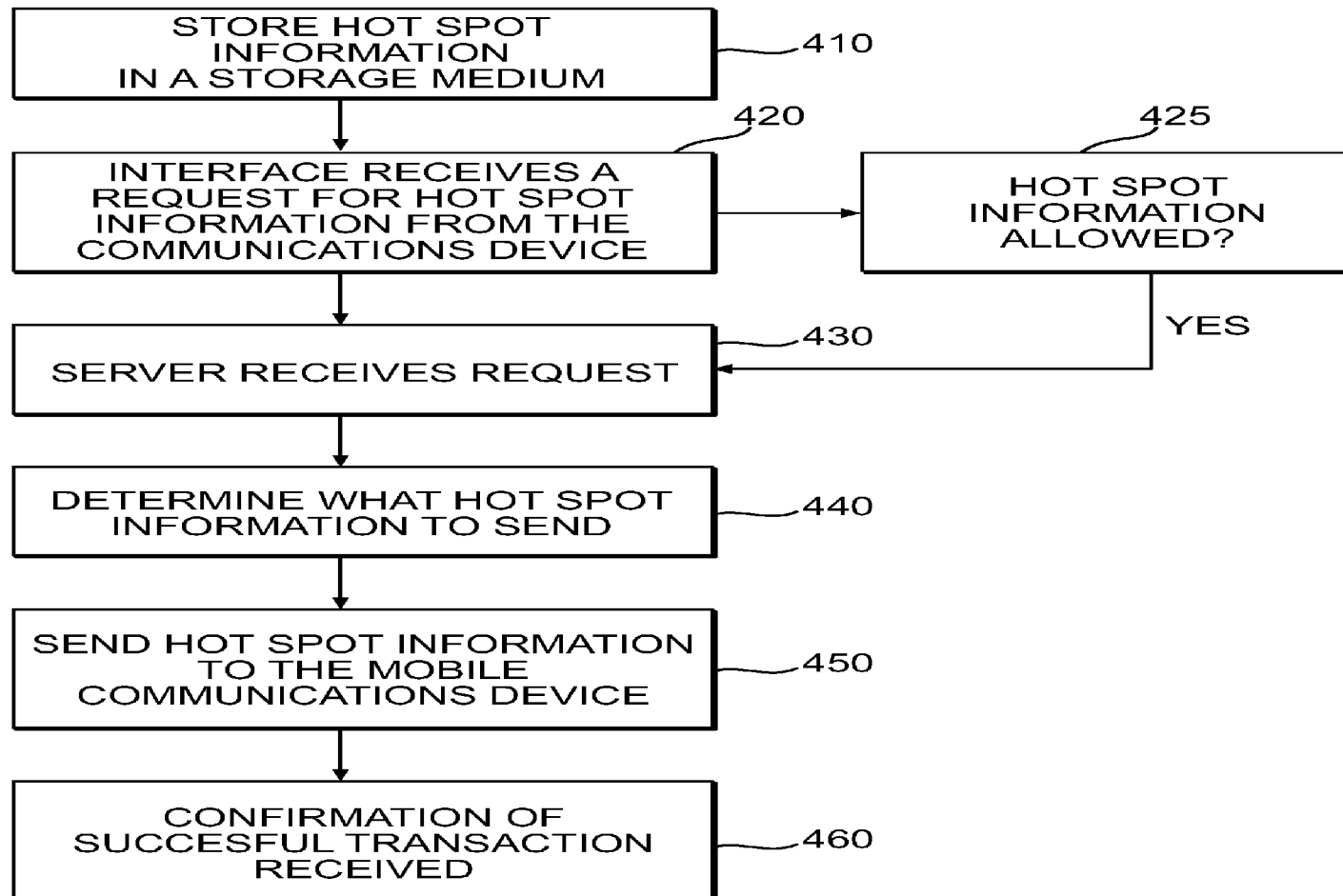


FIG. 4B

Electronic Patent Application Fee Transmittal

Application Number:				
Filing Date:				
Title of Invention:	Methods and Systems for Providing In-Game Hot Spots			
First Named Inventor/Applicant Name:	Joshua Hartwell			
Filer:	Robert Carroll Stanley			
Attorney Docket Number:	09685-0044-01000			
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Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility application filing	1011	1	280	280
Utility Search Fee	1111	1	600	600
Utility Examination Fee	1311	1	720	720
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
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Total in USD (\$)				1600

Electronic Acknowledgement Receipt

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Application Number:	14180890
International Application Number:	
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Page Zip	Pages (if appl.)
			Playix Ex 1004	Page 163	

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Information:					
2	Application Data Sheet	ADSFillable.pdf	1561276 ecf43f0e0cdc6c3b9194c32cf9fb968888cbb81f	no	7
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