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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	08/28/2018	10062107	SVPA-029	4039

26797 7590 08/08/2018

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015

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 2385 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):

Jacky Benmoha, Holmdel, NJ;

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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 07/26/2018

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

EXAMINER	
KAZIMI, HANI M	

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
07/26/2018	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):

uspatents@sbcglobal.net

Response to Rule 312 Communication	Application No.	Applicant(s)	
	11/736,583	Benmoha, Jacky	
	Examiner	Art Unit	AIA Status
	HANI M KAZIMI	3691	No

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

1. ☑ The amendment filed on 02 July 2018 under 37 CFR 1.312 has been considered, and has been:

a) ☑ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

/HANI M KAZIMI/
Primary Examiner, Art Unit 3691

OK TO ENTER: /H.M.K/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Hani M. Kazimi
Group Art Unit:	3691
Docket No.:	SVPA-029

July 2, 2018

Mail Stop: Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Notice of Allowance
&
Amendments under Rule 312

Dear Sir:

This is to respond to the Notice of Allowance dated 06/13/2018. The Applicant appreciates the Examiner for allowing the above-reference application, but notices that there are some minor informalities in the claims, thus respectfully requests the Examiner to enter the following amendments:

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 6 of this Response.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Hani M. Kazimi
Group Art Unit:	3691
Docket No.:	SVPA-029

July 2, 2018

Mail Stop: Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Notice of Allowance
&
Amendments under Rule 312

Dear Sir:

This is to respond to the Notice of Allowance dated 06/13/2018. The Applicant appreciates the Examiner for allowing the above-reference application, but notices that there are some minor informalities in the claims, thus respectfully requests the Examiner to enter the following amendments:

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 6 of this Response.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1, 9, 19 and 25 - 27 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers when the asset is displayed in the preferred currency; and

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate updated constantly even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured

to calculate the prevailing exchange rate from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the calculated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the calculated prevailing exchange rate.

2. (*Previously amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and an updated prevailing currency exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server coupled over the Internet to at least two currency exchange servers and at least one market exchange server;

receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the at least two currency exchange servers when the asset is displayed in the preferred currency; and

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate constantly updated, a value of the asset being displayed changes as the exchange rate changes, even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

receiving an instruction from the trader to trade the asset, wherein the trading server is configured to calculate the prevailing currency exchange rate from all exchange rates obtained from the at least two currency exchange servers right before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the calculated prevailing currency exchange rate; and

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the calculated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Previously amended*) The method as recited in claim 9, wherein the transaction of the asset executed with the calculated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the calculated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the calculated prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and ~~at least~~ one market exchange server;

receiving an indicator of a preferred currency from a trader;

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Askeladden, L.L.C. Page 11 of 399

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in accordance with a prevailing exchange rate derived from all exchange rates obtained from the one-or-more-currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one-or-more-market exchange servers remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on ~~a~~ the market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales ~~which make~~ making up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to ~~a~~ one or more currency exchange servers and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the currency exchange rate constantly updated, a value of the asset being displayed changes as the currency exchange rate changes, even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late, wherein the prevailing exchange rate is obtained from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

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REMARKS

Claims 1 - 36 are examined and now stand allowed.

In the foregoing amendments, Claims 1, 9, 19 and 25 - 27 have been amended to correct some informalities. No new matters are introduced.

In response to the Notice of Allowance, the Applicant submits the following items:

1. An original Issue Fee Transmittal; and
2. An issue fee is enclosed via EFS.

The Applicant appreciates the Examiner for allowing this application. It is hereby respectfully submitted that the enclosed items complete the requirement for the issue of the above-identified application.

The Commissioner is authorized to charge any other fees that may be due to the Deposit Account Number 502436. Please telephone the undersigned at (408)777-8873 or (408)891-9381, if there are any questions.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
Efiled via USPTO efile-system

On **July 2, 2018**

/ joe zheng /
Joe Zheng

Respectfully submitted

/ joe zheng /
Joe Zheng
Reg. No.: 39,450

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)

26797 7990 06/13/2018
LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

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

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

Joe Zheng	(Depositor's name)
/ joe zheng /	(Signature)
07/02/2018	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

TITLE OF INVENTION: Consolidated trading platform

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	MICRO	$250	$0.00	$0.00	$250	09/13/2018

EXAMINER	ART UNIT	CLASS-SUBCLASS
KAZIMI, HANI M	3691	705-035000

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 Joe Zheng
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. paid via EFS

☐ 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 / joe zheng / Date 07/02/2018

Typed or printed name Joe Zheng Registration No. 39,450

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
EX1004
Askeladden, L.L.C. Page 19 of 399

Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Micro 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 ISSUE FEE	3501	1	250	250

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**250**

Electronic Acknowledgement Receipt

EFS ID:	33074022
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	02-JUL-2018
Filing Date:	18-APR-2007
Time Stamp:	22:11:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$250
RAM confirmation Number	070318INTEFSW22120000
Deposit Account	502436
Authorized User	Joe Zheng

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

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Argument after Notice of Appeal	ResponseToAllowanceWith312amendments.pdf	118711 ede9130aa32f798e044faf60197bba6b240ac3cb	no	14
Warnings:					
Information:					
2	Issue Fee Payment (PTO-85B)	FeeTransmittal.pdf	317961 4809ad781efb0213ac5695bce3489281c26f19ad	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30111 3bcdf8aab19e0eac8eb1c3d0565403a344dc214a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	466783		

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.

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)

26797 3590 08/03/2018
LogicPatents, LLC
21701 Stevens Creek Boulevard, #254
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

OPAP AKIMA-18 JUL 02 2018 PATENT & TRADEMARK OFFICE

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

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

Joe Zheng	(Depositor's name)
/ joe zheng /	(Signature)
07/02/2018	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Bournoha	SVPA-029	4039

TITLE OF INVENTION: Consolidated trading platform

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	MICRO	$250	$0.00	$0.00	$250	09/13/2018

EXAMINER	ART UNIT	CLASS-SUBCLASS
KAZIMI, HANI M	3691	705-035000

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 Joe Zheng
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. paid via EFS

☐ 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 / joe zheng / Date 07/02/2018

Typed or printed name Joe Zheng Registration No. 39,450

07/03/2018 INTEFFA 00007230 11736583
01 FC:3501 250.00 OP

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
EX1004
Askeladden, L.L.C. Page 24 of 399

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
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ALEXANDRIA VA 22313-1451

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LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015

Courtesy Reminder for
Application Serial No: 11/736,583

Attorney Docket No: SVPA-029
Customer Number: 26797
Date of Electronic Notification: 06/13/2018

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
uspatents@sbcglobal.net

To view your correspondence online or update your email addresses, please visit us anytime at **https://sportal.uspto.gov/secure/myportal/privatepair.** If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

26797 7590 06/13/2018

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

EXAMINER
KAZIMI, HANI M

ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 06/13/2018

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

TITLE OF INVENTION: Consolidated trading platform

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	MICRO	$250	$0.00	$0.00	$250	09/13/2018

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
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26797 7590 06/13/2018

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

TITLE OF INVENTION: Consolidated trading platform

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EXAMINER	ART UNIT	CLASS-SUBCLASS
KAZIMI, HANI M	3691	705-035000

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❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

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1 _____
2 _____
3 _____

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

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(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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 06/13/2018

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CALIFORNIA 95015
UNITED STATES OF AMERICA

EXAMINER	
KAZIMI, HANI M	
ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 06/13/2018

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 11/736,583	Applicant(s) Benmoha, Jacky	
	Examiner HANI M KAZIMI	Art Unit 3691	AIA 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 the amendment filed 22 January 2018.
   ☐ 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 1-36 . 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 areply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

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

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

Attachment(s)

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

/HANI M KAZIMI/
Primary Examiner, Art Unit 3691

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

DETAILED ACTION

This communication is in response to Applicant's amendment filed January 22, 2018. Claims 1-36 are pending. Claims 1-36 are allowed.

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach a method for providing a consolidated trading platform comprising the steps of determining in a trading server a prevailing exchange rate between a preferred currency and a market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from a one or more currency exchange servers when the asset is displayed in the preferred currency; displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate updated constantly even when a market value of the asset remains unchanged; receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured.

Furthermore, the above additional elements in the claim provide meaningful limitations that transforms an abstract idea into patent eligible. The claim as a whole amounts to significantly more than the abstract idea itself. This is because the claim as a whole effect an improvement to another technology or technical field. These limitations in combination provide meaningful limitations beyond generally linking the use of the abstract idea to a particular technological environment. These limitations, when taken as an ordered combination, provide unconventional steps that confines the abstract idea to a particular application. Therefore, the claim recites patent eligible subject matter. For these reasons claims 1, 9, 19 and 27 are deemed to be allowable over the prior art of record, and claim 2-8, 10-18, 20-26 and 28-36 are allowed by dependency.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted

/HANI M KAZIMI/
Primary Examiner, Art Unit 3691

Notice of References Cited	Application/Control No. 11/736,583	Applicant(s)/Patent Under Reexamination Benmoha, Jacky	
	Examiner HANI M KAZIMI	Art Unit 3691	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20090271325-A1	10-2009	Wilson; Brian	G06Q40/06	705/36R
*	B	US-20070174181-A1	07-2007	Brummette; Randall	G06Q20/10	705/37
*	C	US-20040210512-A1	10-2004	Fraser, Stuart A.	G06Q30/08	705/37
*	D	US-20040236664-A1	11-2004	Sellberg, Lars-Ivar	G06Q40/04	705/37
*	E	US-20040215539-A1	10-2004	Doi, Masatsugu	G06Q40/00	705/35
*	F	US-20040143536-A1	07-2004	Haberle, Rainer	G06Q40/04	705/37
*	G	US-20040098334-A1	05-2004	Brusso, Scott	G06Q40/00	705/37
*	H	US-20020161692-A1	10-2002	Loh, Wing Wah	G06Q40/00	705/37
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Currenex web site, "Currenex, Inc. is accelerating the transformation of the FX marketplace into the world of ecommerce", 05 June 2000, pages 1-10
	V	Currenex web site, fxweek, "Currenex Launches Multi-Bank Web Based FX Trading System" London-New York Vol 11 No 18, May 1, 2000.
	W	Currenex web site, James R. Kraus, American Banker.com "National/Golbal Forex Trading Sites May Erode Bank Revenues" 05/04 /2000.
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	**Art Unit**
	HANI M KAZIMI	3691

CPC						
Symbol					**Type**	**Version**
G06Q	/	40	/	00	F	2013-01-01

CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	36	
/HANI M KAZIMI/ Primary Examiner, Art Unit 3691	28 May 2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

U.S. Patent and Trademark Office — Part of Paper No.: 20180528

EX1004
Askeladden, L.L.C. Page 35 of 399

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	**Art Unit**
	HANI M KAZIMI	3691

INTERNATIONAL CLASSIFICATION					
CLAIMED					
G06Q	/	40	/	00	
NON-CLAIMED					
	/		/		

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**
705	37

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 36	
/HANI M KAZIMI/ Primary Examiner, Art Unit 3691 (Primary Examiner) 28 May 2018 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 5

U.S. Patent and Trademark Office

Part of Paper No.: 20180528

EX1004
Askeladden, L.L.C. Page 36 of 399

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	**Art Unit**
	HANI M KAZIMI	3691

☑ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1		10		19		28								
	2		11		20		29								
	3		12		21		30								
	4		13		22		31								
	5		14		23		32								
	6		15		24		33								
	7		16		25		34								
	8		17		26		35								
	9		18		27		36								

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	36	
/HANI M KAZIMI/ Primary Examiner, Art Unit 3691	28 May 2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

U.S. Patent and Trademark Office

Part of Paper No.: 20180528

EX1004
Askeladden, L.L.C. Page 37 of 399

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	Art Unit
	HANI M KAZIMI	3691

CPC - Searched*		
Symbol	**Date**	**Examiner**
(G06Q40/00 OR G06Q40/04 OR G06Q30/00 OR G06Q30/06 OR G06Q30/08)	05/28/2018	HK

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.
updated EAST Text Search	3/7/2016	KC
Updated serach	2/8/2017	HK
(G06Q40/00 OR G06Q40/04 OR G06Q30/00 OR G06Q30/06 OR G06Q30/08)	05/28/2018	HK
EAST search	05/28/2018	HK

/HANI M KAZIMI/ Primary Examiner, Art Unit 3691	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	Art Unit
	HANI M KAZIMI	3691

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
705	37	05/28/2018	HK

/HANI M KAZIMI/ Primary Examiner, Art Unit 3691	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11/736,583	Benmoha, Jacky
	Examiner	**Art Unit**
	HANI M KAZIMI	3691

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☑ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010	05/05/2015	03/07/2016	06/27/2016	02/08/2017	09/17/2017	05/28/2018	
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	36	÷	✓	✓	✓	✓	✓	✓	=	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	5246	705/37.ccls.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 20:15
L2	26426	(G06Q40/00 OR G06Q40/04 OR G06Q30/00 OR G06Q30/06 OR G06Q30/08).cpc.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 20:18
L3	26745	1 2	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 20:18
L4	395216	(trade trading (cross adj market$4))	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:01
L5	9941	(trade trading (cross adj market$4)).ti,ab.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:01
L6	0	("20060095361" | "20060173771").PN.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:18
L7	5246	705/37.ccls.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:18
L8	26426	(G06Q40/00 OR G06Q40/04 OR G06Q30/00 OR G06Q30/06 OR G06Q30/08).cpc.	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:18
L9	395216	(trade trading (cross adj market$4))	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:18
L10	702587	(trade trading (cross adj market$4))	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:19
L11	11718	705/37.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:19
L12	67890	(G06Q40/00 OR G06Q40/04 OR G06Q30/00 OR G06Q30/06 OR G06Q30/08).cpc.	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:22
L13	11324	11 and 12	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:22
L14	68284	11 12	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:22
L15	8614	13 and (trade trading (cross adj	US-PGPUB;	OR	ON	2018/05/28

		market$4))	USPAT; USOCR; EPO; JPO			21:23
L16	24099	14 and (trade trading (cross adj market$4))	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:23
L17	3850	13 and (trade trading (cross adj market$4)) and @ad<"20070418"	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:28
L18	10135	14 and (trade trading (cross adj market$4)) and @ad<"20070418"	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:28
L19	2	("20060095361" | "20060173771").PN.	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:29
L20	218	consolid$5 near3 (trade trading (cross adj market$4))	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:30
L21	110	consolid$5 near3 (trade trading (cross adj market$4)) and @ad<"20070418"	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:31
L22	13	consolid$5 near3 (trade trading (cross adj market$4)) and @ad<"20070418" and currency with exchange	USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:32
L27	1	currency with preferred	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:35
L28	29	14 and (trade trading (cross adj market$4)) and @ad<"20070418" and currency with (preferred prevail$3)	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:38
L29	28	14 and (trade trading (cross adj market$4)) and @ad<"20070418" and currency with (preferred prevail$3) and rate	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:38
L30	16999	(trade trading (cross adj market$4)).ti,ab.	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:38
L31	343	consolid$5 near3 (trade trading (cross adj market$4)) and (trade trading (cross adj market$4)).ti,ab.	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:39
L32	0	31 and @ad<"20070418" and (currency with (preferred prevail$3)) and rate	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:40
L33	16	31 and @ad<"20070418" and currency near3 rate	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:41
L34	399	(trade trading (cross adj market$4)) and @ad<"20070418" and currency with	US-PGPUB; USPAT;	OR	ON	2018/05/28 21:43

		conver$5 and currency near3 rate	USOCR; EPO; JPO			
L35	24	(trade trading (cross adj market$4)) and @ad< "20070418" and currency with conver$5 and currency near3 rate and dynamic$4 near5 chang$4	US-PGPUB; USPAT; USOCR; EPO; JPO	OR	ON	2018/05/28 21:45

5/ 28/ 2018 9:51:44 PM

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BIB DATA SHEET

CONFIRMATION NO. 4039

SERIAL NUMBER	FILING or 371(c) DATE / RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
11/736,583	04/18/2007	705	3691	SVPA-029

APPLICANTS

INVENTORS

Jacky Benmoha, Holmdel, NJ;

** **CONTINUING DATA** **********

** **FOREIGN APPLICATIONS** **********

** **IF REQUIRED, FOREIGN FILING LICENSE GRANTED** ** MICRO ENTITY **
05/07/2007

Foreign Priority claimed	35 USC 119(a-d) conditions met	Verified and Acknowledged	Met after Allowance	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
❑ Yes ☑ No	❑ Yes ☑ No	/TIEN C NGUYEN/ Examiner's Signature	❑ Initials	NJ	5	36	4

ADDRESS

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015
UNITED STATES

TITLE

Consolidated trading platform

FILING FEE RECEIVED	FEES: Authority has been given in Paper	
925	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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/736,583	Filing Date 04/18/2007	☐ To be Mailed

ENTITY: ☐ LARGE ☐ SMALL ☒ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) 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

AMENDMENT **01/22/2018**

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $25 =	0
Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $115 =	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

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) 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
VERNON TOWLER

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Hani M. Kazimi
Group Art Unit:	3691
Docket No.:	SVPA-029

January 20, 2018

Mail Stop: AF/RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to First Office Action (3rd RCE Proceeding)

Dear Sir:

In response to the Office Action mailed on 09/20/2017, the Applicant respectfully requests the Examiner reconsider the pending claims after reviewing the comments below.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 14 of this Response.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1, 9, 19 and 27 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers when the asset is displayed in the preferred currency;

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate updated constantly even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured

to calculate the prevailing exchange rate from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the calculated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed ~~by~~ with the calculated prevailing exchange rate.

2. (*Previously amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and an updated prevailing currency exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server coupled over the Internet to at least two currency exchange servers and at least one market exchange server;

receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the at least two currency exchange servers when the asset is displayed in the preferred currency;

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate constantly updated, a value of the asset being displayed changes as the exchange rate changes, even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

receiving an instruction from the trader to trade the asset, wherein the trading server is configured to calculate the prevailing currency exchange rate from all exchange rates obtained from the at least two currency exchange servers right before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the calculated prevailing currency exchange rate; and

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the calculated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Previously amended*) The method as recited in claim 9, wherein the transaction of the asset executed with the calculated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the calculated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the calculated prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in accordance with a prevailing exchange rate derived from all exchange rates obtained from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to one or more currency exchange servers and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

displaying all costs and fees in the preferred currency to own or sell the asset, wherein the all costs and fees are dynamically changed in accordance with the currency exchange rate constantly updated, a value of the asset being displayed changes as the currency exchange rate changes, even when a market value of the asset remains unchanged, wherein the trader has certain knowledge of what to pay for the asset, or profit or loss when acting on the asset;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late, wherein the prevailing exchange rate is obtained from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter, and Claims 1-36 are assumed to be allowable if the rejections under 35 USC 101 are overcome.

In the foregoing amendments, Claims 1, 9, 19 and 27 have been amended to further clarify what is being claimed. No new matters are introduced. Reconsideration of Claims 1-36 is kindly requested.

Interview Summary

The Applicant appreciates the Examiner for granting an interview that took place on January 17, 2018. The Examiner and the undersigned participated in the call. The rejections of the claims under 35 USC §101 were discussed. No agreement was reached. The Examiner will reconsider the pending claims when the Applicant files the formal response with new arguments.

Claim Rejections - 35 USC §101

On Page 2 of the Office Action dated 2/24/2017, the Examiner maintains the rejections of Claims 1-36 under 35 U .S .C. 101 because the claim does not amount to significantly more than the abstract idea itself. The Examiner continues on Page 4 of the Office Action that the claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements are simply a generic recitation of a computer server performing its generic computer functions. The Applicant respectfully disagrees with the Examiner on the rejections, assuming the foregoing amendments are entered.

As discussed in paragraph [0004] of the instant application, foreign investors holding local currency have difficulties in trading securities priced in US dollars on US markets. Even if a foreigner does have access to the securities, the foreign trader

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has to risk the currency exchange rate that fluctuates constantly and potentially wipes out possible profits. One of the important features or limitations recited in Claim 1 is the specially designed mechanism to derive a prevailing exchange rate from all exchange rates obtained from one or more currency exchange servers. The exchange rate is used to display all costs and fees in a local (preferred) currency to own or sell an asset, wherein the all costs and fees are dynamically changed in accordance with the prevailing exchange rate updated constantly even when a market value of the asset remains unchanged. As a result of using the trading system per the instant application, the trader can be assured what to pay for an asset, or profit or loss when acting on the asset. Further, unlike the prior art system that settles a transaction at the end of the day, a prevailing exchange rate is derived again prior to a transaction on an asset takes place. The trader can be assured again of the financial result at the moment without worrying about anything that could happen after the transaction took place.

Claim 1 recites a set of processes or combined actions that must be performed collaboratively by a client computer, one or more currency exchange servers and one or more market exchange servers *to minimize possible uncertainty* from currency exchanges that may considerably affect the price, profit or loss when a transaction related to the asset takes place. The Applicant further notes that the claimed invention necessarily involves the use of computers and cannot be performed with human and mental steps, as the claimed invention relies on the use of networked computers, each performing designated tasks to have such a transaction involving local and foreign currency exchanges occur without having a trader hanging on unknown financial consequence till the end of the day. In addition, the claimed invention relies on the speed of processing that can only be afforded by sophisticated computing systems over human methods in order to provide the technical improvement over existing trading systems currently seen in a brokerage firm (e.g., Charles Schwab). Thus, the present claims recite a technical solution to a problem arising in the realm of computing networks in finance, which is significantly more than an abstract idea, consistent with the decision in *DDR Holdings, LLC v. Hotels.com, L.P.,* 773 F.3d 1245 (Fed Cir. 2014).

Similar to U.S. Patents No. 6,772,132 and No. 6,766,304 in *Trading Technologies v. CQG* that are held up patent-eligible, the claims in the instant application cover a computerized method and system used for trading securities priced in a currency other than the currency used by a trader. When buying and selling a stock, speed and accuracy are both critically important and in this invention, the Applicant created a Graphical-User-Interface design that helps a trader buy and sell a stock with certainty even the currency exchange rates fluctuate rapidly.

The Applicant respectfully challenges the Examiner with a question: "Does the system described in the instant application solve a technological problem that has not been seen ? Given that the fact that there are no more 35 USC 102 or 103 rejections again the claims, it is believed that the Examiner would not deny the fact that the invention does solve a technological problem facing all foreign traders across the world wishing to trade the US securities priced in US dollars, thus the combination of abstract idea plus claim limitations does extend beyond the abstract idea and solve the technological problem. This means the claims as a whole amounts to significantly more than the abstract idea plus the details to implement the abstract idea on one or more generic computers. Based on at least the foregoing, the Applicant respectfully requests that the rejection of Claims 1 - 8 under 35 U.S.C. §101 be withdrawn.

In addition, the Applicant wishes to point out that US App. No.: 14/719,010, now US Pat. No.: 9,870,562, examined in the same Art Unit as this instant application, is also related to trading in finance. Similar to claims of Pat' 562 in nature, Claims 1-8 as amended in the instant application are sufficient to amount to significantly more than the judicial exception.

Claims 9, 19 and 27 have been amended similarly to Claim 1. Without repeating the same, the Applicant wishes to rely upon the above reasons/arguments supporting Claim 1 to support Claims 9, 19 and 27, and submits there are sufficient elements or combinations of elements in Claims 9, 19 and 27 as amended to show a patent-eligible application. Based at least on the foregoing, the Applicant respectfully requests that the rejection of Claims 9 - 36 under 35 U.S.C. §101 be withdrawn.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
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On **January 22, 2018**

/ joe zheng /
Joe Zheng

Respectfully submitted

/ joe zheng /
Joe Zheng
Reg. No.: 39,450

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Askeladden, L.L.C. Page 62 of 399

Electronic Acknowledgement Receipt

EFS ID:	31572084
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	22-JAN-2018
Filing Date:	18-APR-2007
Time Stamp:	18:23:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	ResponseToFirstOARCE3.pdf	168005 8d131f54965674bbd45b2da4dd5658b2269b2991	no	17

Warnings:

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

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Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
			Total in USD ($)	**100**

Electronic Acknowledgement Receipt

EFS ID:	31572102
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	22-JAN-2018
Filing Date:	18-APR-2007
Time Stamp:	18:24:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$100
RAM confirmation Number	012318INTEFSW00006016502436
Deposit Account	502436
Authorized User	Joe Zheng

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37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30117 183a8c5cb9128cea6a3486be7755735944a9e7bc	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	30117		

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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.

OIPAP AKIMA-14
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U.S. TRADEMARK OFFICE

Courtesy Reminder for
Application Serial No: 11/736,583

Attorney Docket No: SVPA-029
Customer Number: 26797
Date of Electronic Notification: 09/20/2017

This is a courtesy reminder that new correspondence is available for this application. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 09/20/2017

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015

EXAMINER
KAZIMI, HANI M

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
09/20/2017	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):

uspatents@sbcglobal.net

Office Action Summary	Application No. 11/736,583	Applicant(s) BENMOHA, JACKY	
	Examiner HANI M. KAZIMI	Art Unit 3691	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 *24 May 2017*.

☐ 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) *1-36* 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) *1-36* 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)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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.

DETAILED ACTION

This communication is in response to Applicant's amendment filed May 24, 2017. Claims 1-36 are currently pending. The rejection under 35 USC § 101 directed to non-statutory subject matter of claims 1-36 is maintained.

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.

Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as discussed in the previous office action mailed on February 24, 2017.

Claim 1 (exemplary) is directed to the abstract ideas of trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in. The claim recites the steps of receiving an indicator of a preferred currency from a trader, displaying at least an asset in the preferred currency while the asset is being traded in the market by determining a prevailing exchange rate derived from all exchange rates between the preferred currency and the market currency, conducting a transaction of the asset by transmitting a transaction request, receiving a settlement notification when the transaction of the asset is

performed in accordance with conditions set by the user, calculate the prevailing exchange rate at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction and performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency. The concept of trading various assets in a preferred currency can be performed by using a "processor". Although the claims are not drawn to the same subject matter, the abstract idea of trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in is similar to the abstract idea of mitigating settlement risk as in (Alice), managing risk (hedging) during consumer transactions (Bilski) and creating a contractual relationship (buySAFE). Claim 1 therefore is directed to an abstract idea.

Claim 1 is directed to a process. A process is one of the statutory categories of invention. Next, the claims are analyzed to determine whether it is directed to a judicial exception. The claim requires the additional limitations of (one or more currency exchange servers, one or more market exchange servers, a trading server and a client computer).

As mentioned in the previous office action. The claim does not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements are generic computer components claimed to perform their basic functions of receiving an indicator of a preferred currency from a trader, displaying at least an asset in the preferred currency while the asset is being traded in the market by determining a prevailing exchange rate derived from all exchange rates between the preferred currency and the market currency, conducting a transaction of the asset by transmitting a transaction request,

receiving a settlement notification when the transaction of the asset is performed in accordance with conditions set by the user, calculate the prevailing exchange rate at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction and performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency. The recitation of the claimed limitations amounts to mere instructions to implement the abstract idea on a computer. The additional elements include a processor and a memory. The trading server carries out the functions mentioned above. The trading server is a general purpose computer processor (see paras [0023-0025] of the specification) that performs general purpose functions that are routine, conventional and well understood. The recitation of the claimed limitations amounts to mere instructions to implement the abstract idea on a computer. Taking the additional elements individually and in combination, each step of the process performs purely generic computer functions. As such, there is no inventive concept sufficient to transform the claimed subject matter into a patent-eligible application. The claim does not amount to significantly more than the abstract idea itself. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements are simply a generic recitation of a computer server performing its generic computer functions. Accordingly, claims are ineligible.

The analysis above applies to the statutory category of invention of claims 1, 9, 19 and 27. Furthermore, dependent claims 2-8, 10-18, 20-26 and 28-36 do not resolve the issues raised

in the independent claims. Accordingly, claims 1-36 are rejected as ineligible for patenting under 35 U.S.C. 101 based upon the same analysis.

Response to Arguments

Applicant's arguments with respect to 35 USC § 101 directed to non-statutory subject matter been fully considered but they are not persuasive.

Examiner respectfully disagrees. Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (abstract idea) without significantly more. The rejection of the previous action was a direct result of the Supreme Court's decision in *Alice Corp. Pty. Ltd v. CLS Bank I'ntl.* 573 U.S. ___ (2014). Under *Alice* . The 35 U.S.C. 101 rejection as analyzed by Examiner is consistent with the *Mayo* framework. Examiner incorporates herein the response to arguments from the previous office actions.

Examiner notes that the computer limitations and the claim as a whole do not add significantly more than the abstract idea itself, because the claim does not amount to an improvement to the functioning of a computer itself; and the claim does not move beyond a general link of the use of an abstract idea to a particular technological environment. A generic recitation of a computer system performing its generic computer functions does not make the claims less abstract.

What Applicant describes here is how any generic computer process data without stating how or if this transformation is intended to in some way improves the function of the computer itself.

The claims here are unlike the claims in Enfish. In Enfish, the claims at issue focused not on asserted advances in uses to which existing computer capabilities could be put, but on a specific improvement-a particular database technique-in how computers could carry out one of their basic functions of storage and retrieval of data. In Enfish v. Microsoft, the United States Court of Appeals for the Federal Circuit decision… that "the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory" which is "directed to a specific implementation of a solution to a problem in the software arts." See also details in re TLI Communication LLC. The present case is different: the focus of the claims is not on such an improvement in computers as tools, but on certain independently abstract ideas that use computers as tools. The claims here are not directed to a specific improvement to computer functionality. Rather, they are directed to the use of conventional or generic technology in a well-known environment, without any claim that the invention reflects an inventive solution to any computer specific problem.

Applicant's citation of DDR is non-persuasive because the claims at issue in DDR are readily distinguishable over the instant claims. In the case of DDR Holdings "E-Commerce Outsourcing System/Generating a Composite Web Page", the claims were directed to automatically generating and transmitting a web page in response to activation of a link using data identified with a source web page having certain visually perceptible elements. The Federal Circuit decided that although the patent claims at issue there involved conventional computers and the Internet, the claims addressed the problem of retaining website visitors who, if adhering to the routine, conventional functioning of Internet hyperlink protocol, would be instantly transported away from a host's website after "clicking" on an advertisement and activating a

hyperlink DDR Holdings, 773 F.3d at 1257. "[T]he claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks." In contrast, the instant claims provide a generically computer-implemented solution to a business-related or economic problem and are thus incomparable to the claims at issue in DDR.

The courts found that "… if a patent's recitation of a computer amounts to a mere instruction to 'implement[t]' an abstract idea 'on . . . a computer,' that addition cannot impart patent eligibility." Alice Corp., 134 S.Ct. at 2358. The claimed invention does not indicate that specialized computer hardware is necessary to implement the claimed systems, similar to the claims at issue in Alice Corp. See Alice Corp., 134 S.Ct. at 2360 (determining that the hardware recited in the claims was "purely functional and generic," and did not "offer [] a meaningful limitation beyond generally linking the use of the [method] to a particular technological environment, that is, implementation via computers").

In the instant case, the claims' invocation of servers, networks, and database does not transform the claimed subject matter into patent-eligible applications. The claims at issue do not require any nonconventional computer, network, or database components, or even a "non-conventional and non-generic arrangement of known, conventional pieces," but merely call for performance of the claimed processing of financial transactions functions "on a set of generic computer components". *Bascom*, 2016 WL 3514158, at *6–7.

Nothing in the claims, understood in light of the specification, requires anything other than off-the-shelf, conventional computer, network, and database technology. The Courts have repeatedly held that such invocations of computers and networks that are not even arguably

inventive are "insufficient to pass the test of an inventive concept in the application" of an abstract idea. *buySAFE*, 765 F.3d at 1353, 1355; *see*, *e.g.*, *Mortg. Grader, Inc. v. First Choice Loan Servs. Inc.*, 811 F.3d 1314, 1324–25 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1370 (Fed. Cir. 2015); *Internet Patents*, 790 F.3d at 1348–49; *Content Extraction*, 776 F.3d at 1347–48.

Examiner submits that under the current 35 USC 101 examining practice, the existence of such novel features would still not cure the deficiencies with respect to the abstract idea. See for example: *Ultramercial, Inc. v. Hulu, LLC, 112 USPQ2d 1750, U.S. Court of Appeals Federal Circuit, No. 2010-1544, Decided November 14, 2014, 2014 BL 320546, 772 F.3d 709, Page 1754 last two ¶* : "We do not agree with Ultramercial that the addition of merely novel or non-routine components to the claimed idea necessarily turns an abstraction into something concrete". Indeed, in this in instant case, the limitations simply narrow or limit the abstract idea without providing anything significantly more than the abstract idea itself.

Again, the Supreme Court has made clear that the principle of preemption is the basis for the judicial exceptions to patentability. Alice, 134 S. Ct at 2354 ("We have described the concern that drives this exclusionary principal as one of pre-emption"). For this reason, questions on preemption are inherent in and resolved by the § 101 analysis. The concern is that "patent law not inhibit further discovery by improperly tying up the future use of these building blocks of human ingenuity." Id. (internal quotations omitted). In other words, patent claims should not prevent the use of the basic building blocks of technology—abstract ideas, naturally occurring phenomena, and natural laws. While preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility. In this case, the attempt

to limit the breadth of the claims does not change the conclusion that the claims are directed to patent ineligible subject matter. Where a patent's claims are deemed only to disclose patent ineligible subject matter under the Mayo framework, as they are in this case, preemption concerns are fully addressed and made moot. *Ariosa Diagnostics, Inc. v. Sequenom, Inc., 2015 U.S. App. LEXIS 9855, 17-18 (Fed. Cir. June 12, 2015)*.

Lastly, dependent claims 2-8, 10-18, 20-26 and 28-36 do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements are simply steps performed by a generic computer. The claims merely amounts to the application or instructions to apply the abstract idea on a processor. The claims do not resolve the issues raised in the independent claims. The dependent claims do not add limitations that meaningfully limit the abstract idea. The dependent claims do not impart patent eligibility to the abstract idea of the independent claims. Therefore none of the dependent claims alone or as an ordered combination add limitations that qualify as significantly more than the abstract idea. Accordingly, claims 1-36 are rejected as ineligible for patenting under 35 U.S.C. 101 based upon the same analysis.

For these reasons the rejection under 35 USC § 101 directed to non-statutory subject matter set forth in this office action is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted

/HANI M KAZIMI/
Primary Examiner, Art Unit 3691

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE CAMPBELL	3691

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

SEARCH NOTES		
Search Notes	Date	Examiner
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.
updated EAST Text Search	3/7/2016	KC
Updated serach	2/8/2017	HK

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010	05/05/2015	03/07/2016	06/27/2016	02/08/2017	09/17/2017		
	1	÷	✓	✓	✓	✓	✓	✓		
	2	÷	✓	✓	✓	✓	✓	✓		
	3	÷	✓	✓	✓	✓	✓	✓		
	4	÷	✓	✓	✓	✓	✓	✓		
	5	÷	✓	✓	✓	✓	✓	✓		
	6	÷	✓	✓	✓	✓	✓	✓		
	7	÷	✓	✓	✓	✓	✓	✓		
	8	÷	✓	✓	✓	✓	✓	✓		
	9	÷	✓	✓	✓	✓	✓	✓		
	10	÷	✓	✓	✓	✓	✓	✓		
	11	÷	✓	✓	✓	✓	✓	✓		
	12	÷	✓	✓	✓	✓	✓	✓		
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	16	÷	✓	✓	✓	✓	✓	✓		
	17	÷	✓	✓	✓	✓	✓	✓		
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	26	÷	✓	✓	✓	✓	✓	✓		
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	30	÷	✓	✓	✓	✓	✓	✓		
	31	÷	✓	✓	✓	✓	✓	✓		
	32	÷	✓	✓	✓	✓	✓	✓		
	33	÷	✓	✓	✓	✓	✓	✓		
	34	÷	✓	✓	✓	✓	✓	✓		
	35	÷	✓	✓	✓	✓	✓	✓		
	36	÷	✓	✓	✓	✓	✓	✓		

PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	11/736,583
Filing Date	04/18/2007
First Named Inventor	Jacky Benmoha
Group Art Unit	3691
Examiner Name	Hani M. Kazimi
Attorney Docket Number	SVPA-029

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: *37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.* See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 *Fed. Reg.* 50092 (Aug. 16, 2000); Interim Rule, 65 *Fed. Reg.* 14865 (Mar. 20, 2000), 1233 *Off. Gaz. Pat. Office* 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
   - a. ☐ Previously submitted
     - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
     - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
     - iii. ☐ Other _____
   - b. ☒ Enclosed
     - i. ☒ Amendment/Reply
     - ii. ☐ Affidavit(s)/Declaration(s)
     - iii. ☐ Information Disclosure Statement (IDS)
     - iv. ☐ Other _____
2. Miscellaneous
   - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)
   - b. ☐ Other _____
3. Fees — The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
   - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No._____
     - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
     - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
     - iii. ☐ Other _____
   - b. ☒ Check in the amount of $ 400.00 enclosed Paid Via EFS
   - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Joe Zheng	Registration No. (Attorney/Agent)	39,450
Signature	/ joe zheng /	Date	05/24/2017

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Joe Zheng		
Signature	/ joe zheng /	Date	05/24/2017

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Micro 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($)
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	3820	1	425	425
		Total in USD ($)		**425**

Electronic Acknowledgement Receipt

EFS ID:	29305825
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	24-MAY-2017
Filing Date:	18-APR-2007
Time Stamp:	17:35:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$425
RAM confirmation Number	052517INTEFSW17364500
Deposit Account	502436
Authorized User	Joe Zheng

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

37 CFR 1.16 (National application filing, search, and examination fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment Submitted/Entered with Filing of CPA/RCE	ResponseToFirstOARCE2.pdf	186409 a3492889387fc22181f14684bf40b54b6474749b	no	20
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	RCEReqTrns3rd.pdf	127025 b48b89b86c85671e7b143ad9c074873212 55c161	no	1
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30442 7e49ac0898c6a816bb0a7b697692ce04320 2fed6	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	343876		

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

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

June 9, 2016

Mail Stop: No-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to First Office Action in 2nd RCE Proceeding

Dear Sir:

In response to the Office Action mailed on 03/14/2016, the Applicant respectfully requests the Examiner reconsider the pending claims after reviewing the comments below.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 12 of this Response.

EX1004
Askeladden, L.L.C. Page 89 of 399

AMENDMENTS TO THE CLAIMS

Please amend Claims 1 and 9 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is ~~calculated~~ derived from all exchange rates obtained from the one or more currency exchange servers;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to ~~update~~ calculate the prevailing exchange rate from the one or more currency exchange servers ~~-~~at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the updated prevailing exchange rate.

2. (*Previously amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the updated prevailing currency exchange rate.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server coupled over the Internet to at least two currency exchange servers and at least one market exchange server;

receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is ~~calculated~~ derived from all exchange rates obtained from the at least two currency exchange servers;

receiving an instruction from the trader to trade the asset, wherein the ~~the~~ trading server is configured to ~~update~~ calculate the prevailing currency exchange rate from the at least two currency exchange servers at a minimum cost to the user ~~just~~ right before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the updated prevailing currency exchange rate; and

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the updated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Previously amended*) The method as recited in claim 9, wherein the transaction of the asset executed with the updated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the updated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted

directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in accordance with an exchange rate from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange

rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to a currency exchange server and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter, and Claims 1-36 are assumed to be allowable if the rejections under 35 USC 101 are overcome.

In the foregoing amendments, Claims 1 and 9 have been amended to further clarify what is being claimed. No new matters are introduced. Reconsideration of Claims 1-36 is kindly requested.

The Applicant respectfully submits that the rejection of the claims under 35 USC 101 is defective in view of the USPTO's MEMORANDUM dated May 19, 2016, for the reason that the Office Action: 1) fails to compare the claim to claims already found to be directed to an abstract idea in a previous court decision when determining whether a claim is directed to an abstract idea, 2) fails to apply a filter to the claims, when interpreted in view of the specification, based on whether their character as a whole is directed to a patent ineligible concept, 3) interprets or describes a claim at a high level of abstraction untethered from the language of the claim when determining the focus of the claimed invention, and 4) fail to realize the fact that an invention's ability to run on a general purpose computer does not automatically doom the claim.

1) **Fails to compare the claim to claims already found to be directed to an abstract idea in a previous court decision when determining whether a claim is directed to an abstract idea**

The instant application is related to trading assets (e.g., stocks) priced in a foreign currency in connection with a prevailing exchange rate derived from various rates from different currency exchange servers, wherein the prevailing exchange rate is calculated at a minimum cost to the user right before the transaction takes place. The area of the instant application is indeed related to an economic practice but can only be accomplished with uniquely combined computing technologies.

The Office Action does not compare the pending claims to claims already found to be directed to an abstract idea in a previous court decision but interprets the claim at a high level of abstraction untethered from the language of the claims. The Examiner renders the rejection of the claims as an abstract idea by heavily relying upon *Alice*. However, the *Alice* Court specifically called for an economic practice that is *fundamental*. In contrast, the status of the alleged abstract idea is *unknown*.

The *Alice* and *Bilski* Courts utilized an analysis not found in the Office Action. Specifically, the *Alice* and *Bilski* Courts sought out and found *authoritative documentation* to test for the presence of an abstract idea in a claim. Indeed the mentioned courts utilized authoritative documentation as evidence to prove their respective abstract ideas as long being prevalent in our system of commerce. In one example, this type of analysis under *Alice* was validated by the Court of Appeals for the Federal Circuit in *Buysafe, Inc. v. Google, Inc* .. Specifically, the court invalidated a patent under section 101 only after finding that the "claims are squarely about creating a contractual relationship - a 'transaction performance guaranty' - that is beyond question of ancient lineage." The court then went on to back up this assertion by citing to a paper from 1927 teaching just that, specifically Willis D. Morgan, *The History and Economics of Suretyship,* 12 Cornell L.Q. 153 (1927)).

In contrast, the Office Action provides no such citation but merely proffers an abstract idea by itself. The Office Action simply states the claims are directed to the abstract ideas of a fundamental economic principle (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in).

The Applicant wishes to point out that the Examiner has thoroughly examined the claims for more than six years with five (5) rounds of examinations including two RCEs. The Office Action dated 10/27/2014 already states:

Claims 1, 9, and 27 would be allowable if Applicant can overcome the 35 USC 101 rejection and the 35 USC 112, second paragraph rejection.

The above quote from the Office Action explicitly sets forth the finding that claims would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, and 35 U.S.C. 101 set forth in this Office action. Nevertheless, the current Office Action, in accordance with the present rejection, implies that the claims are well understood, routine or conventional in the field. The Examiner's explicit finding and implicit contention are not consistent.

Accordingly, the Applicant submits the Examiner fails to bear the initial burden of factually supporting any prima facie finding of non-patentable subject matter in rejecting the claims under 35 U.S.C. § 101. The rejections of Claims 1-36 shall be withdrawn.

2) **Fails to apply a filter to the claims, when interpreted in view of the specification, based on whether their character as a whole is directed to a patent ineligible concept**

One of the fundamental problems facing the trading industry in US is how to enable oversea traders to trade assets priced in US dollars in their local currency. A trading decision could be hardly made with the rapid fluctuations in currency exchange rates. One embodiment in the instant application provides a mechanism to show a profit or loss before a transaction takes place and executes the transaction with a prevailing exchange rate calculated at a minimum cost to the trader right before the transaction takes place. The timing of calculating the prevailing exchange rate at a minimum cost to the trader is critical, the data analysis among the exchange rates from all the servers is essential as well. It is evident and known in the art that such functions in the mechanism could not be done mentally or with the intervention of human activities.

Claim 1 recites:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market

currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to update the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the updated prevailing exchange rate.

(*emphasis added*)

The Office Action fails to apply a filter to the claims simply because the instant application is related to an economic practice. Claim 1 recites "significantly more" limitations (the underlined portions in the duplicated Claim 1 above) than the alleged abstract idea itself and for this reason does not pose a risk tying up the alleged abstract idea nor pre-empting others from using the alleged abstract idea. It does not pose a risk for a number of reasons, one of which is that Claim 1 does not pose a risk because claim 1 includes multiple limitations in addition to limitations that may arguably be said to recite the alleged abstract idea of "currency conversion for trading various assets in a preferred currency". Specifically, Claim 1 recites *"the*

trading server is configured to calculate the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place". It is well known in the art that a computing device must be specifically programmed and in communication with different other computing devices in order to achieve the combined acts recited in Claim 1.

The Federal Circuit stated that the Enfish claims were not ones in which general-purpose computer components are added after the fact to a fundamental economic practice or mathematical equation, but were directed to a specific implementation of a solution to a problem in the software arts, and concluded that the Enfish claims were thus **not** directed to an abstract idea (under Step 2A).

Accordingly, Claim 1, on its face, recites "significantly more" than the alleged abstract idea because Claim 1 includes at least an action in addition to the actions that may be said to recite or describe the alleged abstract idea. The rejections of Claims 1-36 shall be withdrawn.

3) **Interprets or describes a claim at a high level of abstraction untethered from the language of the claim when determining the focus of the claimed invention**

When an examiner has concluded that certain claim elements recite well understood, routine, conventional activities in the relevant field of art, the rejection should explain why the courts have recognized, or those in the field would recognize, the additional elements when taken both individually and as a combination to be well-understood, routine, conventional activities. The Office Action interprets the pending claims by simply stating the claims are directed to the abstract ideas of a fundamental economic principle (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in).

As indicated above, the area of the instant application is related to an economic practice only be accomplished with uniquely combined computing technologies. The Examiner should keep in mind that the courts have held computer-

implemented processes to be significantly more than an abstract idea (and thus eligible), where generic computer components are able in combination to perform functions that are not merely generic *(DDR).*

Claim 1 recites at least limitations *"the trading server is configured to derive the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user before the transaction takes place" and "the trading server is configured to update the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place".* It is well known in the art that a computing device must be specifically programmed and in communication with different other computing devices in order to achieve the combined acts recited in Claim 1. It is believed that the additional element (i.e., the limitations) is enough to qualify as "significantly more" because it meaningfully adds a specific limitation other than what is well-understood, routine, conventional activity in the field or unconventional steps that confine the claim to a particular useful application. Accordingly, the rejections of Claims 1-36 shall be withdrawn.

4) **Fail to realize the fact that an invention's ability to run on a general purpose computer does not automatically doom the claim**

On Page 3 of the Office Action, one of the reasons that rendered the pending claims as abstract idea is that the servers being recited are considered generic computers that only behave in the well-understood, routine, and conventional way that servers are meant to perform and do not confer patent eligibility. However, the Federal Circuit in *Enfish* stated that an invention's ability to run on a general purpose computer does not automatically doom the claim.

As argued above, nevertheless, many actions recited in Claim 1 may be executed on a general purposes computer but a computing device has to be specifically programmed to carry out the limitation *"the trading server is configured to calculate the prevailing exchange rate right from the one or more currency exchange servers at a minimum cost to the user before the transaction takes place".* The

aforementioned action or limitation is *NOT* well-understood, routine or conventional in the field and confine the abstract idea that is being alleged in claim 1 to a particular useful application. Accordingly, the rejections of Claims 1-36 shall be withdrawn.

Conclusion

Applicant respectfully reminds the Examiner that the Supreme Court has cautioned tribunals and agencies to "tread carefully" when excluding subject matter under § 101. *Alice,* 573 U.S. at_ (slip. op. at 6) (citing *Diamond v. Chakrabarty,* 447 U.S. 303 (1980)). In particular, the Court specifically noted that all should "tread carefully in construing this exclusionary principle lest it swallow all of patent law." *Id.* at_ (slip op. at 15). This is because "[a]t some level, 'all inventions . . . embody, use, reflect, rest upon, or apply laws of nature, natural phenomena, or abstract ideas." *Id.* This admonition was echoed by the Office's *Memorandum: Alice* "neither creates a per se excluded category of subject matter, such as software or business methods, nor imposes any special requirements for eligibility of software or business methods." Memorandum, p. 1.

Based on the foregoing, Applicant submits that Claims 1-36 are not directed to an abstract idea and therefore requests that the rejection of these claims be withdrawn.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,

Efiled via USPTO efile-system

On **June 9, 2016**

/ joe zheng /
Joe Zheng

Respectfully submitted

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Joe Zheng
Reg. No.: 39,450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Hani M. Kazimi
Group Art Unit:	3691
Docket No.:	SVPA-029

May 24, 2017

Mail Stop: AF/RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Final Office Action (2nd RCE Proceeding)

Dear Sir:

An earlier submission includes a wrong version, please accept this version of the Response to the final Office Action dated 02/24/2017.

In response to the Office Action mailed on 02/24/2017, the Applicant respectfully requests the Examiner reconsider the pending claims after reviewing the comments below.

AMENDMENTS TO THE SPECIFICATION are reflected in the listing of claims which begins on page 2 of this Response.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 5 of this Response.

REMARKS/ARGUMENTS begin on page 16 of this Response.

AMENDMENTS TO THE SPECIFICATION

1. Please amend paragraph [0004] as follows:

[0004] ~~However, a~~All accounts at Charles Schwab, however, must be in US dollars and all transactions must be conducted in US dollars. FIG. 1 illustrates a process of how an investor in China would trade securities listed on a US exchange (e.g., NASDAQ). Because all securities listed on a US exchange are traded in US dollars, the investor must first pre-allocate a bulk amount in his/her local currency (e.g., RMB ¥) and look for a source to convert the amount into US dollars that are then deposited into a brokerage (e.g., Charles Schwab) by wire or check. Through the brokerage, the investor may place multiple orders to buy stocks being traded on a US exchange. At a later time, when the investor wishes to realize the profit or loss on his US dollar-denominated stock, he must sell his stock and then separately find a foreign exchange resource to convert the settlement of selling the stock back to his local currency. At the time of buying or selling the stocks, as well as during the whole period the investor held the stocks, the investor had no certain knowledge of what profit or loss he was going to get because the currency exchange rate must be obtained for a bulk amount at another time, which may fluctuate significantly enough to affect the ultimate profit or loss.

2. Please amend paragraph [0005] as follows:

[0005] One of the problems in the current trading system is that the currency conversion is not at a transactional level. There is a great need for an improved system which performs currency conversion on a transactional level so that a trader or investor knows exactly what profit or loss may occur with a transaction. It is desirable for a trading system to be able to show prices as well as conduct all transactions in a currency preferred by an investor, regardless of whatever currency being used in the primary market for the security/asset.

3. Please amend paragraph [0007] as follows:

[0007] Broadly speaking, the invention relates to methods, processes and systems for conducting security transactions in a preferred currency, regardless of what original or market currency the securities are being traded in and where the transaction may take place. Securities include, but are not limited to, a wide array of electronically traded financial assets such as stocks, bonds, options,

commodities (e.g., oil, gold), futures/derivatives contracts, funds, index funds, mutual funds, exchange traded funds. According to one aspect of the present invention, a three-tier architecture is presented, which includes a brokerage, a market exchange where securities/assets are traded, and a currency exchange where amounts in one currency can be converted to corresponding amounts in another currency at prevailing rates. Through a consolidated trading platform, the brokerage presents all prices, market data, P&L estimates, and transaction results or settlements in a preferred currency, in conjunction with the market exchange and the currency exchange. As a result, a trader always knows exactly what he/she may end up with a transaction of an asset. Furthermore, according to another aspect of the present invention, when the transaction of the asset is actually performed, the consolidated trading platform can also perform a currency conversion automatically based on specified conditions. Herein the term "trader" represents any initiator of the securities transaction, which includes, but is not limited to, an individual investor, an institutional investor, an asset manager, a hedge fund, or an electronic order system which automates the work of a human trader or an electronic "black box" algorithmic trading system.

4. Please amend paragraph [0009] as follows:

[0009] As it is well known that when investing in another country or in another currency, cost and risk are incurred when a currency conversion is performed. Traders trading in the same preferred or home currency would benefit if their transactions could be performed without any currency conversion. Therefore, according to still another aspect of the present invention, the consolidated trading platform analyzes transactions, where two or more traders have placed orders in the same assets to determine whether or not the traders can be matched directly without currency conversion even when they share a preferred currency which may differ from the market currency for the asset.

5. Please amend paragraph [0023] as follows:

[0023] Referring now to the drawings, in which like numerals refer to like parts throughout the several views. FIG. 2A illustrates a system configuration **200** in which the present invention may be practiced in accordance with one embodiment thereof. The configuration **200** includes a network **202** that may be the Internet, the Intranet and a data network of other private or public networks, and in form of wireless or landlines. Coupled to the network **202** is a client machine **204** that

represents one of many client machines that may be accessed by or associated with traders residing anywhere. As used herein, the client machine may include, but ~~is~~ not be limited to, any form of desktop or laptop or server computer, handheld wireless device, or mobile phone which allows an investor to communicate electronically for trading purposes. Further, a trader may include, but not be limited to, a user, an individual, an investor or an institution that transact (e.g., buy or sell) assets, wherein the assets may include, but not be limited to, various securities. Examples of securities and assets include, but are not limited to, stocks, options, bonds, futures contracts, commodities (e.g., oil/gold), derivatives contracts, mutual funds, exchange traded funds, or any other OTC (over the counter) or exchange listed instruments. Exemplary issuers of securities include commercial companies, government agencies, local authorities and international and supranational organizations (~~such as~~ e.g., the World Bank).

6. Please amend paragraph [0038] as follows:

[0038] The process **500** starts at **502** where it determines what type of currency is preferred by a trader. At **504**, the process **500** determines whether an item (e.g., a stock of XYZ company) has been chosen for transaction (e.g., buying or selling the stock). If a trader has not selected an item for trading, the process **500** goes back awaiting a selected item. At **506**, the process **500** checks with an exchange to determine what currency the item is being traded in. Regardless whatever the currency the item is being traded in, the order is always in the preferred currency selected by the trader at **508**.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1-2, 9-11, 19 and 27 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers when the asset is displayed in the preferred currency;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to calculate the prevailing exchange rate from all exchange rates obtained from the one or more currency exchange servers ~~at a minimum cost to the user~~ right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the ~~updated~~ calculated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the ~~updated~~ calculated prevailing exchange rate.

2. (*Currently amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and ~~the~~ an updated prevailing currency exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server coupled over the Internet to at least two currency exchange servers and at least one market exchange server;

receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the at least two currency exchange servers when the asset is displayed in the preferred currency;

receiving an instruction from the trader to trade the asset, wherein the trading server is configured to calculate the prevailing currency exchange rate from all exchange rates obtained from the at least two currency exchange servers ~~at a minimum cost to the user~~ right before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the ~~updated~~ calculated prevailing currency exchange rate; and

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the ~~updated~~ calculated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Currently amended*) The method as recited in claim 9, wherein the transaction of the asset executed with the ~~updated~~ calculated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the ~~updated~~ calculated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Currently amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the calculated prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted

directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in accordance with a prevailing exchange rate from all exchange rates obtained from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange

rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to ~~a~~ one or more currency exchange servers and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late, wherein the prevailing exchange rate is obtained from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the

preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the

conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter, and Claims 1-36 are assumed to be allowable if the rejections under 35 USC 101 are overcome.

In the foregoing amendments, Claims 1-2, 9-11, 19 and 27 have been amended to further clarify what is being claimed. No new matters are introduced. Reconsideration of Claims 1-36 is kindly requested.

Claim Rejections - 35 USC §101

On Page 2 of the Office Action dated 2/24/2017, the Examiner maintains the rejections of Claims 1-36 under 35 U .S .C. 101 because the claimed invention is directed to non-statutory subject matter as discussed in the previous office action dated March 14, 2016.

The Applicant respectfully disagrees with the Examiner on the rejections, assuming the foregoing amendments are entered. To determine if an application is patent eligible, the GUIDANCE, "2014 Interim Guidance on Subject Matter Eligibility" and "the July 2015 Update: Subject Matter Eligibility", requires a Two-part Analysis for Abstract Ideas.

Part I: Determine whether the claim is directed to an abstract idea

Claims 1-8 are directed to a method for providing a consolidated trading platform and recite a series of acts among a trading server, one or more currency exchange servers, one or more market exchange servers and a client computer. Thus, Claim 1 is directed to a process (when described as a series of operational steps to be performed on or with the aid of a computer), which is one of the statutory categories of invention (Step 1: NO) and agreed by the Examiner on Page 5 of the Office Action.

Part 2: If an abstract idea is present in the claim, determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to significantly more than the abstract idea itself

Step 2A (Mayo Test Part I): The Examiner asserts that the claims are directed to the abstract ideas of trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in. The Applicant does not intend to argue on the assumption by the Examiner under the Mayo Test Part 1. Therefore, the claim appears directed to an abstract idea (Step 2A: YES).

Step 2B (Mayo Test Part 2): the claim as a whole is analyzed to determine whether any element, or combination of elements, is sufficient to ensure that the claim amounts to significantly more than the exception.

As amended, Claim 1 now recites the limitations: "*wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers when the asset is displayed in the preferred currency* " and "*the trading server is configured to calculate the prevailing exchange rate from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place*".

One of the important features in Claim 1 as amended is how and when the prevailing exchange rate is derived. Claim 1 recites explicitly that the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers when the asset is displayed in the preferred currency. Further the prevailing exchange rate is calculated again from all exchange rates obtained from the one or more currency exchange servers right before the transaction takes place.

On December 15, 2016, the USPTO published three subject matter eligibility examples focusing on business method claims. Example 34, based on the Federal Circuit decision in *BASCOM Global Internet v. AT&T Mobility LLC,* 119 USPQ2d 1236 (Fed. Cir. 2016) regarding U.S. Patent No. 5,987,606, is determined to be an eligible subject matter. In view of Claim 1 of Example 34, the additional features, when viewed individually, are merely “generic computer and networking components

performing generic computer and networking functions". However, as the analysis of this example states “an inventive concept can be found in the unconventional and non-generic combination of known elements, and more specifically ‘the installation of a filtering tool at a specific location, remote from the end-users, with customizable filtering features specific to each end user’ where the filtering tool at the ISP is able to ‘identify individual accounts that communicate with the ISP server, and to associate a request for Internet content with a specific individual account.’”

In one perspective, the limitation in Claim 1 of this instant application "the prevailing exchange rate is derived or calculated from all exchange rates" can be perceived as "filtering", an operation of "filtering" all exchange rates obtained from the one or more currency exchange servers to derive the prevailing exchange rate. Further, Claim 1 explicitly recites such 'filtering" is installed at a specific location (i.e., the trading server), remote from the end-user, with customizable filtering features specific to the end user. In addition to the "filtering" operation substantially similar to Example 34 provided by the USPTO to be an eligible subject matter, the timing of the operation (i.e., when the asset is displayed and right before the transaction takes place) confines an abstract idea to a particular and practical application of the abstract idea, as explained in the specification. The combination of these limitations is not well-understood, routine or conventional activity, as the current practice in the similar field cannot be performed at the transactional level. Claim 1 does provide an improvement in a Technical Field or in Another Technology. Therefore, Claim 1 recites patent eligible subject matter (Step 2B: YES).

Considering Claim 1 as a whole, the Applicant submits Claim 1 does amount to significantly more than the abstract idea itself. There are sufficient elements or combinations of elements in Claim 1 as amended to show a patent-eligible application. Based at least on the foregoing, the Applicant respectfully requests that the rejection of Claims 1 - 8 under 35 U.S.C. §101 be withdrawn.

Claims 9, 19 and 27 have been amended similarly to Claim 1. Without repeating the same, the Applicant wishes to rely upon the above reasons/arguments supporting Claim 1 to support Claims 9, 19 and 27, and submits there are sufficient

elements or combinations of elements in Claims 9, 19 and 27 as amended to show a patent-eligible application. Based at least on the foregoing, the Applicant respectfully requests that the rejection of Claims 9 - 36 under 35 U.S.C. §101 be withdrawn.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
Efiled via USPTO efile-system

On **May 24, 2017**

/ joe zheng /
Joe Zheng

Respectfully submitted

/ joe zheng /
Joe Zheng
Reg. No.: 39,450

Electronic Acknowledgement Receipt

EFS ID:	29305999
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	24-MAY-2017
Filing Date:	18-APR-2007
Time Stamp:	17:45:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment Submitted/Entered with Filing of CPA/RCE	ResponseToFinalOARCE2.pdf	165029 5efcd8765a648913669f6b7479e84ae0eb9f6413	no	19

Warnings:

Information:	
Total Files Size (in bytes):	165029

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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.

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/736,583	Filing Date 04/18/2007	☐ 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	**0**
☐ 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	**0**

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)		
AMENDMENT	**05/24/2017**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $20 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $105 =	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
GWENDOLYN MYERS

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.**
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 02/24/2017

LogicPatents, LLC
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EXAMINER
KAZIMI, HANI M

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
02/24/2017	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):

uspatents@sbcglobal.net

Office Action Summary	Application No. 11/736,583	Applicant(s) BENMOHA, JACKY	
	Examiner HANI M. KAZIMI	Art Unit 3691	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 *09 June 2016*.

☐ 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) *1-36* 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) *1-36* 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)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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.

DETAILED ACTION

This communication is in response to Applicant's amendment filed June 09, 2016. Claims 1-36 are currently pending. The rejection under 35 USC § 101 directed to non-statutory subject matter (*Alice Corp. Pty. Ltd v. CLS Bank)* of claims 1-36 is maintained.

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.

Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as discussed in the previous office action mailed on March 14, 2016.

Response to Arguments

Applicant's arguments filed 09 June, 2016 have been fully considered but they are not persuasive.

In response;

Applicant's arguments filed with respect to the 35 USC 101 rejection of the previous action have been fully considered but they are not persuasive.

Examiner respectfully disagrees. Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (abstract idea) without significantly more. Examiner incorporates herein the response to arguments from the previous office actions. The rejection of the previous action was a direct result of the Supreme Court's decision in *Alice Corp. Pty. Ltd v. CLS Bank I'ntl.* 573 U.S. ___ (2014). Under *Alice*. The 35 U.S.C. 101 rejection as analyzed by Examiner is consistent with the *Mayo* framework.

The claimed inventions in the examples used in conjunction with the 2014 Interim Eligibility Guidance differ from the claims of the instant application. The courts gave specific explanations of why those claims do not recite abstract ideas. (i.e.) in the case of "Isolating and Removing Malicious Code from Electronic Messages", the method claim recites a series of acts for protecting a computer from an electronic communication containing malicious code. The claim is directed towards *physically isolating* a received communication on a memory sector and extracting malicious code from that communication to create a sanitized communication in a new data file. In the case of DDR Holdings "E-Commerce Outsourcing System/Generating a Composite Web Page", the claims were directed to *automatically generating and transmitting a web page in response to activation of a link* using data identified with a source web page having certain visually perceptible elements. Lastly, in the Digital Image Processing case, the courts found "… the additional steps of comparing the blue noise mask to a gray scale image to

transform the gray scale image to a binary image array and converting the binary image array into a half toned image ... These additional steps tie the mathematical operation (the blue noise mask) to the processor's ability to process digital images. These steps add meaningful limitations to the abstract idea of generating the blue noise mask and therefore add significantly more to the abstract idea than mere computer implementation".

The Office is required to make a two-step inquiry to determine if an invention is statutory under 35 USC 101, first are the claims directed towards an abstract idea and second if an abstract idea is present determine whether an element or combination of elements in the claim is sufficient to amount to significantly more than the abstract idea itself.

When considering subject matter eligibility under 35 U.S.C. 101, it must be determined whether the claim is directed to one of the four statutory categories of invention, i.e., process, machine, manufacture, or composition of matter. If the claim does fall within one of the statutory categories, it must then be determined whether the claim is directed to a judicial exception (i.e., law of nature, natural phenomenon, and abstract idea), and if so, it must additionally be determined whether the claim is a patent-eligible application of the exception. If an abstract idea is present in the claim, any element or combination of elements in the claim must be sufficient to ensure that the claim amounts to significantly more than the abstract idea itself. Examples of abstract ideas include fundamental economic practices; certain methods of organizing human activities; an idea itself; and mathematical relationships/formulas. *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.*, 573 U.S. ____ (2014).

In making the determination of if the claimed idea is significantly more, the Court gave examples, which included an improvement to another technology or technical field;

improvement to the function of the computer itself; or some other meaningful limitation beyond generally linking the use of an abstract idea to a particular technological environment. Such as in Diamond v. Diehr, the claims were found statutory in which the Arrhenius equation is used to improve a process of *controlling the operation of a mold in curing rubber parts*.

Applicant's claims as a whole, do not amount to significantly more than the abstract idea itself. This is because the claim does not effect an improvement to another technology or technical field; the claim does not amount to an improvement to the functioning of a computer itself; and the claim does not move beyond a general link of the use of an abstract idea to a particular technological environment.

Claim 1 (exemplary) is directed to the abstract ideas of trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in. The concept of trading various assets in a preferred currency can be performed by using a "processor". Although the claims are not drawn to the same subject matter, the abstract idea of trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in is similar to the abstract idea of mitigating settlement risk as in Alice, managing risk (hedging) during consumer transactions (Bilski) and creating a contractual relationship (buySAFE). Claim 1 therefore is directed to an abstract idea.

Claim 1 is directed to a process. A process is one of the statutory categories of invention. Next, the claims are analyzed to determine whether it is directed to a judicial exception. The claim requires the additional limitations of (one or more currency exchange servers, one or more market exchange servers, a trading server and a client computer). The claim does not include additional elements that are sufficient to amount to significantly more than the judicial exception

because the additional elements are generic computer components claimed to perform their basic functions of receiving an indicator of a preferred currency from a trader, displaying at least an asset in the preferred currency while the asset is being traded in the market by determining a prevailing exchange rate derived from all exchange rates between the preferred currency and the market currency, conducting a transaction of the asset by transmitting a transaction request, receiving a settlement notification when the transaction of the asset is performed in accordance with conditions set by the user, calculate the prevailing exchange rate at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction and performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency. The recitation of the claimed limitations amounts to mere instructions to implement the abstract idea on a computer. The additional elements include a processor and a memory. The trading server carries out the functions mentioned above. The trading server is a general purpose computer processor (see paras [0023-0025] of the specification) that performs general purpose functions that are routine, conventional and well understood. The recitation of the claimed limitations amounts to mere instructions to implement the abstract idea on a computer. Taking the additional elements individually and in combination, each step of the process performs purely generic computer functions. As such, there is no inventive concept sufficient to transform the claimed subject matter into a patent-eligible application. The claim does not amount to significantly more than the abstract idea itself. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception

because the additional elements are simply a generic recitation of a computer server performing its generic computer functions. Accordingly, claims are ineligible.

The analysis above applies to the statutory category of invention of claims 1, 9, 19 and 27. Furthermore, dependent claims 2-8, 10-18, 20-26 and 28-36 do not resolve the issues raised in the independent claims. Accordingly, claims 1-36 are rejected as ineligible for patenting under 35 U.S.C. 101 based upon the same analysis.

What Applicant describes here is how any generic computer process data without stating how or if this transformation is intended to in some way improves the function of the computer itself.

Applicant's citation of DDR is non-persuasive because the claims at issue in are readily distinguishable over the instant claims. In the case of DDR Holdings "E-Commerce Outsourcing System/Generating a Composite Web Page", the claims were directed to automatically generating and transmitting a web page in response to activation of a link using data identified with a source web page having certain visually perceptible elements. The Federal Circuit decided that although the patent claims at issue there involved conventional computers and the Internet, the claims addressed the problem of retaining website visitors who, if adhering to the routine, conventional functioning of Internet hyperlink protocol, would be instantly transported away from a host's website after "clicking" on an advertisement and activating a hyperlink DDR Holdings, 773 F.3d at 1257. "[T]he claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks." In contrast, the instant claims provide a generically computer-implemented solution

to a business-related or economic problem and are thus incomparable to the claims at issue in DDR.

Moreover, the present case is different, the focus of the claims is not on such an improvement in computers as tools, but on certain independently abstract ideas that use computers as tools. The claims here are not directed to a specific improvement to computer functionality. Rather, they are directed to the use of conventional or generic technology (one or more currency exchange servers, one or more market exchange servers, a trading server and a client computer) in a well-known environment, without any claim that the invention reflects an inventive solution to any computer specific problem.

The courts found that "… if a patent's recitation of a computer amounts to a mere instruction to 'implement[t]' an abstract idea 'on . . . a computer,' that addition cannot impart patent eligibility." Alice Corp., 134 S.Ct. at 2358. The claimed invention does not indicate that specialized computer hardware is necessary to implement the claimed systems, similar to the claims at issue in Alice Corp. See Alice Corp., 134 S.Ct. at 2360 (determining that the hardware recited in the claims was "purely functional and generic," and did not "offer [] a meaningful limitation beyond generally linking the use of the [method] to a particular technological environment, that is, implementation via computers").

In response to Applicant's argument that the novel and non-obviousness nature of these features distinguishes over the prior art shows that they are significantly more than any abstract idea. Examiner submits that under the current 35 USC 101 examining practice, the existence of such novel features would still not cure the deficiencies with respect to the abstract idea. See for example: *Ultramercial, Inc. v. Hulu, LLC, 112 USPQ2d 1750, U.S. Court of Appeals Federal*

Circuit, No. 2010-1544, Decided November 14, 2014, 2014 BL 320546, 772 F.3d 709, Page 1754 last two ¶ : "We do not agree with Ultramercial that the addition of merely novel or non-routine components to the claimed idea necessarily turns an abstraction into something concrete". Indeed, in this in instant case, the limitations simply narrow or limit the abstract idea without providing anything significantly more than the abstract idea itself. Furthermore, *In DDR Holdings*, the Federal Circuit decided that although the patent claims at issue there involved conventional computers and the Internet, the claims addressed the problem of retaining website visitors who, if adhering to the routine, conventional functioning of Internet hyperlink protocol, would be instantly transported away from a host's website after "clicking" on an advertisement and activating a hyperlink *DDR Holdings, 773 F.3d at 1257*. "[T]he claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks."

Examiner notes that the computer limitations and the claim as a whole do not add significantly more than the abstract idea itself, because the claim does not amount to an improvement to the functioning of a computer itself; and the claim does not move beyond a general link of the use of an abstract idea to a particular technological environment. A generic recitation of a computer system performing its generic computer functions does not make the claims less abstract.

Examiner notes that the courts consider the determination of whether a claim is eligible (which involves identifying whether an exception such as an abstract idea is being claimed) to be a question of law. Accordingly, courts do not rely on evidence that a claimed concept is a judicial exception, and in most cases resolve the ultimate legal conclusion on eligibility without

making any factual findings. For example: Alice Corp., Myriad, Mayo, Bilski, Diehr, Flook and Benson relied solely on comparisons to concepts found to be exceptions in past decisions when identifying judicial exceptions. Moreover, it is to be noted that unlike rejections under 35 USC § 102 and 35 USC § 103 which are evidenced base, rejections under Alice 35 USC § 101 is not evidence based but rather is a matter of law and such, no tangible evidence or examples are required.

The Supreme Court has made clear that the principle of preemption is the basis for the judicial exceptions to patentability. Alice, 134 S. Ct at 2354 ("We have described the concern that drives this exclusionary principal as one of pre-emption"). For this reason, questions on preemption are inherent in and resolved by the § 101 analysis. The concern is that "patent law not inhibit further discovery by improperly tying up the future use of these building blocks of human ingenuity." Id. (internal quotations omitted). In other words, patent claims should not prevent the use of the basic building blocks of technology—abstract ideas, naturally occurring phenomena, and natural laws. While preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility. In this case, the attempt to limit the breadth of the claims does not change the conclusion that the claims are directed to patent ineligible subject matter. Where a patent's claims are deemed only to disclose patent ineligible subject matter under the Mayo framework, as they are in this case, preemption concerns are fully addressed and made moot. *Ariosa Diagnostics, Inc. v. Sequenom, Inc., 2015 U.S. App. LEXIS 9855, 17-18 (Fed. Cir. June 12, 2015)*.

Lastly, dependent claims 2-8, 10-18, 20-26 and 28-36 do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements are simply steps performed by a generic computer. The claim merely amounts to the application or instructions to apply the abstract idea on a processor, and is considered to amount to nothing more than requiring a generic processor to merely carry out the abstract idea itself.

For these reasons the rejection under 35 USC § 101 directed to non-statutory subject matter set forth in this office action is maintained.

Conclusion

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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 date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted

/HANI M KAZIMI/
Primary Examiner, Art Unit 3691

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE CAMPBELL	3691

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

SEARCH NOTES		
Search Notes	Date	Examiner
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.
updated EAST Text Search	3/7/2016	KC
Updated serach	2/8/2017	HK

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010	05/05/2015	03/07/2016	06/27/2016	02/08/2017			
	1	÷	✓	✓	✓	✓	✓			
	2	÷	✓	✓	✓	✓	✓			
	3	÷	✓	✓	✓	✓	✓			
	4	÷	✓	✓	✓	✓	✓			
	5	÷	✓	✓	✓	✓	✓			
	6	÷	✓	✓	✓	✓	✓			
	7	÷	✓	✓	✓	✓	✓			
	8	÷	✓	✓	✓	✓	✓			
	9	÷	✓	✓	✓	✓	✓			
	10	÷	✓	✓	✓	✓	✓			
	11	÷	✓	✓	✓	✓	✓			
	12	÷	✓	✓	✓	✓	✓			
	13	÷	✓	✓	✓	✓	✓			
	14	÷	✓	✓	✓	✓	✓			
	15	÷	✓	✓	✓	✓	✓			
	16	÷	✓	✓	✓	✓	✓			
	17	÷	✓	✓	✓	✓	✓			
	18	÷	✓	✓	✓	✓	✓			
	19	÷	✓	✓	✓	✓	✓			
	20	÷	✓	✓	✓	✓	✓			
	21	÷	✓	✓	✓	✓	✓			
	22	÷	✓	✓	✓	✓	✓			
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	27	÷	✓	✓	✓	✓	✓			
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	34	÷	✓	✓	✓	✓	✓			
	35	÷	✓	✓	✓	✓	✓			
	36	÷	✓	✓	✓	✓	✓			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

June 9, 2016

Mail Stop: No-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to First Office Action in 2nd RCE Proceeding

Dear Sir:

In response to the Office Action mailed on 03/14/2016, the Applicant respectfully requests the Examiner reconsider the pending claims after reviewing the comments below.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 12 of this Response.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1 and 9 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is ~~calculated~~ derived from all exchange rates obtained from the one or more currency exchange servers;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to ~~update~~ calculate the prevailing exchange rate from the one or more currency exchange servers ~~-~~at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the updated prevailing exchange rate.

2. (*Previously amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the updated prevailing currency exchange rate.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server coupled over the Internet to at least two currency exchange servers and at least one market exchange server;

receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is ~~calculated~~ derived from all exchange rates obtained from the at least two currency exchange servers;

receiving an instruction from the trader to trade the asset, wherein the ~~the~~ trading server is configured to ~~update~~ calculate the prevailing currency exchange rate from the at least two currency exchange servers at a minimum cost to the user ~~just~~ right before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the updated prevailing currency exchange rate; and

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the updated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Previously amended*) The method as recited in claim 9, wherein the transaction of the asset executed with the updated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the updated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted

directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in accordance with an exchange rate from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange

rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to a currency exchange server and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter, and Claims 1-36 are assumed to be allowable if the rejections under 35 USC 101 are overcome.

In the foregoing amendments, Claims 1 and 9 have been amended to further clarify what is being claimed. No new matters are introduced. Reconsideration of Claims 1-36 is kindly requested.

The Applicant respectfully submits that the rejection of the claims under 35 USC 101 is defective in view of the USPTO's MEMORANDUM dated May 19, 2016, for the reason that the Office Action: 1) fails to compare the claim to claims already found to be directed to an abstract idea in a previous court decision when determining whether a claim is directed to an abstract idea, 2) fails to apply a filter to the claims, when interpreted in view of the specification, based on whether their character as a whole is directed to a patent ineligible concept, 3) interprets or describes a claim at a high level of abstraction untethered from the language of the claim when determining the focus of the claimed invention, and 4) fail to realize the fact that an invention's ability to run on a general purpose computer does not automatically doom the claim.

1) **Fails to compare the claim to claims already found to be directed to an abstract idea in a previous court decision when determining whether a claim is directed to an abstract idea**

The instant application is related to trading assets (e.g., stocks) priced in a foreign currency in connection with a prevailing exchange rate derived from various rates from different currency exchange servers, wherein the prevailing exchange rate is calculated at a minimum cost to the user right before the transaction takes place. The area of the instant application is indeed related to an economic practice but can only be accomplished with uniquely combined computing technologies.

The Office Action does not compare the pending claims to claims already found to be directed to an abstract idea in a previous court decision but interprets the claim at a high level of abstraction untethered from the language of the claims. The Examiner renders the rejection of the claims as an abstract idea by heavily relying upon *Alice*. However, the *Alice* Court specifically called for an economic practice that is *fundamental*. In contrast, the status of the alleged abstract idea is *unknown*.

The *Alice* and *Bilski* Courts utilized an analysis not found in the Office Action. Specifically, the *Alice* and *Bilski* Courts sought out and found *authoritative documentation* to test for the presence of an abstract idea in a claim. Indeed the mentioned courts utilized authoritative documentation as evidence to prove their respective abstract ideas as long being prevalent in our system of commerce. In one example, this type of analysis under *Alice* was validated by the Court of Appeals for the Federal Circuit in *Buysafe, Inc. v. Google, Inc* .. Specifically, the court invalidated a patent under section 101 only after finding that the "claims are squarely about creating a contractual relationship - a 'transaction performance guaranty' - that is beyond question of ancient lineage." The court then went on to back up this assertion by citing to a paper from 1927 teaching just that, specifically Willis D. Morgan, *The History and Economics of Suretyship,* 12 Cornell L.Q. 153 (1927)).

In contrast, the Office Action provides no such citation but merely proffers an abstract idea by itself. The Office Action simply states the claims are directed to the abstract ideas of a fundamental economic principle (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in).

The Applicant wishes to point out that the Examiner has thoroughly examined the claims for more than six years with five (5) rounds of examinations including two RCEs. The Office Action dated 10/27/2014 already states:

Claims 1, 9, and 27 would be allowable if Applicant can overcome the 35 USC 101 rejection and the 35 USC 112, second paragraph rejection.

The above quote from the Office Action explicitly sets forth the finding that claims would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, and 35 U.S.C. 101 set forth in this Office action. Nevertheless, the current Office Action, in accordance with the present rejection, implies that the claims are well understood, routine or conventional in the field. The Examiner's explicit finding and implicit contention are not consistent.

Accordingly, the Applicant submits the Examiner fails to bear the initial burden of factually supporting any prima facie finding of non-patentable subject matter in rejecting the claims under 35 U.S.C. § 101. The rejections of Claims 1-36 shall be withdrawn.

2) **Fails to apply a filter to the claims, when interpreted in view of the specification, based on whether their character as a whole is directed to a patent ineligible concept**

One of the fundamental problems facing the trading industry in US is how to enable oversea traders to trade assets priced in US dollars in their local currency. A trading decision could be hardly made with the rapid fluctuations in currency exchange rates. One embodiment in the instant application provides a mechanism to show a profit or loss before a transaction takes place and executes the transaction with a prevailing exchange rate calculated at a minimum cost to the trader right before the transaction takes place. The timing of calculating the prevailing exchange rate at a minimum cost to the trader is critical, the data analysis among the exchange rates from all the servers is essential as well. It is evident and known in the art that such functions in the mechanism could not be done mentally or with the intervention of human activities.

Claim 1 recites:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market

currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is derived from all exchange rates obtained from the one or more currency exchange servers;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to update the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the updated prevailing exchange rate.

(*emphasis added*)

The Office Action fails to apply a filter to the claims simply because the instant application is related to an economic practice. Claim 1 recites "significantly more" limitations (the underlined portions in the duplicated Claim 1 above) than the alleged abstract idea itself and for this reason does not pose a risk tying up the alleged abstract idea nor pre-empting others from using the alleged abstract idea. It does not pose a risk for a number of reasons, one of which is that Claim 1 does not pose a risk because claim 1 includes multiple limitations in addition to limitations that may arguably be said to recite the alleged abstract idea of "currency conversion for trading various assets in a preferred currency". Specifically, Claim 1 recites *"the*

trading server is configured to calculate the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place". It is well known in the art that a computing device must be specifically programmed and in communication with different other computing devices in order to achieve the combined acts recited in Claim 1.

The Federal Circuit stated that the Enfish claims were not ones in which general-purpose computer components are added after the fact to a fundamental economic practice or mathematical equation, but were directed to a specific implementation of a solution to a problem in the software arts, and concluded that the Enfish claims were thus **not** directed to an abstract idea (under Step 2A).

Accordingly, Claim 1, on its face, recites "significantly more" than the alleged abstract idea because Claim 1 includes at least an action in addition to the actions that may be said to recite or describe the alleged abstract idea. The rejections of Claims 1-36 shall be withdrawn.

3) **Interprets or describes a claim at a high level of abstraction untethered from the language of the claim when determining the focus of the claimed invention**

When an examiner has concluded that certain claim elements recite well understood, routine, conventional activities in the relevant field of art, the rejection should explain why the courts have recognized, or those in the field would recognize, the additional elements when taken both individually and as a combination to be well-understood, routine, conventional activities. The Office Action interprets the pending claims by simply stating the claims are directed to the abstract ideas of a fundamental economic principle (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in).

As indicated above, the area of the instant application is related to an economic practice only be accomplished with uniquely combined computing technologies. The Examiner should keep in mind that the courts have held computer-

implemented processes to be significantly more than an abstract idea (and thus eligible), where generic computer components are able in combination to perform functions that are not merely generic *(DDR).*

Claim 1 recites at least limitations *"the trading server is configured to derive the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user before the transaction takes place" and "the trading server is configured to update the prevailing exchange rate from the one or more currency exchange servers at a minimum cost to the user right before the transaction takes place".* It is well known in the art that a computing device must be specifically programmed and in communication with different other computing devices in order to achieve the combined acts recited in Claim 1. It is believed that the additional element (i.e., the limitations) is enough to qualify as "significantly more" because it meaningfully adds a specific limitation other than what is well-understood, routine, conventional activity in the field or unconventional steps that confine the claim to a particular useful application. Accordingly, the rejections of Claims 1-36 shall be withdrawn.

4) **Fail to realize the fact that an invention's ability to run on a general purpose computer does not automatically doom the claim**

On Page 3 of the Office Action, one of the reasons that rendered the pending claims as abstract idea is that the servers being recited are considered generic computers that only behave in the well-understood, routine, and conventional way that servers are meant to perform and do not confer patent eligibility. However, the Federal Circuit in *Enfish* stated that an invention's ability to run on a general purpose computer does not automatically doom the claim.

As argued above, nevertheless, many actions recited in Claim 1 may be executed on a general purposes computer but a computing device has to be specifically programmed to carry out the limitation *"the trading server is configured to calculate the prevailing exchange rate right from the one or more currency exchange servers at a minimum cost to the user before the transaction takes place".* The

aforementioned action or limitation is *NOT* well-understood, routine or conventional in the field and confine the abstract idea that is being alleged in claim 1 to a particular useful application. Accordingly, the rejections of Claims 1-36 shall be withdrawn.

Conclusion

Applicant respectfully reminds the Examiner that the Supreme Court has cautioned tribunals and agencies to "tread carefully" when excluding subject matter under § 101. *Alice,* 573 U.S. at_ (slip. op. at 6) (citing *Diamond v. Chakrabarty,* 447 U.S. 303 (1980)). In particular, the Court specifically noted that all should "tread carefully in construing this exclusionary principle lest it swallow all of patent law." *Id.* at_ (slip op. at 15). This is because "[a]t some level, 'all inventions . . . embody, use, reflect, rest upon, or apply laws of nature, natural phenomena, or abstract ideas." *Id.* This admonition was echoed by the Office's *Memorandum: Alice* "neither creates a per se excluded category of subject matter, such as software or business methods, nor imposes any special requirements for eligibility of software or business methods." Memorandum, p. 1.

Based on the foregoing, Applicant submits that Claims 1-36 are not directed to an abstract idea and therefore requests that the rejection of these claims be withdrawn.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,

Efiled via USPTO efile-system

On **June 9, 2016**

/ joe zheng /
Joe Zheng

Respectfully submitted

/ joe zheng /
Joe Zheng
Reg. No.: 39,450

Electronic Acknowledgement Receipt

EFS ID:	26020048
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	09-JUN-2016
Filing Date:	18-APR-2007
Time Stamp:	16:04:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	ResponseToFirstOARCE2.pdf	186409 a3492889387fc22181f14684bf40b54b6474749b	no	20

Warnings:	
Information:	

Total Files Size (in bytes):	186409

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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.

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/736,583	Filing Date 04/18/2007	☐ 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	06/09/2016	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $20 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $105 =	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
/MARGARET BYARS/

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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 03/14/2016

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EXAMINER
CAMPBELL, KELLIE L

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
03/14/2016	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):

uspatents@sbcglobal.net

Office Action Summary	Application No. 11/736,583	Applicant(s) BENMOHA, JACKY	
	Examiner KELLIE CAMPBELL	Art Unit 3691	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 *August 13, 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) *1-36* 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) *1-36* 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)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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.

DETAILED ACTION

1. The following is a non-final Office action on the merits in response to the reply received on August 13, 2015. Claims 1-2, 9-10, and 19 are amended. No claims are cancelled and no claims are added. **Therefore, Claims 1-36 are pending and examined.**

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 13, 2015 has been entered.

Response to Amendment

3. Applicant's amendments to Claims 1-2, 9-10, and 19 are insufficient to overcome the 35 USC 101 rejection set forth in the previous Office action. The rejection is maintained.

Response to Arguments

4. Applicant argues that the Examiner has not established a prima facia case of unpatentablilty because the examiner's burden is only met by clearly articulating the reason(s) why the claimed invention is not eligible, for example by providing a reasoned rationale that identifies the judicial exception recited in the claim and why it is considered an exception, and that identifies the additional elements in the claim (if any) and explains why they do not amount to significantly more than the exception.

Examiner respectfully disagrees. Examiner explained in the previous Office action why the claims are and abstract idea and why they don't amount to significantly more than the abstract idea itself.

5. Applicant argues that Claims 1-36 have not been considered as a whole.

Examiner respectfully disagrees. Examiner has considered the invention as a whole. Applicant's claims 1-36 amount to steps that do nothing more than spell out what it means to "apply it on a computer" and thus cannot confer patent eligibility. *Alice* 134 S. Ct. at 2359 (warning against a § 101 analysis that turns on the draftsman's art (citing *Flook*, 437 U.S. at 593)). Requiring the use of a "software" "brain" "tasked with tailoring information and providing it to the user" provides no additional limitation beyond applying an abstract idea, restricted to the Internet, on a generic computer.

6. Applicant argues that the claims are not directed to an abstract idea because of the use of multiple servers and because the claims are allowable under 35 USC 102 and 103 they are not directed to a fundamental economic practice.

Examiner respectfully disagrees. Applicant is conflating rejections under 102 and 103 with a rejection under 35 USC 101. The servers are generic computers that only behave in the well-understood, routine, and conventional way that servers are meant to perform and do not confer patent eligibility.

7. Applicant argues that the instant claims are directed to patent-eligible subject matter because, for example, the claims include specific meaningful limitations that must be performed on specific hardware configured to perform a number of steps and sub-steps that incorporate the claimed features and are an improvement over systems without them, the claimed steps cannot be performed manually, the claims are not directed to similar or substantially similar methods of currency conversion for trading various assets in a preferred currency regardless of

where an asset is traded and what currency an asset is traded in previously used, the claims do not preempt or tie-up currency conversion or trading, and qualify as being "significantly more" than the judicial exception itself.

Examiner respectfully disagrees. In Alice Corp., the Supreme Court emphasized the "Mayo framework,". Step two of the Supreme Court's "Mayo framework" requires that we consider the elements of the claim and determine whether there is "an element or combination of elements that is 'sufficient to ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.'" Alice Corp., 134 S.Ct. at 2355 (quoting Mayo,132 S.Ct. at 1294). The relevant inquiry here is whether "additional substantive limitations . . . narrow, confine, or otherwise tie down the claim so that, in practical terms, it does not cover the full abstract idea itself." Accenture Global Servs., GmbH v. Guidewire Software, Inc., 728 F.3d 1336, 1344–45 (Fed. Cir. 2013) (internal quotations and citation omitted). The Supreme Court in Alice Corp. cautioned that merely limiting the use of an abstract idea "to a particular technological environment" or implementing the abstract idea on a "wholly generic computer" is not sufficient as an additional feature to provide "practical assurance that the process is more than a drafting effort designed to monopolize the [abstract idea] itself." Alice Corp., 134 S.Ct. at 2358 (citations omitted). The instant claims do not require any specialized hardware and only recite common computer elements, e.g., "computing device " and "server", recognized as generic computer technology by the Supreme Court in Alice Corp. see Alice Corp., 134 S. Ct. at 2357; Ultramercial, 772 F.3d at 713, 722–23. The Supreme Court, however, has stated expressly that simply executing an abstract concept on a computer does not render a computer "specialized," nor does it automatically transform a patent-ineligible claim into a patent-eligible one. See Alice Corp., 134 S.Ct. at 2358 ("[T]he mere recitation of a generic computer cannot transform a patent-ineligible abstract idea into a patent-eligible invention. . . .

Given the ubiquity of computers, wholly generic computer implementation is not generally the sort of additional featur[e] that provides any practical assurance that the process is more than a drafting effort designed to monopolize the [abstract idea] itself.") (citations and quotation marks omitted); Bancorp Servs., L.L.C. v. Sun Life Assurance Co., 687 F.3d1266, 1280 (Fed. Cir. 2012). Consequently, Examiner determined that the instant claims' purported use of a generic computer, configured to perform the steps recited in the claims, does not confer patent eligibility, similar to the claims at issue in Alice Corp. See Dealertrack, Inc. v. Huber,674 F.3d 1315, 1334 (Fed. Cir. 2012) ("In considering patent eligibility under § 101, one must focus on the claims."). The claims contemplate using a generic computer to perform "'well understood, routine, conventional activit[ies]' previously known to the industry." Alice Corp., 134 S.Ct. at 2359 (quoting Mayo, 132 S.Ct. at 1294); see Mayo, 132 S.Ct. at 1300 ("simply appending conventional steps, specified at a high level of generality, to laws of nature, natural phenomena, and abstract ideas cannot make those laws, phenomena, and ideas patentable"). The instant claims are patent ineligible because the claims do nothing more than automate an abstract and mental calculation for currency conversion ("[u]sing a computer to accelerate an ineligible mental process does not make that process patent-eligible")). The abstract idea of the claims is not only currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in in general, but also the specific type of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in claimed in each claim. Furthermore, limiting an abstract idea to a specific field of use or adding token post-solution activity does not make an abstract idea patentable. Diehr, 450 U.S. at 191–92; Parker v. Flook, 437 U.S. 584, 590 (1978) ("[t]he notion that post-solution activity, no matter how conventional or obvious in itself, can transform an unpatentable principle into a patentable

process exalts form over substance"). Therefore, the limitations of the instant claims do not meaningfully limit the claims beyond the claimed abstract idea of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in, and, in practical terms, preempt the abstract idea of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in. Therefore, the 35 USC 101 rejection is maintained.

8. ***Examiner notes that additional references concerning 35 USC 101 can be found on the USPTO website at http://www.uspto.gov/patent/laws-and-regulations/examination-policy/2014-interim-guidance-subject-matter-eligibility-0.***

Claim Rejections - 35 USC § 101

9. 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.

10. **Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

11. **As per Claims 1-36**, the claimed invention is directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed to the abstract ideas of a fundamental economic principle (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in). The additional elements or combination of elements in the

claims other than the abstract idea *per se* amounts to no more than: (i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry. Viewed as a whole, these additional claim element(s) do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself. The elements of the instant process, when taken in combination, together do not offer substantially more than the sum of the functions of the elements when each is taken alone. That is, the elements involved in the recited process undertake their roles in performance of their activities according to their generic functionalities which are well-understood, routine and conventional. The elements together execute in routinely and conventionally accepted coordinated manners and interact with their partner elements to achieve an overall outcome which, similarly, is merely the combined and coordinated execution of generic computer functionalities which are well-understood, routine and conventional activities previously known to the industry. Therefore, the claims are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. *(See Alice Corporation Pty. Ltd. v. CLS Bank International, et al.*, 573 U.S. ____ (2014)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kellie Campbell whose telephone number is 571-270-6771. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander

Kalinowski can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6771.

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.

KC

/OLABODE AKINTOLA/

Primary Examiner, Art Unit 3691

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE CAMPBELL	3691

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

SEARCH NOTES		
Search Notes	Date	Examiner
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.
updated EAST Text Search	3/7/2016	KC

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	preferred with currency with prevailing	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/03/07 12:22
L2	178	(preferred or prevailing) with currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/03/07 12:22
L3	79	l2 and exchange and minimum	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/03/07 12:23
L4	8068	foreign near5 exchange	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/03/07 12:24
L5	29	l4 and l3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/03/07 12:24
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S2	41	(705/1).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:21
S3	444	(705/500).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:21
S4	5567	(705/35).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22
S5	3055	(705/36R).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22
S6	17838	(705/35-40).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22
S7	0	preferred with currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:23

S8	2463	exchange with rate with currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:23
S9	1451992	conversion or covert$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S10	1157	S9 and S8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S11	725	S10 and market	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S12	1433	market near5 currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S13	383	S12 and S8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
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S15	2	"20060173771".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/08 09:57
S16	2566	foreign with currency with exchange	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 14:25
S17	248	S16 and favorable	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 14:27
S18	28	S16 with favorable	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 14:27
S19	2566	foreign with currency with exchange	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 15:51
S20	96	S19 and market with compar$3 with (conditions or limit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 15:51
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S25	0	"200300236738".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 21:25
S26	3	"20030236738".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/07/01 21:25

EAST Search History (Interference)

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3/ 7/ 2016 1:08:12 PM
C:\ Users\ kcampbell\ Documents\ EAST\ Workspaces\ 11736583.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	**Art Unit**
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010	05/05/2015	03/07/2016					
	1	÷	✓	✓	✓					
	2	÷	✓	✓	✓					
	3	÷	✓	✓	✓					
	4	÷	✓	✓	✓					
	5	÷	✓	✓	✓					
	6	÷	✓	✓	✓					
	7	÷	✓	✓	✓					
	8	÷	✓	✓	✓					
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	35	÷	✓	✓	✓					
	36	÷	✓	✓	✓					

PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	11/736,583
Filing Date	04/18/2007
First Named Inventor	Jacky Benmoha
Group Art Unit	3691
Examiner Name	Kellie L. Campbell
Attorney Docket Number	SVPA-029

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: *37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.* See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 *Fed. Reg.* 50092 (Aug. 16, 2000); Interim Rule, 65 *Fed. Reg.* 14865 (Mar. 20, 2000), 1233 *Off. Gaz. Pat. Office* 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
   - a. ☐ Previously submitted
     - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
     - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
     - iii. ☐ Other _____
   - b. ☒ Enclosed
     - i. ☒ Amendment/Reply
     - ii. ☐ Affidavit(s)/Declaration(s)
     - iii. ☐ Information Disclosure Statement (IDS)
     - iv. ☐ Other _____
2. Miscellaneous
   - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)
   - b. ☐ Other _____
3. Fees — The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
   - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
     - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
     - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
     - iii. ☐ Other _____
   - b. ☒ Check in the amount of $ 800.00 enclosed Paid Via EFS
   - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Joe Zheng	Registration No. (Attorney/Agent)	39,450
Signature	/ joe zheng /	Date	08/13/2015

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Joe Zheng		
Signature	/ joe zheng /	Date	08/13/2015

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

Mail Stop: AF/RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Final Office Action

&

Preliminary Amendments to be entered in 2nd RCE filed concurrently

Dear Sir:

In response to the Final Office Action mailed on 05/13/2015, the Applicant respectfully requests the Examiner to withdraw the finality of the Office Action and reconsider the pending claims after entering the following amendments and reviewing the comments below.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 13 of this Response.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1-2, 9-10 and 19 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said causing a client computer associated with the trader to display at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is calculated from all exchange rates obtained from the one or more currency exchange servers;

~~determining in the trading server whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency;~~

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to ~~determine a~~ update the prevailing exchange rate from the one or more currency exchange servers ~~in favor of~~ at a minimum cost to the user before the transaction takes place when the asset is not priced in the preferred

currency, and executes the transaction with the updated prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the updated prevailing exchange rate.

2. (*Currently amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the updated prevailing currency exchange rate.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Previously amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Previously amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Previously amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server ~~that is~~ coupled over the Internet to at least ~~one~~ two currency exchange servers and at least one market exchange server;

~~receiving in the trading server~~ receiving an indication of a preferred currency from a trader;

displaying on a client computer associated with the trader at least an asset in the preferred currency while the asset is being traded in a market currency, wherein said displaying on a client computer associated with the trader at least an asset in the preferred currency comprises:

determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is calculated from all exchange rates obtained from the at least two currency exchange servers;~~determining in the trading server whether an asset is being chosen for trading;~~

~~determining in the trading server a market currency of the asset being traded over the market exchange server;~~

receiving an instruction from the trader to trade the asset, wherein the ~~determining in~~ the trading server is configured to update the~~a~~ prevailing currency exchange rate from the at least two currency exchange servers at a minimum cost to ~~in favor of~~ the user just before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the updated prevailing currency exchange rate; and

~~executing the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges; and~~

showing a settlement of the transaction in the preferred currency after the transaction of the asset is executed with the updated prevailing exchange rate to prevent uncertainty in currency exchanges.

10. (*Previously amended*) The method as recited in claim 9, wherein ~~said executing the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges~~ the transaction of the asset executed with the updated prevailing exchange rate comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the updated prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Previously amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Previously amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically a price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency in

accordance with an exchange rate from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged ~~regardless of whether the asset is traded in the preferred currency or the market currency~~;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to a currency exchange server and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter.

In the foregoing amendments and in view of July 2015 Update Interim Eligibility Guidance, the Applicant has amended claims 1-2, 9-10 and 19 to add additional "Something More", *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.,* 573 U.S._,_ (2014) (slip op. at 2, 6), to overcome the rejections of Claims 1-36 under USC 101. No new matters have been introduced.

As a result of the foregoing amendments, Claims 1-36 are still pending. Reconsideration of these claims is kindly requested in view of the amendments and following remarks.

Claim Rejection – 35 USC 101

Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Examiner alleges that the claimed invention is directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed to the abstract idea of a fundamental economic principle (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in).

The Applicant respectfully disagrees with the Examiner and submits the invention as claimed in view of the amendments is patent-eligible and is more than an abstract idea of a fundamental economic principle (i.e. hedging) and/or organizing human activity (i.e. making an agreement).

1. A Prima facie Case of Unpatentability Has Not Been Established

In the Office Action, Claims 1-36 were rejected under 35 U.S.C. §101 as being directed to an abstract idea. Applicant respectfully reminds the Examiner that the Examiner "bears the initial burden ... of presenting a *prima facie* case of unpatentability." *In re Oetiker,* 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992) and MPEP 2106(III). As explained in Section IV of the July 2015 Update Interim Eligibility Guidance (*published after the final rejection of this instant application was issued*), a prima facie case of eligibility requires the examiner to explain why a claim or claims are unpatentable clearly and specifically, so that applicant has sufficient notice and is able to effectively respond. For subject matter eligibility, the examiner's burden is only met by clearly articulating the reason(s) why the claimed invention is not eligible, for example by providing a reasoned rationale that identifies the judicial exception recited in the claim and why it is considered an exception, and that identifies the additional elements in the claim (if any) and explains why they do not amount to significantly more than the exception.

With regard to the present application, the Final Office Action fails to specifically point out factual evidence that supports a finding that Claims 1-36 are directed to an abstract idea. First, the Office Action simply states that the claims are directed to "a fundamental economic principle (i.e., currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in)" without identifying the relevant factors considered or providing any factual evidence to support this conclusion. Second, the Office Action states that " viewed as a whole, these additional claim element(s) do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself." without identifying the specific limitations considered or any support or rationale as to why these limitations are not enough to qualify as "something more." *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.,* 573 U.S._,_ (2014) (slip op. at 2, 6). Thus,

the Final Office Action fails to provide any clear rationale supporting the determination that Claims 1-36 are directed to an abstract without including limitations that are enough to qualify as "something more" than the abstract idea. Therefore, Applicant respectfully submits that the Examiner has not established a *prima facie* case of unpatentability, which would have allowed Applicant an opportunity to make specific arguments in response to the rejection. Accordingly, Applicant further submits that the Examiner's rejection was *void ab initio* and requests that the rejection be withdrawn.

Specifically, assuming the entry of the amendments, Claim 1 now recites "*causing a client computer associated with the trader to display at least an asset in the preferred currency*" and "*determining in the trading server a prevailing exchange rate between the preferred currency and the market currency, wherein the prevailing exchange rate is calculated from all exchange rates obtained from the one or more currency exchange servers*". In view of Claim 2 in the Example #1: Business Method in the July 2015 Update Interim Eligibility Guidance, the Applicant submits when looking at the additional limitations as an ordered combination, the invention as a whole amounts to significantly more than simply organizing and comparing data. Claim 1 as amended in the instant application addresses the Internet-centric challenge of providing a trader with time sensitive information and obtaining the updated prevailing exchange rate at a minimum cost to the trader from all exchange rates obtained from multiple currency exchange servers. These are meaningful limitations that add more than generally linking the use of the abstract idea (the general concept of organizing and comparing data) to the Internet, because they solve an Internet-centric problem with a claimed solution that is necessarily rooted in computer technology, similar to the additional elements in *DDR Holdings*. These limitations, when taken as an ordered combination, provide unconventional steps that confine the abstract idea to a particular useful application. Therefore, the claim recites patent eligible subject matter (Step 2B: YES). Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn.

2. *Each of Claims 1-36 Has Not Been Considered As a Whole*

Applicant respectfully reminds the Examiner that the Examiner should consider elements of each claim, both "individually" and "as an ordered combination" for purposes of determining whether the elements in the claims are directed to "something more" and are thereby transformed into a patent-eligible invention. *Alice,* 573 U.S. at_,_ (slip op. at 2, 6). In other words, the Examiner is to consider the recited invention in each claim as a whole. Applicant respectfully submits that the Examiner has engaged in impermissible piecemeal analysis in evaluating the claims for subject matter eligibility and has therefore not considered each of Claims 1-36 as a whole. Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn.

3. *Claims 1-36 are Not Directed to an Abstract Idea*

For a claim falling into one of the statutory classes of invention (i.e., process, machine, manufacture, or composition of matter), determining whether the claim is directed to nonstatutory subject matter follows a two-part analysis. The first part of the analysis requires determining whether the claim is directed to a judicial exception, i.e., a law of nature, a natural phenomenon, or an abstract idea. In this context, if an abstract idea is present in the claim, the second part of the analysis requires determining whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to *something more* than the abstract idea itself. *Alice,* 573 U.S. at_,_ (slip op. at 2, 6).

In *Alice,* four examples of abstract ideas were referenced: fundamental economic practices; certain methods of organizing human activities; abstract ideas themselves; and mathematical relationships and mathematical formulas. *Memorandum,* pp. 2-3.

i. Claims 1-36 are Not Directed to Fundamental Economic Practices

In *Alice,* the Supreme Court noted that the claims did no more than instruct the practitioner to implement the abstract idea of intermediated settlement on a generic

computer, added nothing of substance to the underlying abstract idea, and thus were patent ineligible subject matter. Applicant wishes to call the attention of Examiner to "a generic computer" which is fundamentally and operationally different from a generic computer. Further, the Court did not mention methods of performing a transaction involving multiple computers dedicated to perform certain tasks, which obviously prompted the concurring opinion to set forth its view that “any "claim that merely recites a method of performing a transaction does not qualify as a 'process' under §101. This should serve as reminder that examiners should be careful to avoid assuming that any and every claim in the business arts is an Abstract Idea.

Economic practices, nevertheless, are an area of primary concern for the Court, but not every economic practice is a fundamental building block. It is believed that the reason Examiner classifies Claims 1-36 reciting performing financial transactions as “fundamental” simply because they fall into the class itself. Claims 1-36 are more technical implementations of using multiple servers each dedicated to perform a certain task to together realize a controlled and collaborated operation that happens to be related to a finance-related transaction. The operations involve data distribution, data gathering, data analysis/comparison, data display and data transformation at a minimum cost to a trader. Like any other technical areas, Examiner should present evidence, such as citation to a reference such as finance or banking textbook or the like, to establish that the operations recited in Claims 1-36 related to an economic practice is fundamental. If the examiner can merely cite one or two items such as other patents or journal publications that disclose the same idea, that is still not sufficient evidence that the practice is fundamental, at best it suggests that the claim is anticipated. In the Final Office Action, Examiner has indicated that Claims 1-36 are allowable under 35 USC 102 and 35 USC 103, which indirectly means that claimed operations are not Fundamental Economic Practices. Thus, Applicant respectfully submits that Claims 1-36 are not directed to Fundamental Economic Practices and therefore requests that the rejection of these claims be withdrawn.

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ii. Claims 1-36 are Not Directed to Organizing Human Activities

In *Helios Software,* (*Helios Software, LLC. v. Spectorsoft Corp.*, 2014 U.S. Dist. LEXIS 135379 (D. Del, Sept. 18, 2014)), the court held that the asserted claims are not drawn to patent-ineligible subject matter because looking at the claim as a whole, the claim "relates to a computer-implemented method to transform data in a particular manner – by inserting an authenticity key to create formatted data, enabling a particular type of computer file to be located and from which an authenticity stamp is retrieved." As such, the claim as a whole was not directed to any "method of organizing human activity," "fundamental economic practice long prevalent in our system of commerce," nor "a building block of the modern economy." In Claim 1 of the instant application, the recited procedures "*the asset is being traded in a market currency but displayed in the preferred currency in accordance with an exchange rate from the one or more currency exchange servers, a value of the asset being displayed changes as the exchange rate changes, even when a value of the asset on the one or more market exchange servers remains unchanged*" and "*the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to determine a prevailing exchange rate from the one or more currency exchange servers in favor of the user before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time*" relate to a computer-implemented method to transform data distribution, data gathering, data analysis/comparison, data display and data transformation in a particular manner, and could not be performed by organizing human activities. Thus, Applicant respectfully submits that Claims 1-36 are not directed to methods of organizing human activities and therefore requests that the rejection of these claims be withdrawn.

iii. Claims 1-36 are Not Directed to Abstract Ideas

In *Alice,* the Supreme Court noted that an abstract idea itself is not eligible for patent protection since it is considered "a principle, an original cause, a motive."

Alice, 573 U.S. at_(slip op., at 7-8) (citing *Gottschalk v. Benson,* 409 US. 63, 67 (1972) and *Le Roy v. Tatham,* 55 U.S. (14 How.) 156 (1852)). The line of cases, *Le Roy, Rubber-Tip Pencil Co., Benson,* cited in *Alice* establish the longstanding principle that an idea of itself is not patentable: the abstract ideas in these cases are directed to discovered principles, prominent ideas in the mind, and generalized algorithms.

As shown in these cases that establish the longstanding principle that an idea of itself is not patentable, the Supreme Court has held that discovered principles, prominent ideas in the mind, and generalized algorithms are to be considered unpatentable abstract ideas. However, Claims 1-36 are not directed to any such exceptions as defined by the Supreme Court, rather Claims 1-36 are directed to facilitating traders in overseas to trade, e.g., US securities priced in US dollars in their local currency with a prevailing exchange rate at a minimum cost to the trader. The process involves controlled collaborations among different servers engaged to perform different functions over a data network (e.g., the Internet). As admitted by the Examiner, the process itself is new and patentable under 35 USC102 and 35 USC103. These recited procedures, for example, "*causing a client computer associated with the trader to display at least an asset in the preferred currency while the asset is being traded in a market currency*" cannot be performed by human beings or executed in a general computer. As a whole, the recitations in Claim 1 are not discovered principles, prominent ideas in the mind, or generalized algorithms. Rather, they are a practical application for facilitating traders in overseas to trade US securities priced in US dollars in their local currency with a prevailing exchange rate at minimum cost to him/her. Thus, Applicant respectfully submits that Claims 1-36 are not directed to an abstract idea and therefore requests that the rejection of these claims be withdrawn.

vi. Claims 1-36 are Not Directed to Mathematical Relationships or Formulas

Examiner does not seem to state that Claims 1-36 are directed to mathematical relationships or formulas.

vi. Something More

As discussed above, Applicant respectfully submits that Claims 1-36 are not abstract ideas under the first part of the two-part analysis. That is, Claims 1-36 do not fall within the judicial exception of an abstract idea. However, assuming *arguendo,* that Claims 1-36 were considered to be an abstract idea, Applicant respectfully submits that Claims 1-38 are directed *"something more"* than an abstract idea. *Alice,* 573 U.S. at_,_ (slip op. at 2, 6). As noted by the Court in *Alice,* non-limiting examples of *something more* that transforms an invention into patent-eligible subject matter include:

(1) Improvements to another technology or technical field. *Id.* at_ (slip op. at 2-3, 6, and 15) (quoting *Diamond* v. *Diehr,* 450 U.S. 175, 187 (1981)). (2) Improvements to the functioning of the computer itself. *Id.* (3) Meaningful limitations beyond generally linking the user of an abstract idea to a particular technological environment. *Id.* (quoting *Bilski,* 561 U.S., at 610-611). (4) A "new and useful application" of ineligible subject matter in the physical realm. *Id.* (quoting *Gottschalk* v. *Benson,* 409 U.S. 63, 67 (1972).

In the present application, Applicant respectfully submits that Claims 1-36 include (1) improvements to technology or technical field; (2) meaningful limitations beyond generally linking the user of an abstract idea to a particular technological environment; and (3) a "new and useful application" in the physical realm. In particular, Claims 1-36 are directed to facilitating traders in overseas to trade, e.g., US securities priced in US dollars in their local currency with a prevailing exchange rate at minimum cost to the trader. To do so, Claims 1-36 are directed to controlled collaborations among different servers engaged to perform different functions over a data network (e.g., the Internet). A general computer is not equipped to implement all of the recited procedures at one place. Data must be gathered, analyzed per a set of criteria and transformed from multiple sources on the Internet to deliver a result that is practical useful in real life, which cannot be performed in human's mind neither possibly by organizing human activities. Accordingly, Applicant respectfully submits

that Claims 1-36 are directed to something more and significantly more and therefore overcome and alleviate any abstract idea concerns. In fact, as noted by the Supreme Court in *Alice,* "the concern that drives this exclusionary principle [is] one of pre-emption." *Alice,* 573 U.S. at_ (slip op., at 5) (citing *Bilski,* 561 U.S. at 611-612 (2010)). Accordingly, once an identified abstract idea is practically applied so as not to pre-empt the underlying abstract idea that is the end of the analysis. Thus, regardless of whether Claims 1-36 are directed to an abstract idea, these claims recite *something more* than an abstract idea so as not to pre-empt the abstract idea itself. Accordingly, Applicant respectfully submits that Claims 1-36 are not directed to an abstract idea and therefore requests that the rejection of these claims be withdrawn.

4. Conclusion

Applicant respectfully reminds the Examiner that the Supreme Court has cautioned tribunals and agencies to "tread carefully" when excluding subject matter under§ 101. *Alice,* 573 U.S. at_ (slip. op. at 6) (citing *Diamond v. Chakrabarty,* 447 U.S. 303 (1980)). In particular, the Court specifically noted that all should "tread carefully in construing this exclusionary principle lest it swallow all of patent law." *Id.* at_ (slip op. at 15). This is because "[a]t some level, 'all inventions . . . embody, use, reflect, rest upon, or apply laws of nature, natural phenomena, or abstract ideas.'" *Id.* This admonition was echoed by the Office's *Memorandum: Alice* "neither creates a per se excluded category of subject matter, such as software or business methods, nor imposes any special requirements for eligibility of software or business methods." Memorandum, p. 1. Applicant further notes that abstract ideas are excluded from patent eligibility based on a concern of monopolizing "basic tools of scientific research and technological work." *Alice,* 573 U.S. at _ (slip op. at 6). Applicant respectfully submits that Claims 1-36 are not directed to basic tools of scientific research and technological work.

Based on the foregoing, Applicant respectfully submits that (1) the Examiner has not established a *prima facie* case of unpatentability, (2) the Examiner has not properly consider each of Claims 1-36 as a whole, (3) Claims 1-36 are not directed to

an abstract idea under the first part of the two-part analysis, and (4) assuming *arguendo* that Claims 1-36 are considered to be an abstract idea under the first part of the two-part analysis, Claims 1-36 recite *something more* under the second part of the two-part analysis. Accordingly, Applicant respectfully submits that Claims 1-36 are not directed to an abstract idea and therefore requests that the rejection of these claims be withdrawn.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

Respectfully submitted

/ joe zheng /

Reg. No.: 39,450

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
Efiled via USPTO efile-system

On **Aug. 13, 2015**

_/ joe zheng /_____
Joe Zheng

Doc Code: MES.GIB
Document Description: Certification of Micro Entity Status (Gross Income Basis)

PTO/SB/15A (07-14)

CERTIFICATION OF MICRO ENTITY STATUS
(GROSS INCOME BASIS)

Application Number or Control Number (if applicable):	Patent Number (if applicable):
11/736,583	
First Named Inventor:	**Title of Invention:**
Jacky Benmoha	Consolidated trading platform

The applicant hereby certifies the following—

(1) **SMALL ENTITY REQUIREMENT** – The applicant qualifies as a small entity as defined in 37 CFR 1.27.

(2) **APPLICATION FILING LIMIT** – Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights, or is obligated to assign all ownership rights, as a result of the applicant's previous employment.

(3) **GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS** – Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the "Maximum Qualifying Gross Income" reported on the USPTO Web site at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

(4) **GROSS INCOME LIMIT ON PARTIES WITH AN "OWNERSHIP INTEREST"** – Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the "Maximum Qualifying Gross Income" reported on the USPTO Web site at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

SIGNATURE by an authorized party set forth in 37 CFR 1.33(b)

Signature	/ joe zheng /				
Name	Joe Zheng				
Date	8/13/2015	Telephone	4087779877	Registration No.	39450

☐ There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. The required additional certification form(s) signed by the other joint inventor(s) are included with this form.

Electronic Acknowledgement Receipt

EFS ID:	23206971
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	13-AUG-2015
Filing Date:	18-APR-2007
Time Stamp:	19:17:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	RCEReqTrns2nd.pdf	123363 6a532aa9fb102f7279080f394155917b390a9e16	no	1

Warnings:

This is not a USPTO supplied RCE SB30 form.

Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	ResponseToFinalOARCE.pdf	207120 e766e0ef56a6666b9745f9642ba103720be306b7	no	22
Warnings:					
Information:					
3	Certification of Micro Entity (Gross Income Basis)	MicroEntityAsFiled.pdf	104991 46954de27dfcbfe4fadce06535119bd8af386f81	no	1
Warnings:					
Information:					
			Total Files Size (in bytes):	435474	

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.

Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Micro 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($)
Miscellaneous:				
RCE- 2nd and Subsequent Request	3820	1	425	425
		Total in USD ($)		**425**

Electronic Acknowledgement Receipt

EFS ID:	23206987
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	13-AUG-2015
Filing Date:	18-APR-2007
Time Stamp:	19:18:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$425
RAM confirmation Number	5087
Deposit Account	502436
Authorized User	ZHENG, JOE

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

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30353 ed012e35b7dcd265f833292c9d93a840b64532c5	no	2

Warnings:

Information:

Total Files Size (in bytes):	30353

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.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/736,583	Filing Date 04/18/2007	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) 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

AMENDMENT **08/13/2015**

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $0 =	0
Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $0 =	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

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) 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
/DEBORAH PORTER/

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

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 05/13/2015

LogicPatents, LLC
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015

EXAMINER	
CAMPBELL, KELLIE L	

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
05/13/2015	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):

uspatents@sbcglobal.net

Office Action Summary	Application No. 11/736,583	Applicant(s) BENMOHA, JACKY	
	Examiner KELLIE CAMPBELL	Art Unit 3691	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 *January 13, 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) *1-36* 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) *1-36* 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)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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.

DETAILED ACTION

1. The following is a final Office action on the merits in response to the reply received on . Claims 1-3, 6-8, 10, 13-14, 19-21, 25-26 and 28 are amended. No claims are cancelled and no claims are added. **Therefore, Claims 1-36 are pending and examined.**

Remarks

2. Claims 1, 9 (corrected from the previous Office action as it was a typographical error), and 27 (and the corresponding dependent claims) would be allowable if Applicant can overcome the 35 USC 101 rejection.

Response to Amendment

3. Applicant's amendments to Claims 1, 9, and 27 are insufficient to overcome the 35 USC 101 rejection set forth in the previous Office action. The rejection is maintained.

4. Applicant's amendments are sufficient to overcome the 35 USC 112 second paragraph rejection set forth in the previous Office action. The rejection is withdrawn.

Response to Arguments

5. Applicant argues that the instant claims are directed to patent-eligible subject matter because, for example, the claims include specific meaningful limitations that must be performed on specific hardware configured to perform a number of steps and sub-steps that incorporate the claimed features and are an improvement over systems without them, the claimed steps cannot be performed manually, the claims are not directed to similar or substantially similar methods of currency conversion for trading various assets in a preferred currency regardless of

where an asset is traded and what currency an asset is traded in previously used, the claims do not preempt or tie-up currency conversion or trading, and qualify as being "significantly more" than the judicial exception itself.

6. Examiner respectfully disagrees. In Alice Corp., the Supreme Court emphasized the "Mayo framework,". Step two of the Supreme Court's "Mayo framework" requires that we consider the elements of the claim and determine whether there is "an element or combination of elements that is 'sufficient to ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.'" Alice Corp., 134 S.Ct. at 2355 (quoting Mayo,132 S.Ct. at 1294). The relevant inquiry here is whether "additional substantive limitations . . . narrow, confine, or otherwise tie down the claim so that, in practical terms, it does not cover the full abstract idea itself." Accenture Global Servs., GmbH v. Guidewire Software, Inc., 728 F.3d 1336, 1344–45 (Fed. Cir. 2013) (internal quotations and citation omitted). The Supreme Court in Alice Corp. cautioned that merely limiting the use of an abstract idea "to a particular technological environment" or implementing the abstract idea on a "wholly generic computer" is not sufficient as an additional feature to provide "practical assurance that the process is more than a drafting effort designed to monopolize the [abstract idea] itself." Alice Corp., 134 S.Ct. at 2358 (citations omitted). The instant claims do not require any specialized hardware and only recite common computer elements, e.g., "computing device " and "server", recognized as generic computer technology by the Supreme Court in Alice Corp. see Alice Corp., 134 S. Ct. at 2357; Ultramercial, 772 F.3d at 713, 722–23. The Supreme Court, however, has stated expressly that simply executing an abstract concept on a computer does not render a computer "specialized," nor does it automatically transform a patent-ineligible claim into a patent-eligible one. See Alice Corp., 134 S.Ct. at 2358 ("[T]he mere recitation of a generic computer cannot transform a patent-ineligible abstract idea into a patent-eligible invention. . . .

Given the ubiquity of computers, wholly generic computer implementation is not generally the sort of additional featur[e] that provides any practical assurance that the process is more than a drafting effort designed to monopolize the [abstract idea] itself.") (citations and quotation marks omitted); Bancorp Servs., L.L.C. v. Sun Life Assurance Co., 687 F.3d1266, 1280 (Fed. Cir. 2012). Consequently, Examiner determined that the instant claims' purported use of a generic computer, configured to perform the steps recited in the claims, does not confer patent eligibility, similar to the claims at issue in Alice Corp. See Dealertrack, Inc. v. Huber,674 F.3d 1315, 1334 (Fed. Cir. 2012) ("In considering patent eligibility under § 101, one must focus on the claims."). The claims contemplate using a generic computer to perform "'well understood, routine, conventional activit[ies]' previously known to the industry." Alice Corp., 134 S.Ct. at 2359 (quoting Mayo, 132 S.Ct. at 1294); see Mayo, 132 S.Ct. at 1300 ("simply appending conventional steps, specified at a high level of generality, to laws of nature, natural phenomena, and abstract ideas cannot make those laws, phenomena, and ideas patentable"). The instant claims are patent ineligible because the claims do nothing more than automate an abstract and mental calculation for currency conversion ("[u]sing a computer to accelerate an ineligible mental process does not make that process patent-eligible")). The abstract idea of the claims is not only currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in in general, but also the specific type of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in claimed in each claim. Furthermore, limiting an abstract idea to a specific field of use or adding token post-solution activity does not make an abstract idea patentable. Diehr, 450 U.S. at 191–92; Parker v. Flook, 437 U.S. 584, 590 (1978) ("[t]he notion that post-solution activity, no matter how conventional or obvious in itself, can transform an unpatentable principle into a patentable

process exalts form over substance"). Therefore, the limitations of the instant claims do not meaningfully limit the claims beyond the claimed abstract idea of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in, and, in practical terms, preempt the abstract idea of currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in. Therefore, the 35 USC 101 rejection is maintained.

7. ***Examiner notes that additional references concerning 35 USC 101 can be found on the USPTO website at http://www.uspto.gov/patent/laws-and-regulations/examination-policy/2014-interim-guidance-subject-matter-eligibility-0.***

Claim Rejections - 35 USC § 101

8. 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.

9. **Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

10. **As per Claims 1-36**, the claimed invention is directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed to the abstract ideas of a fundamental economic principle (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded) and/or method of organizing human activity (i.e. currency conversion for trading various assets in a preferred currency regardless of where an asset is traded and what currency an asset is traded in). The additional elements or combination of elements in the

claims other than the abstract idea *per se* amounts to no more than: (i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry. Viewed as a whole, these additional claim element(s) do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself. The elements of the instant process, when taken in combination, together do not offer substantially more than the sum of the functions of the elements when each is taken alone. That is, the elements involved in the recited process undertake their roles in performance of their activities according to their generic functionalities which are well-understood, routine and conventional. The elements together execute in routinely and conventionally accepted coordinated manners and interact with their partner elements to achieve an overall outcome which, similarly, is merely the combined and coordinated execution of generic computer functionalities which are well-understood, routine and conventional activities previously known to the industry. Therefore, the claims are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. *(See Alice Corporation Pty. Ltd. v. CLS Bank International, et al.*, 573 U.S. ____ (2014)).

Conclusion

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

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.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kellie Campbell whose telephone number is 571-270-6771. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6771.

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.

KC

/OLABODE AKINTOLA/

Primary Examiner, Art Unit 3691

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010	05/05/2015						
	1	÷	✓	✓						
	2	÷	✓	✓						
	3	÷	✓	✓						
	4	÷	✓	✓						
	5	÷	✓	✓						
	6	÷	✓	✓						
	7	÷	✓	✓						
	8	÷	✓	✓						
	9	÷	✓	✓						
	10	÷	✓	✓						
	11	÷	✓	✓						
	12	÷	✓	✓						
	13	÷	✓	✓						
	14	÷	✓	✓						
	15	÷	✓	✓						
	16	÷	✓	✓						
	17	÷	✓	✓						
	18	÷	✓	✓						
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	29	÷	✓	✓						
	30	÷	✓	✓						
	31	÷	✓	✓						
	32	÷	✓	✓						
	33	÷	✓	✓						
	34	÷	✓	✓						
	35	÷	✓	✓						
	36	÷	✓	✓						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

January 13, 2014

Mail Stop: No-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to First Office Action (RCE)

Dear Sir:

In response to the Office Action mailed on 10/27/2014, please amend the above-identified application before reconsidering the pending claims.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 13 of this Response.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1-3, 6-8, 10, 13-14, 19-21, 25-26 and 28 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

determining in the trading server whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server is configured to determines a prevailing exchange rate from the one or more currency exchange servers in favor of the user just before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the prevailing exchange rate.

2. (*Currently amended*) The method as recited in claim 1, wherein said conducting in the trading server a transaction of the asset comprises:

monitoring the conditions in conjunction with the one or more currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the prevailing currency exchange rate.

3. (*Currently amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the one or more currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the one or more currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Currently amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction ~~amount~~ comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate in conjunction with the one or more currency exchange servers and the market exchange server to ensure that the

transaction only happens when the conditions are met with the prevailing exchange rate.

7. (*Currently amended*) The method as recited in claim 6, wherein said monitoring the conditions ~~for currency conversion~~ comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Currently amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine ~~the~~ a first portion of the transaction that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on ~~the~~ a second portion of the transaction that was bought or sold from another trader with a different preferred currency.

9. (*Previously amended*) A method for providing a consolidated trading platform, the method comprising:

accessing a trading server that is coupled over the Internet to at least one currency exchange server and at least one market exchange server;

receiving in the trading server an indication of a preferred currency from a trader;

determining in the trading server whether an asset is being chosen for trading;

determining in the trading server a market currency of the asset being traded over the market exchange server;

determining in the trading server a prevailing currency exchange rate from the currency exchange server in favor of the user just before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded over the market exchange server, the price shown in the trading server being in the preferred currency in conjunction with the prevailing currency exchange rate;

executing the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

showing a settlement of the transaction in the preferred currency.

10. (*Currently amended*) The method as recited in claim 9, wherein said executing the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency by the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Previously amended*) The method as recited in claim 10, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Currently amended*) The method as recited in claim 9, wherein said determining in the trading server whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

14. (*Currently amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically ~~the~~ a price of the asset being traded from the market exchange servers;

prevailing periodically the currency exchange rate from the currency exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Previously amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Previously amended*) The method as recited in claim 9, further comprising:
analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different.

18. (*Previously amended*) The method as recited in claim 16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to at least one currency exchange server and at least one market exchange server;

receiving an indicator of a preferred currency from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency;

conducting a transaction of the asset by transmitting a transaction request from the trading server to the market exchange server when the trader decides to proceed with trading the asset;

receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange rate from the currency exchange server in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

performing a currency conversion of some portion or all of the transaction ~~amount~~ from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed with the prevailing exchange rate.

20. (*Currently amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction to take place; and

monitoring a prevailing exchange rate with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.

21. (*Currently amended*) The non-transitory computer-readable storage medium as recited in claim 20, wherein said monitoring a prevailing exchange rate with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 22, wherein the transaction is conducted across at least two countries.

24. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency comprises:

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Currently amended*) The non-transitory computer-readable storage medium as recited in claim 24, wherein said monitoring the conditions for currency conversion comprises

determining how much of ~~an~~ the asset has been transacted on a market exchange; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Currently amended*) The non-transitory computer-readable storage medium as recited in claim 19, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction ~~amount~~ comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when the first portion of the transaction was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

performing a currency conversion only on the second portion of the transaction where the second portion was bought or sold from another trader with a different preferred currency.

27. (*Previously amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform, a trading server configured to execute the software product to perform operations comprising:

coupling the trading server to a currency exchange server and a market exchange server;

receiving an indicator of a preferred currency by a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late; and

showing a settlement of the transaction of the asset in the preferred currency.

28. (*Currently amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

conducting the transaction of the asset when the trader decided to proceed with trading the asset; and

performing a currency exchange of the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 31, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

retrieving periodically the price of the asset being traded from the market exchange server;

prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 27, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is

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identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Previously amended*) The non-transitory computer-readable storage medium as recited in claim 35, wherein the transaction is conducted across at least two countries.

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REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-36 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter.

The Examiner is appreciated for the thoughtful review and indication of certain claims allowable if the Applicant can overcome the 35 USC 101 rejection and the 35 USC 112, second paragraph rejection. In the foregoing amendments, the Applicant has amended claims 1-3, 6-8, 10, 13-14, 19-21, 25-26 and 28 to correct some informalities pointed by the Examiner and noticed by the Applicant. No new matters have been introduced.

As a result of the foregoing amendments, Claims 1-36 are still pending. Reconsideration of these claims is kindly requested in view of the amendments and following remarks.

Claim Rejection – 35 USC 112

Claim 1 has been amended. It is believed that the rejection under 35 USC 112, second paragraph rejection, shall have been overcome.

Claim Rejection – 35 USC 101

Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Examiner alleges that the claimed invention is directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed to the abstract idea of a fundamental economic practice (i.e. hedging) and/or a method of organizing human activity (i.e. making an agreement).

The Applicant respectfully disagrees with the Examiner and submits the invention as claimed does not involve an abstract idea and is more than an abstract

idea of a fundamental economic practice (i.e. hedging) and/or organizing human activity (i.e. making an agreement). To determine if an application is patent eligible, the MEMORANDUM, entitled " Preliminary Examination Instructions in view of the Supreme Court Decision in Alice Corporation Pty. Ltd. v. CLS Bank International, et al." and dated June 25, 2014, requires a Two-part Analysis for Abstract Ideas.

Part I: Determine whether the claim is directed to an abstract idea

The Applicant submits that Claims 1-18 are directed to a method implemented in a computing device for trading an asset in a preferred currency (e.g., Japanese Yuan or Chinese RMB vs. a market currency US$) with a prevailing exchange rate, where the prevailing exchange rate has to be obtained electronically from another computing device (e.g., a currency exchange server) in favor of a trader before the transaction takes place. In other words, there is no way for a human being to determine such a prevailing exchange rate at the time of a transaction taking place. Accordingly, the Applicant submits Claim 1 could not be performed mentally or without any computing devices. Claims 1-18 satisfy the statutory requirement that "*software-implementation is used to create a machine when a computer is included in the claims as having its operation controlled by the software-implementation*". Specifically, Claim 1 recites "*the trading server is configured to determine a prevailing exchange rate from the one or more currency exchange servers before the transaction takes place*", "*executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time*". Operationally, these functions could not be performed by human beings.

Given the substance and data manipulation operations in Claim 1 or 9, it is believed that the Examiner would appreciate that Claim 1 or 9 is not involved in any of the following:

- Fundamental economic practices;
- "Certain methods" of organizing human activities;
- "[A]n idea of itself "; and
- Mathematical relationships/formulas.

Claim 1 or 9 is evident to those skilled in the art that it is NOT a generic computer function, neither a well-understood routine nor a conventional activity. Accordingly, Claims 1-18 are believed to satisfy the statutory subject matter requirement. The Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-18 under 35 USC 101.

Part 2: If an abstract idea is present in the claim, determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to significantly more than the abstract idea itself

Should the Examiner disagree with the Applicant regarding whether Claim 1 or 9 recites an abstract idea or not, the part 2 of the MEMORANDUM provides a venue to further determine if Claim 1 or 9 is patent eligible or not. *An invention is not ineligible simply because it involves an abstract idea*.

From a real-life perspective, the invention as claimed in Claim 1 or 9 requires a computing device must be specifically programmed according to one embodiment of the instant invention or execute a software-based product implementing one embodiment of the instant invention. There are at least three types of server computers involved to perform a transaction in the instant invention, a trading server, a currency exchange server and a market exchange server. Because of the rapid changes in market value of the asset and currency exchange rates, these server computers must be put into a collaborative environment to execute the transaction in favor to the trader.

Those skilled in the art understand that the above functions would not be simply performed in a generic computer. First of all, the trading server recited in Claim 1 must be specifically programmed to work with a currency exchange server and a market exchange server prior to an transaction taking place. In order to work with the currency exchange server and the market exchange server, the trading server must be configured to perform a series of data manipulation operations to obtain a prevailing exchange rate from the currency exchange server before the transaction takes place. Considering Claim 1 as a whole, the Applicant submits Claim

1 does amount to significantly more than the abstract idea itself. There are sufficient elements or combinations of elements in Claim 1 to show a patent-eligible application of the abstract idea from Part 1 should the Examiner consider Claim 1 involves an abstract idea.

35 USC 101 is broad and general in its language describing patentable subject matter: "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." Patentable statutory subject matter is seen to be either a useful "process," "machine," "article of manufacture" or "composition of matter." Thus, this statute limits patent protection to inventions that possess a certain level of real world value as opposed to those that just represent nothing more than an idea or concept. Evidently, Claim 1 is directed to a useful "process" or "machine". Accordingly, Claims 1-18 are believed to satisfy the statutory subject matter requirement. The Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-18 under 35 USC 101.

Claims 19-36 are directed to a non-transitory computer-readable storage medium. Without repeating the same, the Applicant wishes to rely upon the above reasoning supporting Claims 1-18 to support Claims 19-36, and submits Claims 19-36 present a certain level of real world value and would not be simply performed in a generic computer. Accordingly, Claims 19-36 are believed to satisfy the statutory subject matter requirement. The Applicant respectfully requests the Examiner to withdraw the rejection of Claims 19-36 under 35 USC 101.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,

Efiled via USPTO efile-system

On **01/13/2015**

_____ / joe zheng / _____
Joe Zheng

Respectfully submitted

/ joe zheng /

Joe Zheng
Reg. No.: 39,450

Electronic Acknowledgement Receipt

EFS ID:	21200784
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	13-JAN-2015
Filing Date:	18-APR-2007
Time Stamp:	19:01:58
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	ResponseTo1stOARCE.pdf	130671 6b921ff61708d4b7568cad33cb5c4430155e624c	no	17

Warnings:	
Information:	

Total Files Size (in bytes):	130671

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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.

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/736,583	Filing Date 04/18/2007	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) 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

AMENDMENT

01/13/2015	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $210 =	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

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) 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
/TRINA STEPTOE/

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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 10/27/2014

SILICON VALLEY PATENT AGENCY
21701 Stevens Creek Boulevard, #284
CUPERTINO, CA 95015

EXAMINER	
CAMPBELL, KELLIE L	
ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
10/27/2014	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):

uspatents@sbcglobal.net

Office Action Summary	Application No. 11/736,583	Applicant(s) BENMOHA, JACKY	
	Examiner KELLIE CAMPBELL	Art Unit 3691	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 *3/25/2011*.

☐ 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) *1-36* 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) *1-36* 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)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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.

DETAILED ACTION

1. The following is a non-final Office Action on the merits in response to the reply to the restriction requirement dated August 14, 2010. No Claims are added. No claims are cancelled. Claims 1, 6, 8-11, 13-14, and 16-36 are amended. **Therefore, Claims 1-36 are examined below.**

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 25, 2011 has been entered.

Remarks

3. Claims 1, 8, and 27 would be allowable if Applicant can overcome the 35 USC 101 rejection and the 35 USC 112, second paragraph rejection.

Response to Amendment

4. Applicant's amendments to Claims 1 and 19 are sufficient to overcome the 35 U.S.C. 101 rejection set forth in the previous Office action. The rejection is withdrawn.

Response to Arguments

5. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

6. 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.

7. **Claims 1-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

8. **As per Claims 1-36**, the claimed invention is directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed to the abstract idea of a fundamental economic practice (i.e. hedging) and/or a method of organizing human activity (i.e. making an agreement). The additional elements or combination of elements in the claims other than the abstract idea *per se* amounts to no more than: (i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry. Viewed as a whole, these additional claim element(s) do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself. Therefore, the claim(s) are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claim Rejections - 35 USC § 112

The following is a quotation of 35 U.S.C. 112(b):

> (b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.
>
> The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim 1 recites just before the transaction takes place when the asset is not priced in the preferred currency. This recitation is confusing because it is unclear the degree of "before" intended by "just before". Clarification is required. Examiner will interpret "just before" to mean anytime before.

Conclusion

Any inquiry concerning this communication on or earlier communications from the examiner should be directed to Kellie Campbell whose telephone number is (571) 270- 5495. The examiner can normally be reached on Monday through Thursday, 6:30 am to 5 pm est. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

K.C.
/OLABODE AKINTOLA/

Primary Examiner, Art Unit 3691

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010							
	1	÷	✓							
	2	÷	✓							
	3	÷	✓							
	4	÷	✓							
	5	÷	✓							
	6	÷	✓							
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	32	÷	✓							
	33	÷	✓							
	34	÷	✓							
	35	÷	✓							
	36	÷	✓							

PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	**11/736,583**
Filing Date	**04/18/2007**
First Named Inventor	**Jacky Benmoha**
Group Art Unit	**3691**
Examiner Name	**Kellie L. Campbell**
Attorney Docket Number	**SVPA-029**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: *37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.* See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 *Fed. Reg.* 50092 (Aug. 16, 2000); Interim Rule, 65 *Fed. Reg.* 14865 (Mar. 20, 2000), 1233 *Off. Gaz. Pat. Office* 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
   - a. ☐ Previously submitted
     - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
     - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
     - iii. ☐ Other _____
   - b. ☒ Enclosed
     - i. ☒ Amendment/Reply
     - ii. ☐ Affidavit(s)/Declaration(s)
     - iii. ☐ Information Disclosure Statement (IDS)
     - iv. ☐ Other _____
2. Miscellaneous
   - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)
   - b. ☐ Other _____
3. Fees — The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
   - a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No._____
     - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
     - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
     - iii. ☐ Other _____
   - b. ☒ Check in the amount of $ 960.00 enclosed Paid Via EFS
   - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	**Joe Zheng**	*Registration No. (Attorney/Agent)*	**39,450**
Signature	/ joe zheng /	*Date*	3/25/2011

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	**Joe Zheng**		
Signature	/ joe zheng /	*Date*	3/25/2011

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

March 25, 2011

Mail Stop: AF/RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Final Office Action

Preliminary amendments to be entered in a RCE filed concurrently

Dear Sir:

In response to the Office Action mailed on 10/27/2010, please amend the above-identified application before reconsidering the pending claims.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2 of this Response.

REMARKS/ARGUMENTS begin on page 13 of this Response.

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Askeladden, L.L.C. Page 252 of 399

AMENDMENTS TO THE CLAIMS

Please amend Claims 1, 6, 8-11, 13-14 and 16-36 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

~~establishing~~ providing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency from a trader;

determining in the trading server whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency;

conducting in the trading server a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed;

receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines ~~first~~ a prevailing exchange rate ~~among~~ from the currency exchange servers in favor of the user just before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the prevailing exchange rate.

2. (*Previously amended*) The method as recited in claim 1, wherein said conducting a transaction of the asset comprises:

monitoring the conditions in conjunction with the currency exchange servers and the market exchange server; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the prevailing currency exchange rate.

3. (*Previously amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Currently amended*) The method as recited in claim 1, wherein said performing a currency conversion of the transaction amount comprises:

receiving a set of conditions for the transaction to take place; and

monitoring the prevailing exchange rate ~~conditions for currency conversion~~ in conjunction with the currency exchange servers and the market exchange

server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.~~, and~~

~~performing the currency conversion only when the conditions for currency conversion have been met.~~

7. (*Previously amended*) The method as recited in claim 6, wherein said monitoring the conditions for currency conversion comprises

determining how much of the asset has been transacted on a market exchange server; and

determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Currently amended*) The method as recited in claim 1, wherein the transaction includes first and second portions, and said performing a currency conversion of some portion or all of the transaction comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine ~~any~~ the first portion of the transaction ~~thereof~~ that was bought or sold from another trader with the same preferred currency as the trader was performing the transaction; and

performing the currency conversion only on ~~that~~ the second portion of the transaction ~~where that portion~~that was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

~~establishing~~ accessing a trading server that is coupled over the Internet to at least one ~~or more~~ currency exchange server~~s~~ and at least one ~~or more~~ market exchange server~~s~~;

receiving in the trading server an indication of a preferred currency from a trader;

determining in the trading server whether an asset is being chosen for trading;

determining in the trading server a market currency of the asset being traded over the market exchange server;

determining in the trading server a prevailing currency exchange rate from the ~~one or more market~~ currency exchange server~~s~~ in favor of the user just before an transaction pertaining to the asset happens when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded ~~from~~ over the ~~one or more~~ market exchange server~~s~~, the price shown in the trading server being in the preferred currency in conjunction with the prevailing currency exchange rate;

executing ~~a~~ the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

showing a settlement of the transaction ~~of the asset~~ in the preferred currency.

10. (*Currently amended*) The method as recited in claim 9, ~~further comprising~~wherein said executing the transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges comprises:

conducting the transaction of the asset between the trading server and the market exchange server when the trader decided to proceed; and

performing a currency exchange of ~~a~~ the settlement in the market currency to the preferred currency by the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Currently amended*) The method as recited in claim 10, wherein the currency exchange is conducted in ~~the one or more~~ the currency exchange server~~s~~ per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Currently amended*) The method as recited in claim 9, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the ~~one or more~~ currency exchange server~~s~~ and the market exchange server~~s~~.

14. (*Currently amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the ~~one or more~~ currency exchange server~~s~~ and the market exchange server~~s~~ further comprises:

retrieving periodically the price of the asset being traded from the ~~one or more~~ market exchange servers~~;~~

prevailing periodically the currency exchange rate from the ~~one or more market~~ currency exchange server~~s~~ when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Currently amended*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without involving the currency exchange server.

17. (*Currently amended*) The method as recited in claim 9, further comprising:

analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset ~~can be~~ are matched without currency

conversion, when the preferred currency of the ~~two~~ traders~~s~~ is identical to a currency of the another trader while ~~and~~ the market currency of the two traders is different.

18. (*Currently amended*) The method as recited in claim ~~9~~16, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform ~~and executable in a computer system~~, a trading server configured to execute the software product to perform operations comprising:

~~programming code for~~ coupling ~~a~~ the trading server to ~~one or more~~at least one currency exchange server~~s~~ and at least one ~~or more~~ market exchange server~~s~~;

~~programming code for~~ receiving an indicator of a preferred currency from a trader;

~~programming code for~~ determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency;

~~programming code for~~ conducting a transaction of the asset by transmitting a transaction request from the trading server to ~~a~~ the market exchange server when the trader decides to proceed;

~~programming code for~~ receiving a settlement notification that the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines first a prevailing exchange rate ~~among~~ from the currency exchange server~~s~~ in favor of the user when the asset is not priced in the preferred currency and then executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

~~programming code for~~ performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed ~~by~~ with the prevailing exchange rate.

20. (*Currently amended*) The ~~software product~~ non-transitory computer-readable storage medium as recited in claim 19, wherein said conducting a transaction of the asset ~~programming code for conducting a transaction of the asset~~ comprises:

receiving a set of conditions for the transaction to take place; and

~~programming code for~~ monitoring prevailing exchange rate ~~the conditions in conjunction~~ with the currency exchange server and the market exchange server to ensure that the transaction only happens when the conditions are met with the prevailing exchange rate.~~; and~~

~~programming code for performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and the prevailing currency exchange rate.~~

21. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 20, wherein said monitoring prevailing exchange rate with the currency exchange server and the market exchange server ~~programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server~~ further comprises:

~~programming code for~~ receiving periodically an updated price of the asset being traded from the market exchange server;

~~programming code for~~ receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency; and

~~programming code for~~ determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim ~~19~~22, wherein the transaction is conducted across at least two countries.

24. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 19, wherein said performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency ~~programming code for performing a currency conversion of some portion or all of the transaction amount~~ comprises

~~programming code for~~ receiving a set of conditions for the transaction to take place;

~~programming code for~~ monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

~~programming code for~~ performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 24, wherein said ~~programming code for~~ monitoring the conditions for currency conversion comprises

~~programming code for~~ determining how much of an asset has been transacted on a market exchange; and

~~programming code for~~ determining when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 19, wherein the transaction includes first and second portions, and said ~~programming code for~~ performing a currency conversion of some portion or all of the transaction amount comprises:

~~programming code for~~ analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine when ~~any~~ the first portion of the transaction ~~thereof~~ was bought or sold from another trader with the same preferred currency as the trader was performing said transaction; and

~~programming code for~~ performing a currency conversion only on ~~that~~ the second portion of the transaction where ~~that~~ the second portion was bought or sold from another trader with a different preferred currency.

27. (*Currently amended*) A non-transitory computer-readable storage medium with an executable software product providing a consolidated trading platform ~~and executable in a computer system~~, ~~the software product~~ a trading server configured to execute the software product to perform operations comprising:

~~programming code for~~ coupling ~~a~~the trading server to a currency exchange server and a market exchange server;

~~programming code for~~ receiving an indicator of a preferred currency by a trader;

~~programming code for~~ determining whether an asset is being chosen for trading;

~~programming code for~~ determining a market currency of the asset being traded;

~~programming code for~~ receiving a ~~prevailing~~ currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency;

~~programming code for~~ receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency converted with the currency exchange rate;

executing the transaction of the asset with a prevailing exchange rate obtained at an instance of the transaction to prevent uncertainty in currency exchanges late; and

~~programming code for~~ showing a settlement of the transaction of the asset in the preferred currency.

28. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 27, ~~further comprising~~ wherein said executing the transaction of the asset with the prevailing currency exchange rate comprises:

~~programming code for~~ conducting the transaction of the asset when the trader decided to proceed; and

~~programming code for~~ performing a currency exchange of ~~a~~ the settlement in the market currency to the preferred currency with the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 27, further comprising ~~programming code for~~ providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 27, wherein ~~the programming code for~~ said determining whether an asset is being chosen for trading comprises:

~~programming code for~~ receiving a set of conditions for the transaction of the asset; and

~~programming code for~~ monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 31, wherein ~~the programming code for~~ said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

~~programming code for~~ retrieving periodically the price of the asset being traded from the market exchange server;

~~programming code for~~ prevailing periodically the currency exchange rate from the market exchange server when the preferred currency is not identical to the market currency; and

~~programming code for~~ determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim 27, further comprising: ~~programming code for~~ analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are ~~can be~~ matched without currency

conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency is different from the preferred currency.

36. (*Currently amended*) The non-transitory computer-readable storage medium ~~software product~~ as recited in claim ~~27~~35, wherein the transaction is conducted across at least two countries.

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REMARKS

Claims 1-36 were examined again. In this Office Action, Claims 1-6, 8-24, and 26-36 are rejected under 35 under 35 USC 102(e) as being anticipated by Rude (US Patent Publication No..: 2006/10085361, hereinafter "Rude"), and Claims 7 and 25 are rejected under 35 USC 103(a) as being unpatentable over Rude in view of Johnston (US Patent Publication No.: 2006/10085361, hereinafter "Johnston").

The Examiner is appreciated for the thoughtful review and comments. In the foregoing amendments, Applicant has also amended claims 1, 6, 8-11, 13-14 and 16-36 to correct some informalities pointed by the Examiner and further distinguish the pending claims from the cited references. No new matters have been introduced.

As a result of the foregoing amendments, Claims 1-36 are still pending. Reconsideration of these claims is kindly requested in view of the amendments and following remarks.

Interview Summary

The Applicant and the undersigned appreciate the Examiner for granting a telephonic interview that took place on March 15, 2010. Besides the Examiner and the undersigned, Mr. Jacky Benmoha (Applicant) and his technologist Will LaMartin participated in the call. The Applicant and Examiner discussed 101 and 102 rejections and went over key distinctions between the cited reference Rudy and Claims 1, 6, 8 and 17. Examiner suggested certain language to help the Applicant more clearly claim key features of the invention. No any agreement was reached. Examiner reserves the right to conduct a new search upon formal submission of the new amendments.

Claim Rejection – 35 USC 112

Claims 1, 6, 8-11, 13-14 and 16-36 have been amended in accordance with the suggestions provided by the Examiner during the interview. It is believed that the rejections shall have been overcome.

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Claim Rejection – 35 USC 101

Claims 1-19 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. Claim 1 has been amended in accordance with the suggestion made by the Examiner during the interview. Accordingly, claims 1-19 are believed to fully satisfy the statutory subject matter requirement. The Applicant respectfully requests the Examiner to withdraw the rejections of claims 1-19 under 35 USC 101.

Claim Rejection – 35 USC 102

The Applicant respectfully traverses the rejections of Claims 1-6, 8-24, and 26-36 under 35 USC 102. A cited prior art reference anticipates a claimed invention under 35 USC 102 only if every element of the claimed invention is identically shown in the single reference, arranged as they are in the claim. MPEP 2131; in re Bond, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Each and every limitation of the claimed invention is significant and must be found in the single cited prior reference. In re Donohue, 766 F2.d 531, 534, 266 USPQ 619, 621 (Feb. Cir. 1985). As set forth more fully below, Rude neither discloses nor suggests each and every element of the claimed invention.

As amended, Claim 1 now recites:

> …
> receiving a settlement notification in the trading server when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded in the preferred currency, the trading server determines a prevailing exchange rate from the currency exchange servers in favor of the user just before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time;
> …

(*emphasis added*)

It is commonly known that a profit or a loss of trading a foreign stock is subject to the currency exchange rate at the time the trading takes place. As amended, Claim

1 explicitly indicates that when a trader decides to trade, for example, a foreign stock, a prevailing exchange rate is determined at a transactional level. Paragraph [0005] explicitly describes what the problem is with the prior art system. The definition of "transactional" is commonly defined to be an instance or process of transacting something (*see* www.dictionary.com). Paragraphs [0024] and [0025] describe one embodiment of carrying out a transaction of obtaining a prevailing currency exchange rate at the instance of the transaction. As the currency exchange rate changes every minute, it is very important to lock up a best exchange rate for a foreign stock when trading the stock takes place so as to prevent uncertainty in the currency exchange rates in another time.

In contrast, Rude shows a trading system facilitating trading of securities priced in currencies other than a trader's operating currency. As described in paragraph [0019], Rudy explicitly specifies that the currency exchange happens AFTER the transaction took place, namely at settlement. Paragraph [0052] and FIG. 4 and FIG. 5 further show Rude teaches explicitly getting the foreign exchange rate from FOREX (a foreign exchange market). It is well known, FOREX provides an average conversion rate, not a prevailing currency exchange rate at the instance of trading a foreign security. As described above, an exchange rate could change every minute. An average conversion rate is not in the best interest to the trader at the time of trading a foreign security.

The Applicant submits Rude does not teach nor suggests getting a prevailing exchange rate from the currency exchange servers in favor of the user just before the transaction takes place when the asset is not priced in the preferred currency, and executes the transaction with the prevailing exchange rate obtained at the transaction to prevent uncertainty in currency exchanges in another time as recited in Claim 1. In one perspective, Rudy teaches away from Claim 1 as amended by explicitly teaching that the currency exchange happens AFTER the transaction. Accordingly, the Applicant submits Claim 1 as amended shall be allowable over Rude. Reconsideration of Claim 1-8 is kindly requested.

In addition, the Applicant wishes to call the Examiner to Claim 8 that was discussed at the interview. Claim 1 includes limitations that are neither taught nor suggested in Rude and recites that a transaction that has happened may include two portions, one does not require a currency convention and the other does. For example, a transaction by a US trader involves in buying 100 shares of HSBC stocks, but first 50 shares are bought from a seller in US and second 50 shares are bought from a seller in UK and in British Pound (GP). As a result, there are two portions involving two currencies for the transaction. Evidently, only a portion of the transaction needs to be converted. Accordingly, the Applicant submits the limitation of "*performing the currency conversion only on the second portion of the transaction that was bought or sold from another trader with a different preferred currency*" recited in Claim 8 is neither taught nor suggested in Rude.

Claim 9 has been amended similarly to Claim 1 with the amendment to distinguish from Ruby by explicitly reciting that the currency exchange rate is obtained just BEFORE the transaction happens versus Rudy's AFTER the transaction. The support can be found in FIG. 4 and paragraphs [0005], [0024]-[0025] in the instant application. Without repeating the same, the Applicant wishes to rely on the above reasons to support Claim 9 and submits Claim 9, as amended, shall be allowable over Rude. Reconsideration of Claim 9-18 is kindly requested in view of the supporting remarks for Claim 1.

Also the Applicant wishes to call the Examiner to Claim 17 that was also discussed in the interview and recites "*analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset are matched without currency conversion, when the preferred currency of the trader is identical to a currency of the another trader while the market currency of the two traders is different*". The feature recited in Claim 17 explicitly indicates that the trading server configured to help a trader minimize all associated costs in trading a foreign security without going through the currency conversion. Rude neither teaches no suggests such feature as recited in Claim 17.

Claims 19 – 39 are corresponding claims directed to computer-readable storage medium reciting substantially similar limitations as recited in Claims 1-18. Without repeating the same, the Applicant wishes to rely on the above reasons to support Claims 19-36. Reconsideration of Claim 19-36 is kindly requested in view of the supporting remarks for Claim 1.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
Efiled via USPTO efile-system

On **03/25/2011**

_____ / joe zheng / _____
Joe Zheng

Respectfully submitted

/ joe zheng /

Joe Zheng
Reg. No.: 39,450

Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

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:				
Extension - 3 months with $0 paid	2253	1	555	555

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	2801	1	405	405
		Total in USD ($)		**960**

Electronic Acknowledgement Receipt

EFS ID:	9745675
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	25-MAR-2011
Filing Date:	18-APR-2007
Time Stamp:	20:15:18
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	8524
Deposit Account	
Authorized User	

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)	RCEReqTrns.pdf	40654 12644731f3b10384e970fa2339ce45d3aa2d6596	no	1
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	ResponseToFinal.pdf	118321 d9ec1235244a3e3a2ef1d95655e20493b822c0f8	no	18
Warnings:					
Information:					
3	Fee Worksheet (PTO-875)	fee-info.pdf	31967 853634a9d99fb01a43844fece69086efd9358dd8	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	190942		

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/736,583	04/18/2007	

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	SMALL ENTITY ☒ FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			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 $250 ($125 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))							
			TOTAL			TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II

AMENDMENT	03/25/2011	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	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))									
	☐ 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 number found in the appropriate box in column 1.

Legal Instrument Examiner:
/VENICE M. WILLIAMS/

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.

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SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

Courtesy Reminder for
Application Serial No: 11/736,583

Attorney Docket No: SVPA-029
Customer Number: 26797
Date of Electronic Notification: 10/27/2010

This is a courtesy reminder that new correspondence is available for this application. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
uspatents@sbcglobal.net
Please verify that these email addresses are correct.

To view your correspondence online or update your email addresses, please visit us anytime at **https://sportal.uspto.gov/secure/myportal/privatepair.** If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 10/27/2010
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

EXAMINER	
CAMPBELL, KELLIE L	
ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
10/27/2010	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):

uspatents@sbcglobal.net

Office Action Summary	Application No.	Applicant(s)	
	11/736,583	BENMOHA, JACKY	
	Examiner	Art Unit	
	KELLIE CAMPBELL	3691	

-- 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 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ 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

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ 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).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

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).

a)☐ All b)☐ Some * c)☐ None of:

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) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The following is a final Office Action on the merits in response to the reply to the restriction requirement dated August 14, 2010. Claims 1-36 were subject to a restriction requirement that is now withdrawn. **Therefore, Claims 1-36 are examined below.**

Remarks

2. Examiner respectfully provides these remarks to further prosecution of the instant application. Examiner provided suggestions on how to overcome the 35 U.S.C. 101 rejections set forth in the previous Office action. These suggestions are always reflect the most recent guidance available to Examiners and are provided to prevent Applicant from receiving repeated 35 U.S.C. 101 rejections. Examiner respectfully directs Applicant to the following two memos that inform Examiners interpretation of the Claims under 35 U.S.C. 101: June 28, 2010 Memorandum to the Examining Corps: Supreme Court Decision in Bilski v. Kappos (signed June 28, 2010) and Examiner respectfully suggests that Applicant consider the guidance provided in the memos and make the appropriate amendments to the claims to advance prosecution.

Response to Amendment

3. Applicant's amendments to Claims 1 and 19 are insufficient to overcome the 35 U.S.C. 101 rejection set forth in the previous Office action. The rejection is maintained.

4. Applicant's amendments to Claims 2 and 20 are sufficient to overcome the objections set forth in the previous Office action. The objections are withdrawn.

5. Applicant's amendments to Claims 7 and 25 are sufficient to overcome the objection set forth in the previous Office action. The objections are withdrawn.

6. Applicant's amendments to Claims 7, 8, 9, 21, 25, 26, 27, 32 concerning the recitation "if" are sufficient to overcome the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action. The rejection is withdrawn.

7. Applicant's amendments to Claims 1 and 9 concerning the recitation "providing access" are sufficient to overcome the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office action. The rejection is withdrawn. However, upon further consideration new grounds of rejection under 35 U.S.C. 112, second paragraph are established in the instant action and are necessitated by Applicant's amendment.

Response to Arguments

8. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. **Claims 1, 3, 7, 8, 9, 21, 25, 26, 27, 32, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

11. **As per Claims 1 and 9**, they each recite "establishing a trading server". This recitation is rendered vague and indefinite by the term "establishing". Claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure. Clarification is required. Examiner respectfully suggests language like "accessing a trading server".

12. **As per Claims 1 and 19**, they each recite "but displayed in the preferred currency regardless the asset is traded in the preferred currency or the market currency". This recitation is confusing because it appears that either words or steps were omitted from the recitaiton. For purposes of examination, Examiner will interpret the recitation to mean "but displayed in the preferred currency regardless of whether the asset is traded in the preferred currency or the market currency". Clarification is required.

13. **As per Claims 1 and 19**, they each recite "in accordance with conditions set by the user, wherein the conditions include a price aat which the asset is traded, the trading server determines first a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges in another time". This recitation is confusing because it is unclear if "the trading server determines first a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges in another time" are separate method steps or if they merely describe conditions set by the user. Clarification is required.

Claim Rejections - 35 USC § 101

14. 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.

15. **Claims 1-19 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

16. **As per Claim 1 and 9**, it is directed to a process comprising method steps of "providing", "receiving", "determining", "conducting", and "performing". In order for a process to be

considered statutory under 35 U.S.C. §101, the claimed process must satisfy the "**machine or transformation test**"; that is the process must either: (1) be tied to a particular machine or apparatus or (2) transform a particular article to a different state or thing. In re Bilski, 545 F. 3d 943, 88USPQ2d 1385 (Fed. Cir. 2008). When neither of these requirements is met by the claim, the method is not a patent eligible process under 35 U.S.C. §101 and is non-statutory subject matter. The method steps of Claims 1 and 9 are not properly tied to a machine or apparatus because the machine ("market exchange server", "currency exchange server", "trading server") do not expressly perform the key steps of the method. Applicant's claim is not drawn to patent-eligible subject matter because it fails the **"machine or transformation test"**. Therefore, Claims 1 and 9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner respectfully suggests that Applicant clarify what machines are performing which steps.

17. **As per Claims 2-8 and 10-18,** they each depend either directly or indirectly from Claim 1 and do not cure the deficiencies set forth above. Therefore, Claims 2-8 and 10-18 are also rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

18. **As per Claims 19 and 27** they are directed to "software" and "code". Software *per se* is not statutory subject matter. Therefore, Claims 19 and 27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. (Examiner respectfully suggests reciting for example: A non-transitory computer-readable storage medium with an executable software program stored thereon, wherein the software program instructs a microprocessor to perform the following steps).

19. **As per Claims 20-26 and 28-36,** they each depend either directly or indirectly from Claim 1 and do not cure the deficiencies set forth above. Therefore, Claims 2-19 are also

rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

20. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

21. **Claims 1-6, 8-24, and 26-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2006/10095361 A1 to Rude (hereinafter Rude).**

22. **As per Claims 1 and 19,** Rude discloses a method (and corresponding software product) for providing a consolidated trading platform (see at least Figures 1-3 and related text), the method comprising:

establishing a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers (see para [0021]-[00221]);

receiving in the trading server an indicator of a preferred currency from a trader (see para [0004]);

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency (see para [0021])) but displayed in the preferred currency regardless the asset is traded in the preferred currency or the market currency;

conducting a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed (securities trading request, see para [0029]); receiving a notification that the transaction of the asset was performed by the market exchange server (confirmation, see para [0061]) in accordance with conditions set by the user, whereib the conditions include a price at which the asset is traded, the trading server determines first a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed by the prevailing exchange rate (see para [0019], [0054] and [0060]).

23. **As per claims 2 and 20**, Rude further discloses wherein said conducting a transaction of the asset comprises:

monitoring the conditions in conjunction with the currency

exchange server and the market exchange server performing the transaction of the asset only when the conditions have been met

involving a retrieved price of the asset and the prevailing currency exchange rate (limit price indicated at 404 in the uset's operating currency may be translated to the local currency of the securities exchange in accordance with the foreign exchange rate information received, see para [0051]-[0052]).

24. **As per claims 3 and 21,** Rude further discloses wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange sewer (current price, see para [0021]-[0023]);

receiving periodically an updated currency exchange rate from the currency exchange servers when the preferred currency is not identical to the market currency (current and/or forward exchange rates for various pairs of currencies, see para [0023]); and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate (see para [0051]-[0052]).

25. **As per claims 4 and 22**, Rude further discloses wherein, when the preferred currency is identical to the market currency (see para [0023]), the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion (Some of the securities exchanges 106 may operate in the same currency as the user's operating currency, see para [0023]).

26. **As per claims 5 and 23**, Rude further discloses wherein the transaction is conducted across at least two countries (see para [0002]-[0004] and [0019]).

27. **As per claims 6 and 24**, Rude further discloses wherein said performing a currency conversion of the transaction amount comprises

receiving a set of conditions for the transaction to take place (see para [0022]-l00231 and [0051]);

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server (see para [0021]-[0023]), and performing the currency conversion only when the conditions for currency conversion have been met (see para [0051]-[0052]).

28. **As per claims 8 and 26**, Rude further discloses wherein said performing a currency conversion of some portion or all of the transaction amount comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine if any portion thereof was bought or sold from another trader with the same preferred currency as the trader performing said transaction (see para [0019] and [0023]); and

performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency (see para [0004]-[0005] and [0019]).

29. **As per claims 9 and 27**, Rude discloses a method for providing a consolidated trading platform, the method comprising:

establishing a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers (Fig 1);

receiving in the trading server an indication of a preferred currency from a trader (see para [0004]); determining whether an asset is being chosen for trading (see para [0021]);

determining a market currency of the asset being traded (see para [0021]-100231);

receiving a prevailing currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency (see para [0021]-[0023]);

receiving a price of the asset being traded from the one or more market exchange servers (see para [0021]-[0023]), the price shown in the trading server being in the preferred currency (see para [0047]-[0050]); and showing a transaction of the asset in the preferred currency (see para [0047]-[0050]). in conjunction with the prevailing currency exchange rate; executing a transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges;

30. **As per claims 10 and 28**, Rude further discloses conducting the transaction of the asset when the trader decided to proceed (see para [0051]-[0052]); and performing a currency

exchange of a settlement in the market currency to the preferred currency by the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time (see para [0019], (0053)-[0056] and shielded from currency risk, see para [0062]).

31. **As per claims 11 and 29**, Rude further discloses wherein the currency exchange is conducted in the one or more the currency exchange servers per the prevailing currency exchange rate (see para (0021)-100231).

32. **As per claims 12 and 30**, Rude further discloses providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset (see para [0060]-[0062]).

33. **As per claims 13 and 31**, Rude further discloses wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset (see para [0022]-[0023] and [0051]); and

monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers (see para [0051]-[0052]).

34. **As per claims 14 and 32**, Rude further discloses wherein said monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers further comprises:

retrieving periodically the price of the asset being traded from the one or more market exchange servers (see para [0021]-[0023]);

prevailing periodically the currency exchange rate from the one or more market exchange servers when the preferred currency is not identical to the market currency (see para [0023]); and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate (see para [0051]-[0052]).

35. **As per claims 15 and 33**, Rude further discloses wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate (see para [0051]-[0052]).

36. **As per claims 16 and 34**, Rude further discloses wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset (see para [0005], [0019] and [0026]).

37. **As per claims 17 and 35**, Rude further discloses analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency of the two traders is identical to the market currency (see para [0023]) and the market currency of the two traders is different.

38. **As per claims 18 and 36**, Rude further discloses wherein the transaction is conducted across at least two countries (see para [0002]-[0004] and [0019]).

Claim Rejections - 35 USC § 103

The following is a quotation of 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 negatived by the manner in which the invention was made.

39. **Claims 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rude in view of U.S. 2006/10173771 A1 to Johnston (hereinafter Johnston).**

40. **As per claims 7 and 25**, Rude discloses a method, as described above, for currency conversion but does not expressly disclose determining if this exceeds a predetermined or dynamically determined threshold value.

However, Johnston teaches wherein said monitoring the conditions for currency conversion comprises determining how much of an asset has been transacted on a market exchange (see para [0038]); determining if this exceeds a predetermined or dynamically determined threshold value (see para [0030]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teachings of Rude with Johnston because adding a threshold in determining whether or not to implement the conversion adds more control over the process and protects the user from unwanted conversions, thereby enhancing the security and overall appeal of Rude.

Conclusion

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

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.

Additionally, the following prior art made of record and not relied upon are considered pertinent to applicant's disclosure.

a. International Preliminary Report on Patentablilty, PCT/ US 08/04774, November 6, 2008 providing a written opinion on patentability of this application.

Any inquiry concerning this communication on or earlier communications from the examiner should be directed to Kellie Campbell whose telephone number is (571) 270- 5495. The examiner can normally be reached on Monday through Thursday, 6:30 am to 5 pm est. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.C.
/Olabode Akintola/
Primary Examiner, Art Unit 3691

Notice of References Cited	Application/Control No. 11/736,583	Applicant(s)/Patent Under Reexamination BENMOHA, JACKY	
	Examiner KELLIE CAMPBELL	Art Unit 3691	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010							
	1	÷	✓							
	2	÷	✓							
	3	÷	✓							
	4	÷	✓							
	5	÷	✓							
	6	÷	✓							
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	34	÷	✓							
	35	÷	✓							
	36	÷	✓							

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE CAMPBELL	3691

SEARCHED

Class	Subclass	Date	Examiner
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

SEARCH NOTES

Search Notes	Date	Examiner
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Kellie L. Campbell
Group Art Unit:	3691
Docket No.:	SVPA-029

Aug. 14, 2010

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to First Office Action

Dear Sir:

In response to the Office Action mailed on 05/14/2010, please amend the above-identified application before reconsidering the pending claims.

AMENDMENTS TO THE SPECIFICATION are reflected in the listing of claims which begins on page 2 of this Response

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 3 of this Response.

REMARKS/ARGUMENTS begin on page 13 of this Response.

AMENDMENTS TO THE SPECIFICATION

1. Please amend paragraph [0024] as follows:

[0024] Also coupled to the network **202** are three servers **206**, **208** and **210**. The server **206** represents a bank, an exchange agency, a multibank portal or a matching service providing a currency exchange rate to buy or sell a type of currency for another. The server **208** represents a brokerage (e.g., Scottrade) to ~~faciliate~~ facilitate a transaction decided by a trader. The server **210** represents an asset or market exchange (e.g., NYSE), where an asset is caused to change hands. According to one aspect of the present invention, assuming a user has already established an account with the brokerage and authorized to access the account, what the user sees is everything in a preferred currency (e.g., euro, yen or RMB) including all transactions (e.g., to sell or buy an asset) and profit and loss. One of the features, benefits, and advantages of the present invention is to provide a mechanism that shows all transactions in a preferred currency regardless of whatever currency an asset is originally priced. The mechanism conducts a transactional level currency conversion. As a result, a trader knows exactly what profits and losses he/she is going to get in the transaction, without being subject to uncertainty in currency conversion of another time.

AMENDMENTS TO THE CLAIMS

Please amend Claims 1-3, 6-10, 14, 17, 19-21, 25-27 and 32 as follows:

1. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

providing access to establishing a trading server coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indicator of a preferred currency of from a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless the asset is traded in the preferred currency or the market currency;

conducting a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed;

receiving a notification that when the transaction of the asset was is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded, the trading server determines first a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges in another time; and

performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed through by a the prevailing exchange ratecurrency exchange server.

2. (*Currently amended*) The method as recited in claim 1, wherein said conducting a transaction of the asset comprises:

~~receiving a set of conditions for the transaction of the asset; and~~

monitoring the conditions in conjunction with the currency exchange servers and the market exchange server~~.~~; and

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and ~~a retrieved~~the prevailing currency exchange rate.

3. (*Currently amended*) The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the currency exchange servers ~~market exchange server if~~when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. (*Original*) The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. (*Original*) The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. (*Currently amended*) The method as recited in claim 1, wherein said performing a currency conversion of ~~some portion or all of~~ the transaction amount comprises

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange servers and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

7. (*Currently amended*) The method as recited in claim 6, wherein said monitoring the conditions for currency conversion comprises

determining how much of ~~an~~ the asset has been transacted on a market exchange server; and

determining ~~if~~when ~~this~~ a price of the asset exceeds a predetermined or dynamically determined threshold value.

8. (*Currently amended*) The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction ~~amount~~ comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine ~~if~~ any portion thereof was bought or sold from another trader with the same preferred currency as the trader was performing ~~said~~ the transaction; and

performing ~~a~~ the currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency.

9. (*Currently amended*) A method for providing a consolidated trading platform, the method comprising:

~~providing access to~~ establishing a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers;

receiving in the trading server an indication of a preferred currency ~~of~~ from a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

~~receiving~~ determining a prevailing currency exchange rate from the one or more market exchange servers in favor of the user ~~if~~ when the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the one or more market exchange servers, the price shown in the trading server being in the preferred currency in conjunction with the prevailing currency exchange rate;

executing a transaction of the asset with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

showing ~~a~~ the transaction of the asset in the preferred currency.

10. (*Currently amended*) The method as recited in claim 9, further comprising:

conducting the transaction of the asset when the trader decided to proceed; and

performing a currency exchange of a settlement in the market currency to the preferred currency by the prevailing currency exchange rate when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. (*Original*) The method as recited in claim 10, wherein the currency exchange is conducted in the one or more the currency exchange servers per the prevailing currency exchange rate.

12. (*Original*) The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. (*Original*) The method as recited in claim 9, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers.

14. (*Currently amended*) The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers further comprises:

retrieving periodically the price of the asset being traded from the one or more market exchange servers;

prevailing periodically the currency exchange rate from the one or more market exchange servers ~~if~~when the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. (*Original*) The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. (*Original*) The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

17. (*Currently amended*) The method as recited in claim 9, further comprising:

analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency of the two traders is identical ~~to the market currency~~ and the market currency of the two traders is different.

18. (*Original*) The method as recited in claim 9, wherein the transaction is conducted across at least two countries.

19. (*Currently amended*) A software product providing a consolidated trading platform and executable in a computer system, the software product comprising:

programming code for ~~providing access to~~ coupling a trading server ~~that is coupled~~ to one or more currency exchange servers and one or more market exchange servers;

programming code for receiving an indicator of a preferred currency ~~of~~ from a trader;

programming code for determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency but displayed in the preferred currency regardless the asset is traded in the preferred currency or the market currency;

programming code for conducting a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed;

programming code for receiving a notification that the transaction of the asset ~~was~~ is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded, the trading server determines first a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges; and

programming code for performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed ~~through~~ by ~~a~~ the prevailing exchange rate~~currency exchange server~~.

20. (*Currently amended*) The software product as recited in claim 19, wherein said programming code for conducting a transaction of the asset comprises:

~~programming code for receiving a set of conditions for the transaction of the asset; and~~

programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server~~.~~; and

programming code for performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and ~~a retrieved~~ the prevailing currency exchange rate.

21. (*Currently amended*) The software product as recited in claim 20, wherein said programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

programming code for receiving periodically an updated price of the asset being traded from the market exchange server;

programming code for receiving periodically an updated currency exchange rate from the currency exchange servers ~~market exchange server if~~when the preferred currency is not identical to the market currency; and

programming code for determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. (*Original*) The software product as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. (*Original*) The software product as recited in claim 19, wherein the transaction is conducted across at least two countries.

24. (*Original*) The software product as recited in claim 19, wherein said programming code for performing a currency conversion of some portion or all of the transaction amount comprises

programming code for receiving a set of conditions for the transaction to take place;

programming code for monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

programming code for performing the currency conversion only when the conditions for currency conversion have been met.

25. (*Currently amended*) The software product as recited in claim 24, wherein said programming code for monitoring the conditions for currency conversion comprises

programming code for determining how much of an asset has been transacted on a market exchange; and

programming code for determining ~~if this~~ when a price of the asset exceeds a predetermined or dynamically determined threshold value.

26. (*Currently amended*) The software product as recited in claim 19, wherein said programming code for performing a currency conversion of some portion or all of the transaction amount comprises:

programming code for analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine ~~if~~when any portion thereof was bought or sold from another trader with the same preferred currency as the trader performing said transaction; and

programming code for performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency.

27. (*Currently amended*) A software product providing a consolidated trading platform and executable in a computer system, the software product comprising:

programming code for ~~providing an access to~~ coupling a trading server ~~that is coupled~~ to a currency exchange server and a market exchange server;

programming code for receiving a preferred currency by a trader;

programming code for determining whether an asset is being chosen for trading;

programming code for determining a market currency of the asset being traded;

programming code for receiving a prevailing currency exchange rate from the market exchange server ~~if~~when the preferred currency is not identical to the market currency;

programming code for receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency; and

programming code for showing a transaction of the asset in the preferred currency.

28. (*Original*) The software product as recited in claim 27, further comprising:

programming code for conducting the transaction of the asset when the trader decided to proceed; and

programming code for performing a currency exchange of a settlement in the market currency to the preferred currency when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. (*Original*) The software product as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. (*Original*) The software product as recited in claim 27, further comprising programming code for providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. (*Original*) The software product as recited in claim 27, wherein the programming code for determining whether an asset is being chosen for trading comprises:

programming code for receiving a set of conditions for the transaction of the asset; and

programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. (*Currently amended*) The software product as recited in claim 31, wherein the programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

programming code for retrieving periodically the price of the asset being traded from the market exchange server;

programming code for prevailing periodically the currency exchange rate from the market exchange server ~~if~~when the preferred currency is not identical to the market currency; and

programming code for determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. (*Original*) The software product as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. (*Original*) The software product as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. (*Original*) The software product as recited in claim 27, further comprising:
programming code for analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency is identical to the market currency.

36. (*Original*) The software product as recited in claim 27, wherein the transaction is conducted across at least two countries.

REMARKS

Claims 1-36 were submitted for examination. In this Office Action, Claims 1-6, 8-24, and 26-36 are rejected under 35 under 35 USC 102(e) as being anticipated by Rude (US Patent Publication No..: 2006/10085361, hereinafter "Rude"), and Claims 7 and 25 are rejected under 35 USC 103(a) as being unpatentable over Rude in view of Johnston (US Patent Publication No.: 2006/10085361, hereinafter "Johnston").

The Examiner is appreciated for the thoughtful review and comments. In the foregoing amendments, the Specification has been amended to correct some informalities. Applicant has also amended claims 1-3, 6-10, 14, 17, 19-21, 25-27 and 32 to correct some informalities pointed by the Examiner and further distinguish from the cited references. No new matters have been introduced.

As a result of the foregoing amendments, Claims 1-36 are still pending. Reconsideration of these claims is kindly requested in view of the amendments and following remarks.

Claim Rejection – 35 USC 101

Claims 1-19 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. The Applicant respectfully disagrees with the Examiner in view of the structure of the claims. 35 U.S.C. § 101 is broad and general in its language describing patentable subject matter: "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." Patentable statutory subject matter is seen to be either a useful "process," "machine," "article of manufacture" or "composition of matter." Thus, this statute limits patent protection to inventions that possess a certain level of real world value as opposed to those that just represent nothing more than an idea or concept.

The new USPTO guidelines for the examination of inventions related to computer software (See Manual of Patent Examining Procedure §2106 - Patentable

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Askeladden, L.L.C. Page 305 of 399

Subject Matter, Computer-Related Inventions) indicate that there are three general ways whereby software can be used in an invention to satisfy the statutory subject matter requirement. First, software can be used to create a "machine" when a computer is included in the claims as having its operation controlled by the software, as illustrated in *In re Alappat.* Second, software can be claimed as a "process" when it is described as a series of operational steps to be performed on or with the aid of a computer. And finally, a computer-readable memory (e.g., floppy disks, CD-ROM, system memory) containing the software that can be used to direct a computer to function in a particular manner can be considered as an "article of manufacture."

The Applicant submits that claims 1-19 are directed to a method to be executable in a computing device, which means that "a method can be used to create a machine when a computer is included in the claims as having its operation controlled by the method". For example, as recited Claim 1, "*establishing a trading server coupled to one or more currency exchange servers and one or more market exchange servers*" and "*receiving in the trading server an indicator of a preferred currency from a trader*" clearly indicate that the operation of a computing device (namely, a server) is controlled by the method. Further "*conducting a transaction of the asset by transmitting a transaction request from the trading server to a market exchange server when the trader decides to proceed*" recited in Claim 1 is evident to those skilled in the art that it has to be done with a computer or an aid of computer. Accordingly, claims 1-19 are believed to fully satisfy the statutory subject matter requirement. The Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-19 under 35 USC 101.

Claim Rejection – 35 USC 102

The Applicant respectfully traverses the rejections of Claims 1-6, 8-24, and 26-36 under 35 USC 102. A cited prior art reference anticipates a claimed invention under 35 USC 102 only if every element of the claimed invention is identically shown in the single reference, arranged as they are in the claim. MPEP 2131; in re Bond, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Each and every

limitation of the claimed invention is significant and must be found in the single cited prior reference. In re Donohue, 766 F2.d 531, 534, 266 USPQ 619, 621 (Feb. Cir. 1985). As set forth more fully below, Rude neither discloses nor suggests each and every element of the claimed invention.

As amended, Claim 1 now recites:

> …
> receiving a notification when the transaction of the asset is performed by the market exchange server in accordance with conditions set by the user, wherein the conditions include a price at which the asset is traded, the trading server determines a prevailing exchange rate among the currency exchange servers in favor of the user and executes the transaction with the prevailing exchange rate to prevent uncertainty in currency exchanges in another time; and
> …

(*emphasis added*)

It is commonly known that a profit or a loss of trading a foreign stock is subject to the currency exchange rate at the time the trading takes place. As amended, Claim 1 explicitly indicates that when a trader decides to trade, for example a foreign stock, a prevailing exchange rate is determined first among several currency exchange servers. That means the trading server conducts a query with all the currency exchange servers that are coupled to the trading server at the time the query is sent. The trading server is configured to find a best exchange rate to reflect the price of the foreign stock in a local currency chosen by the trade. As the currency exchange rate changes every minute, it is very important to lock a best exchange rate for a foreign stock when trading the stock takes place so as to prevent uncertainty in the currency exchange rates in another time.

In contrast, Rude shows a trading system facilitating trading of securities priced in currencies other than a trader's operating currency. As described in paragraph [0052], shown in FIG. 4 and FIG. 5, Rude teaches explicitly getting the foreign exchange rate from FOREX (a foreign exchange market). It is well known, FOREX provides an average conversion rate. As described above, an exchange rate could change every minute. An average conversion rate is not in the best interest to

the trader at a time of trading a foreign security. Rude does not teach nor suggests getting a prevailing exchange rate among the currency exchange servers in favor of the trader as recited in Claim 1. In other words, Claim 1 of the instant application explicitly recites that a query is sent to the currency exchange servers (more than one currency markets) then a prevailing exchange rate is determined in favor of the trader to remove the uncertainty in the currency exchange rates. Accordingly, the Applicant submits Claim 1 as amended shall be allowable over Rude. Reconsideration of Claim 1-8 is kindly requested.

In addition, the Applicant wishes to call the Examiner to Claim 8 that recites limitations that are neither taught nor suggested in Rude. Claim 8 recites that a transaction may take place in two currencies. For example, a transaction by a US trader involves in buying 100 shares of HSBC stocks, but first 50 shares are bought from a seller in US and second 50 shares are bought from a seller in UK and in British Pound (GP). As a result, there are two currencies for the transaction. Evidently, only a portion of the transaction needs to be converted. Accordingly, the Applicant submits the limitation of "*performing the currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency*" recited in Claim 8 is neither taught nor suggested in Rude.

Claim 9 has been amended similarly to Claim 1. Without repeating the same, the Applicant wishes to rely on the above reasons to support Claim 9 and submits Claim 9, as amended, shall be allowable over Rude. Reconsideration of Claim 9-18 is kindly requested in view of the supporting remarks for Claim 1.

Also the Applicant wishes to call the Examiner to Claim 17 that recites "analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion…". The feature recited in Claim 17 explicitly indicates that the trading server configured to help a trader minimize all associated costs in trading a foreign security without going through the currency conversion. Rude neither teaches no suggests such feature as recited in Claim 17.

Claims 19 – 39 are corresponding claims directed to software products reciting substantially similar limitations as recited in Claims 1-18. Without repeating the same, the Applicant wishes to rely on the above reasons to support Claims 19-36. Reconsideration of Claim 19-36 is kindly requested in view of the supporting remarks for Claim 1.

In particular, Claim 26 recites "…programming code for performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency". Again, the Applicant submits Rude fails to teach or suggest such a limitation.

In view of the above amendments and remarks, it is believed that the pending Claims 1-36 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Non-Fee Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450,
Efiled via USPTO efile-system

On **08/14/2010**.

_____ / joe zheng / _____
Joe Zheng

Respectfully submitted

/ joe zheng /

Joe Zheng
Reg. No.: 39,450

Electronic Acknowledgement Receipt

EFS ID:	8221075
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	14-AUG-2010
Filing Date:	18-APR-2007
Time Stamp:	17:20:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	ResponseTo1stOA.pdf	115856 65d641a86de0387859b8d6ffb628e08c811cbb22	no	17

Warnings:	
Information:	

Total Files Size (in bytes):	115856

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/736,583	04/18/2007	

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	SMALL ENTITY ☒ FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			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 $250 ($125 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			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	08/14/2010	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 36	Minus	** 36	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)	OR	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))									
	☐ 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 number found in the appropriate box in column 1.

Legal Instrument Examiner:
/KAREN T. WASHINGTON/

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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 05/14/2010
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

EXAMINER	
CAMPBELL, KELLIE L	
ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
05/14/2010	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):

uspatents@sbcglobal.net

Office Action Summary	Application No.	Applicant(s)	
	11/736,583	BENMOHA, JACKY	
	Examiner	Art Unit	
	KELLIE CAMPBELL	3691	

-- 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 ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ 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

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ 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).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

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).

a)☐ All b)☐ Some * c)☐ None of:

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) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The following is a first non-final Office Action on the merits in response to the reply to the restriction requirement dated April 16, 2010. Claims 1-36 were subject to a restriction requirement that is now withdrawn. **Therefore, Claims 1-36 are examined below.**

Election/Restrictions

2. Applicant's election with traverse of Group I (Claims 1-9 and 19-26) in the reply filed on April 16, 2010 is acknowledged. The traversal is on the ground(s) that all of the claims in the present application recite the same claimed invention, namely a consolidated trading platform involving a trading server, one or more currency exchange servers, and one or more market exchange servers as shown in FIG. 2A, FIG. 2B, and in FIG. 4.

Although, Applicant did not properly traverse the restriction requirement by pointing out supposed errors in Examiner's restriction requirement, upon further consideration, Applicant's arguments with respect to the restriction requirement (as determined by a review of FIG. 2A, FIG. 2B, and FIG. 4) have been fully considered and are persuasive. The restriction requirement of Claims 1-36 has been withdrawn.

Priority

3. No claim for priority is made in the instant application.

Drawings

4. The drawings were received on April 18, 2007 and are accepted by Examiner.

Claim Objections

5. **Claims 2 and 20** are objected to because of the following informalities: there are two periods in each claim. Appropriate correction is required.

6. **Claims 7 and 25** are objected to because of the following informalities: the claims do not end with a period. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. **Claims 1, 3, 7, 8, 9, 21, 25, 26, 27, 32, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

9. **As per Claims 1 and 9**, they each recite "providing access". This recitation is rendered vague and indefinite by the term “providing”. Claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure. Clarification is required.

10. **As per Claims 3, 7, 8, 9, 21, 25, 26, 27, 32,** they each recite "if". This recitation vague and indefinite because it is a conditional term. Claim scope is not limited by

claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure. Clarification is required. Examiner respectfully suggests that Applicant use the terms "that", "when", "which", etc. as appropriate to the claims in place of the term "if".

Claim Rejections - 35 USC § 101

11. 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.

12. **Claims 1-19 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

13. **As per Claim 1 and 9**, it is directed to a process comprising method steps of "providing", "receiving", "determining", "conducting", and "performing". In order for a process to be considered statutory under 35 U.S.C. §101, the claimed process must satisfy the "**machine or transformation test**"; that is the process must either: (1) be tied to a particular machine or apparatus or (2) transform a particular article to a different state or thing. In re Bilski, 545 F. 3d 943, 88USPQ2d 1385 (Fed. Cir. 2008). When neither of these requirements is met by the claim, the method is not a patent eligible process under 35 U.S.C. §101 and is non-statutory subject matter. The method steps of Claims 1 and 9 are not properly tied to a machine or apparatus because the machine ("market exchange server", "currency exchange server", "trading server") do not expressly perform the key steps of the method. Applicant's claim is not drawn to patent-eligible subject matter because it fails the **"machine or transformation test"**.

Therefore, Claims 1 and 9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Examiner respectfully suggests that Applicant clarify what machines are performing which steps.

14. **As per Claims 2-8 and 10-18,** they each depend either directly or indirectly from Claim 1 and do not cure the deficiencies set forth above. Therefore, Claims 2-8 and 10-18 are also rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

15. **As per Claims 19 and 27** is directed to "software" and "code". Software *per se* is not statutory subject matter. Therefore, Claims 19 and 27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. (Examiner respectfully suggests reciting for example: A non-transitory computer-readable storage medium with an executable software program stored thereon, wherein the software program instructs a microprocessor to perform the following steps).

16. **As per Claims 20-26 and 28-36,** they each depend either directly or indirectly from Claim 1 and do not cure the deficiencies set forth above. Therefore, Claims 2-19 are also rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

18. **Claims 1-6, 8-24, and 26-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2006/10095361 A1 to Rude (hereinafter Rude).**

19. **As per Claims 1 and 19,** Rude discloses a method (and corresponding software product) for providing a consolidated trading platform (see at least Figures 1-3 and related text), the method comprising:

providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers (see para [0021]-[00221];

receiving a preferred currency of a trader (see para [0004]);

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency (see para [0021]));

conducting a transaction of the asset by transmitting a transaction request to a market exchange server when the trader decides to proceed (securities trading request, see para [0029]); receiving a notification that the transaction of the asset was performed by the market exchange server (confirmation, see para [0061]); and

performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency

is not identical to the market currency, the conversion being performed through a currency exchange server (see para [0019], [0054] and [0060]).

20. **As per claims 2 and 20**, Rude further discloses wherein said conducting a transaction of the asset comprises: receiving a set of conditions

for the transaction of the asset (see para [0022]-[0023] and [0051]); and monitoring the conditions in conjunction with the currency

exchange server and the market exchange server performing the transaction of the asset only when the conditions have been met

involving a retrieved price of the asset and a retrieved currency exchange rate (limit price indicated at 404 in the uset's operating currency may be translated to the local currency of the securities exchange in accordance with the foreign exchange rate information received, see para [0051]-[0052]).

21. **As per claims 3 and 21,** Rude further discloses wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange sewer (current price, see para [0021]-[0023]);

receiving periodically an updated currency exchange rate from the market exchange server if the preferred currency is not identical to the market currency (current and/or forward exchange rates for various pairs of currencies, see para [0023]); and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate (see para [0051]-[0052]).

22. **As per claims 4 and 22**, Rude further discloses wherein, when the preferred currency is identical to the market currency (see para [0023]), the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion (Some of the securities exchanges 106 may operate in the same currency as the user's operating currency, see para [0023]).

23. **As per claims 5 and 23**, Rude further discloses wherein the transaction is conducted across at least two countries (see para [0002]-[0004] and [0019]).

24. **As per claims 6 and 24**, Rude further discloses wherein said performing a currency conversion of some portion or all of the transaction amount comprises

receiving a set of conditions for the transaction to take place (see para [0022]-I00231 and [0051]);

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server (see para [0021]-[0023]), and performing the currency conversion only when the conditions for currency conversion have been met (see para [0051]-[0052]).

25. **As per claims 8 and 26**, Rude further discloses wherein said performing a currency conversion of some portion or all of the transaction amount comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine if any portion thereof was bought or sold from another trader with the same preferred currency as the trader performing said transaction (see para [0019] and [0023]); and

performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency (see para [0004]-[0005] and [0019]).

26. **As per claims 9 and 27**, Rude discloses a method for providing a consolidated trading platform, the method comprising:

providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers (Fig 1);

receiving a preferred currency of a trader (see para [0004]); determining whether an asset is being chosen for trading (see para [0021]);

determining a market currency of the asset being traded (see para [0021]-100231);

receiving a prevailing currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency (see para [0021]-[0023]);

receiving a price of the asset being traded from the one or more market exchange servers (see para [0021]-[0023]), the price shown in the trading server being in the preferred currency (see para [0047]-[0050]); and showing a transaction of the asset in the preferred currency (see para [0047]-[0050]).

27. **As per claims 10 and 28**, Rude further discloses conducting the transaction of the asset when the trader decided to proceed (see para [0051]-[0052]); and performing a currency exchange of a settlement in the market currency to the preferred currency when the preferred currency is not identical to the market currency so that the

transaction is no longer subject to currency fluctuation at a later time (see para [0019], (0053)-[0056] and shielded from currency risk, see para [0062]).

28. **As per claims 11 and 29**, Rude further discloses wherein the currency exchange is conducted in the one or more the currency exchange servers per the prevailing currency exchange rate (see para (0021)-100231).

29. **As per claims 12 and 30**, Rude further discloses providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset (see para [0060]-[0062]).

30. **As per claims 13 and 31**, Rude further discloses wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset (see para [0022]-[0023] and [0051]); and

monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers (see para [0051]-[0052]).

31. **As per claims 14 and 32**, Rude further discloses wherein said monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers further comprises:

retrieving periodically the price of the asset being traded from the one or more market exchange servers (see para [0021]-[0023]);

prevailing periodically the currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency (see para [0023]); and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate (see para [0051]-[0052]).

32. **As per claims 15 and 33**, Rude further discloses wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate (see para [0051]-[0052]).

33. **As per claims 16 and 34**, Rude further discloses wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset (see para [0005], [0019] and [0026]).

34. **As per claims 17 and 35**, Rude further discloses analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency is identical to the market currency (see para [0023]).

35. **As per claims 18 and 36**, Rude further discloses wherein the transaction is conducted across at least two countries (see para [0002]-[0004] and [0019]).

Claim Rejections - 35 USC § 103

The following is a quotation of 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 negatived by the manner in which the invention was made.

36. **Claims 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rude in view of U.S. 2006/10173771 A1 to Johnston (hereinafter Johnston).**

37. **As per claims 7 and 25**, Rude discloses a method, as described above, for currency conversion but does not expressly disclose determining if this exceeds a predetermined or dynamically determined threshold value.

However, Johnston teaches wherein said monitoring the conditions for currency conversion comprises determining how much of an asset has been transacted on a market exchange (see para [0038]); determining if this exceeds a predetermined or dynamically determined threshold value (see para [0030]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teachings of Rude with Johnston because adding a threshold in determining whether or not to implement the conversion adds more control over the process and protects the user from unwanted conversions, thereby enhancing the security and overall appeal of Rude.

Conclusion

Additionally, the following prior art made of record and not relied upon are considered pertinent to applicant's disclosure.

a. International Preliminary Report on Patentablilty, PCT/ US 08/04774, November 6, 2008 providing a written opinion on patentability of this application.

Any inquiry concerning this communication on or earlier communications from the examiner should be directed to Kellie Campbell whose telephone number is (571) 270- 5495. The examiner can normally be reached on Monday through Thursday, 6:30

am to 5 pm est. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.C.

/Alexander Kalinowski/

Supervisory Patent Examiner, Art Unit 3691

Notice of References Cited	Application/Control No. 11/736,583	Applicant(s)/Patent Under Reexamination BENMOHA, JACKY	
	Examiner KELLIE CAMPBELL	Art Unit 3691	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2006/0095361	05-2006	Rude, Michael G.	705/037
*	B	US-2006/0173771	08-2006	Johnston, Scott Lochwood	705/037
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	International Preliminary Report on Patentablilty, PCT/ US 08/04774, November 6, 2008.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010	05/08/2010							
	1	÷	✓							
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	3	÷	✓							
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	34	÷	✓							
	35	÷	✓							
	36	÷	✓							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
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	Examiner	Art Unit
	KELLIE L CAMPBELL	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	KELLIE CAMPBELL	3691

SEARCHED

Class	Subclass	Date	Examiner
705	All	5/6/2010	K.C.
705	1	5/6/2010	K.C.
705	500	5/6/2010	K.C.
705	35	5/6/2010	K.C.
705	36R	5/6/2010	K.C.
705	35-40	5/6/2010	K.C.

SEARCH NOTES

Search Notes	Date	Examiner
PALM Inventor Search	5/6/2010	K.C.
EAST Text Search	5/6/2010	K.C.
Internet Search	5/6/2010	K.C.

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	"200610173771".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/08 09:57
L2	2	"20060173771".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/08 09:57
S1	82727	("705").CLAS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:21
S2	41	(705/1).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:21
S3	444	(705/500).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:21
S4	5567	(705/35).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22
S5	3055	(705/36R).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22

S6	17838	(705/35-40).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/05/06 22:22
S7	0	preferred with currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:23
S8	2463	exchange with rate with currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:23
S9	1451992	conversion or covert$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S10	1157	S9 and S8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S11	725	S10 and market	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S12	1433	market near5 currency	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24
S13	383	S12 and S8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/05/06 22:24

EAST Search History (Interference)

< This search history is empty>

5/8/2010 10:00:36 AM
C:\Documents and Settings\kcampbell\My Documents\EAST\Workspaces\11736583.wsp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Confirmation No.:	4039
Filing Date:	04/18/2007
Examiner:	Tien C. Nguyen
Group Art Unit:	3694
Docket No.:	SVPA-029

April 16, 2010

Mail Stop: Restriction Requirement
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Dear Sir:

The Office Action dated 03/22/2010 was carefully reviewed. The Examiner classified the claims into two groups as Inventions I and II. The first group includes Claims 1-8 and 19-26 drawn to a method or a software product for providing a consolidated trading platform. The second group includes Claims 9-18 and 27-36 drawn to a method or a software product for providing a consolidated trading platform. In response to the Office Action, Applicants provisionally elect Claims 1-8 and 19-26 for examination.

In accordance with 37C.F.R. §1.143, Applicant respectfully traverses the Examiner's restriction requirement for the reasons provided below. It is respectfully submitted that the first group (Claims 1-8 and 19-26) and the second group (Claims 9-

EX1004
Askeladden, L.L.C. Page 334 of 399

18 and 27-36) are neither independent nor distinct; or (2) search and examination of the entire application can be made without serious burden. MPEP §803.

All of the claims in the present application recite the same claimed invention, namely a consolidated trading platform involving a trading server, one or more currency exchange servers, and one or more market exchange servers. FIG. 2A or FIG. 2B shows one embodiment that uses these three types of servers to accomplish a trading being marketed in different currencies, where a trading process is illustrated in FIG. 4. The Applicant respectfully submits the so-called Inventions I and II classified by the Examiner are highly related and each is a substantial part of the trading process shown in FIG. 4.

According to one embodiment, the Applicants believe the so-called Inventions I and II differ in a sense that the prevailing currency exchange rate is reflected implicitly or explicitly. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the restriction requirement.

Please contact the undersigned at (408)777-8873 should there be any question.

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 of Patents and Trademarks, Washington, DC 20231", on April 16, 2010.

Signature: / joe zheng /
Joe Zheng

Respectfully Submitted,

/ joe zheng /
Joe Zheng
Reg. No.: 39,450

Electronic Acknowledgement Receipt

EFS ID:	7430524
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	16-APR-2010
Filing Date:	18-APR-2007
Time Stamp:	14:48:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Response to Election / Restriction Filed	ResponseToRestrictionTraverse.pdf	57524 a1d3e8ba742f141160e257bb5d7e2ab534d de741	no	2

Warnings:	
Information:	

Total Files Size (in bytes):	57524

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029	4039

26797 7590 03/22/2010
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

EXAMINER	
NGUYEN, TIEN C	
ART UNIT	PAPER NUMBER
3694	

NOTIFICATION DATE	DELIVERY MODE
03/22/2010	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):

uspatents@sbcglobal.net

Office Action Summary	Application No.	Applicant(s)	
	11/736,583	BENMOHA, JACKY	
	Examiner	Art Unit	
	TIEN C. NGUYEN	3694	

-- 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 *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 *18 April 2007*.

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ 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

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-36* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ 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).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

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).

a)☐ All b)☐ Some * c)☐ None of:

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) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of the Claims

1. This action is in response to the application filed on 4/18/2007. Claims 1-36 are pending.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-8 and 19-26, drawn to a method for providing a consolidated trading platform, the method comprising: providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers; receiving a preferred currency of a trader; determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency; conducting a transaction of the asset by transmitting a transaction request to a market exchange server when the trader decides to proceed; receiving a notification that the transaction of the asset was performed by the market exchange server; and performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed through a currency exchange server, classified in class 705, subclass 42.

II. Claims 9-18 and 27-36, drawn to a method for providing a consolidated trading platform, the method comprising: providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers; receiving a preferred currency of a trader; determining whether an asset is being chosen for trading; determining a market currency of the asset being traded; receiving a prevailing currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency; receiving a price of the asset being traded from the one or

more market exchange servers, the price shown in the trading server being in the preferred currency; and showing a transaction of the asset in the preferred currency, classified in class 705, subclass 35R.

3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, invention I has separate utility such as determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency; conducting a transaction of the asset by transmitting a transaction request to a market exchange server when the trader decides to proceed; receiving a notification that the transaction of the asset was performed by the market exchange server; and performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed through a currency exchange server. Invention II has separate utility such as determining a market currency of the asset being traded; receiving a prevailing currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency; receiving a price of the asset being traded from the one or more market exchange servers, the price shown in the trading server being in the preferred currency; and showing a transaction of the asset in the preferred currency. See MPEP § 806.05(d).

4. The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional

application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

5. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

(a) the inventions have acquired a separate status in the art in view of their different classification;

(b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;

(c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);

(d) the prior art applicable to one invention would not likely be applicable to another invention;

(e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

6. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention**.

7. The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an

election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

8. If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

9. Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

10. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIEN C. NGUYEN whose telephone number is (571) 270-5108. The examiner can normally be reached on Monday-Thursday (10:00am-3:00pm EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammel can be reached on 571-273-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/tn/

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11736583	BENMOHA, JACKY
	Examiner	Art Unit
	TIEN C NGUYEN	3694

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	03/12/2010								
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	Examiner	Art Unit
	TIEN C NGUYEN	3694

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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
11/736,583	04/18/2007	3692	925	SVPA-029	36	4

CONFIRMATION NO. 4039

26797
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA95014

UPDATED FILING RECEIPT

Date Mailed: 05/18/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. 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 mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. 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 (if appropriate).**

Applicant(s)

Jacky Benmoha, Holmdel, NJ;

Assignment For Published Patent Application

World Markets Access, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 26797

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/07/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/736,583**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

Title

Consolidated trading platform

Preliminary Class

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 (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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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 AssetsControl, 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).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jacky Benmoha
Title:	Consolidated trading platform
Serial No.:	11/736,583
Filing Date:	04/18/2007
Assignee:	
Examiner:	Unknown
Group Art Unit:	Unknown
Docket No.:	SVPA-029

May 10, 2007

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

Response to Notice to File Missing Parts of Application
Filing Date Granted

Dear Sir:

In response to the "Notice to File Missing Parts of Application – Filing Date Granted" mailed by the United States Patent and Trademark Office on 05/06/2007, the following document(s) is enclosed herewith to complete the filing of the above-identified patent application:

1. Payment of addition $500 to cover an extra independent claim and 16 claims over 20.

It is hereby respectfully submitted that the enclosed document(s) completes the filing of the above patent application and justify the US filing date of 04/18/2007.

The undersigned authorizes the PTO to charge the deposit account No. 502436 any additional fees that may be due. Please telephone the undersigned at (408)777-8873, if there are any questions.

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 of Patents and Trademarks, Washington, DC 20231", on May 10, 2007.

Name: Joe Zheng

Signature: / joe zheng /

Respectfully submitted;

/ joe zheng /

Joe Zheng
Reg.: No. 39,450

Electronic Patent Application Fee Transmittal

Application Number:	11736583
Filing Date:	18-Apr-2007
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Small Entity

Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	16	25	400
Independent claims in excess of 3	2201	1	100	100
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**500**

Electronic Acknowledgement Receipt

EFS ID:	1765353
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	10-MAY-2007
Filing Date:	18-APR-2007
Time Stamp:	20:13:49
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	$500
RAM confirmation Number	1145
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)

1	Response to Pre-Exam Sequence Notice	ResponseToMissingParts.pdf	72082	no	1
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8251	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	80333		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
11/736,583	04/18/2007	3692	425	SVPA-029	36	4

CONFIRMATION NO. 4039

26797
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA95014

FILING RECEIPT

Date Mailed: 05/08/2007

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Applicant(s)

Jacky Benmoha, Holmdel, NJ;

Assignment For Published Patent Application

World Markets Access, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 26797

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/07/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/736,583**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

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Preliminary Class

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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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 AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/736,583	04/18/2007	Jacky Benmoha	SVPA-029

CONFIRMATION NO. 4039

26797
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

FORMALITIES LETTER

Date Mailed: 05/08/2007

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Additional claim fees of **$500** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **$500** for a small entity

- Total additional claim fee(s) for this application is **$500**
  - **$100** for **1** independent claims over 3.
  - **$400** for **16** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or

visit our website at http://www.uspto.gov/ebc.

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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199
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PTO/SB/01 (12-97)
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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

[X] Declaration Submitted with Initial Filing OR [ ] Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	SVPA-028
First Named Inventor	Jacky Benmoha
COMPLETE IF KNOWN	
Application Number	/
Filing Date	Herewith
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Consolidated trading platform

(Title of the Invention)

the specification of which
[X] is attached hereto
OR
[ ] was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
			[ ]	[ ]	[ ]
			[ ]	[ ]	[ ]
			[ ]	[ ]	[ ]
			[ ]	[ ]	[ ]

[ ] Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

[ ] Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

04/17/2007 14:29 FAX 5420925 ROLLING SYSTEMS 001

Please type a plus sign (+) inside this box → [X]

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (If applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☑ Customer Number 26797 → Place Customer Number Bar Code Label here

OR

☐ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☑ Customer Number or Bar Code Label 26797 OR ☐ Correspondence address below

Name					
Address					
Address					
City		State		ZIP	
Country		Telephone	(408)777-8873	Fax	(408)873-9249

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 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
Jacky	Benmoha

Inventor's Signature						Date	04/17/07
Residence: City	Holmdel	State	NJ	Country	USA	Citizenship	France
Post Office Address	8 Mayfair Road						
Post Office Address							
City	Holmdel	State	NJ	ZIP	07733	Country	USA

☒ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

EX1004
Askeladden L.L.C. Page 361 of 809
ROLLING SYSTEMS
002

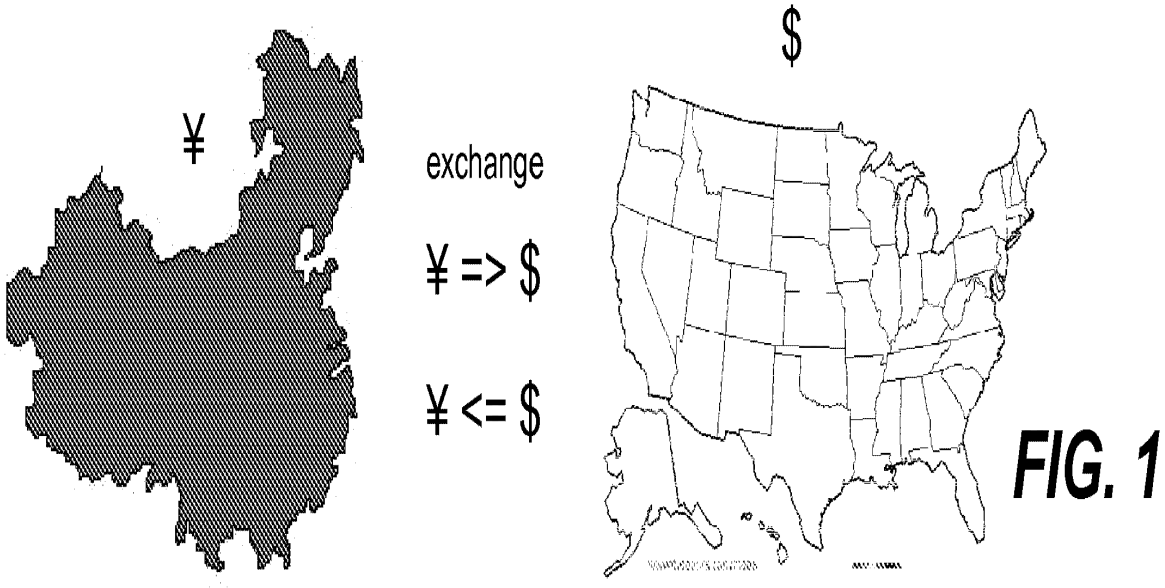


FIG. 1

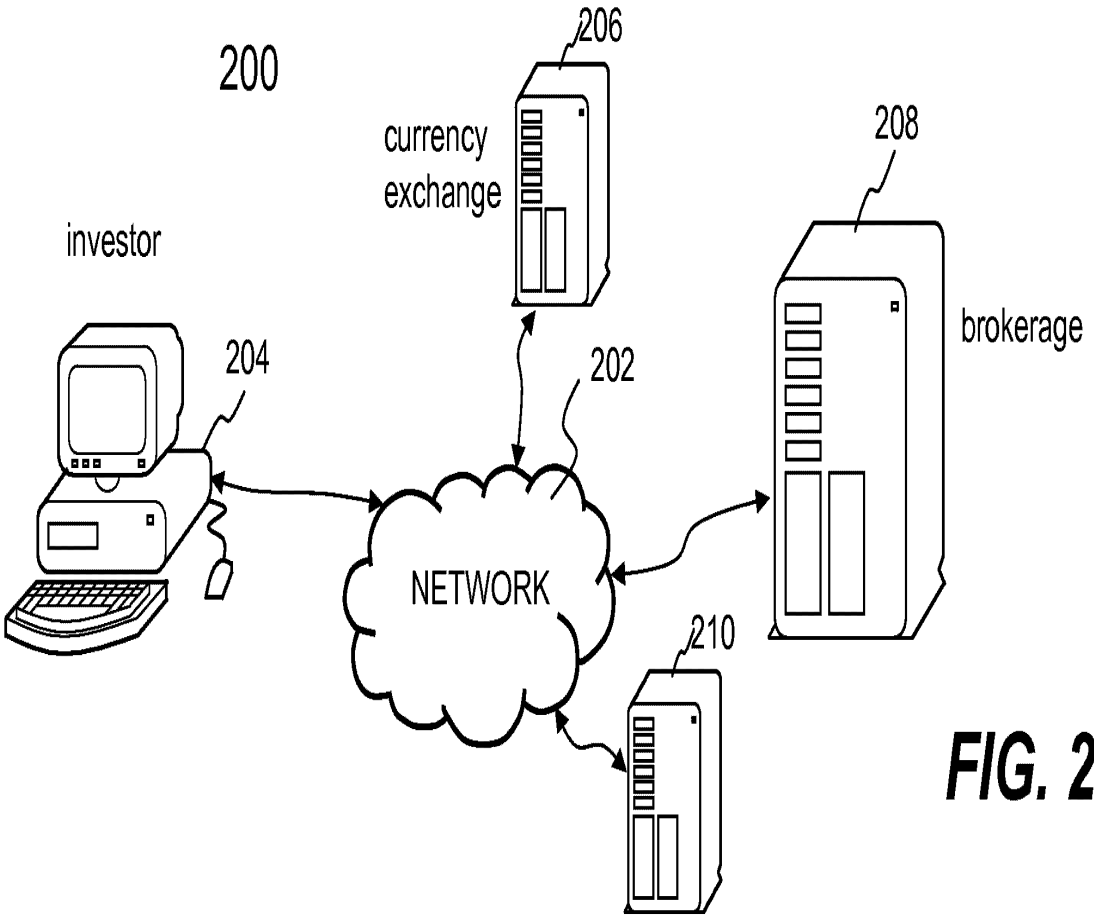

200
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investor
brokerage
204
202
NETWORK
210

FIG. 2A

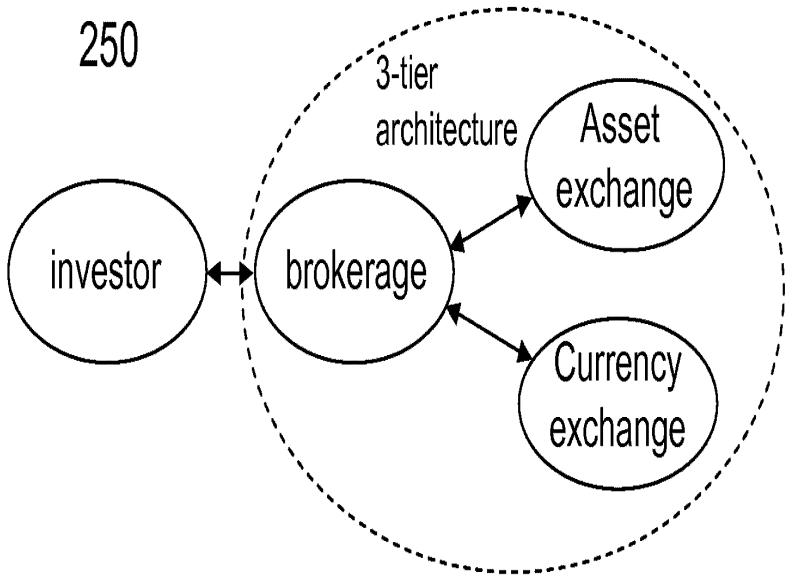

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architecture
Asset
exchange
investor
brokerage
Currency
exchange

FIG. 2B

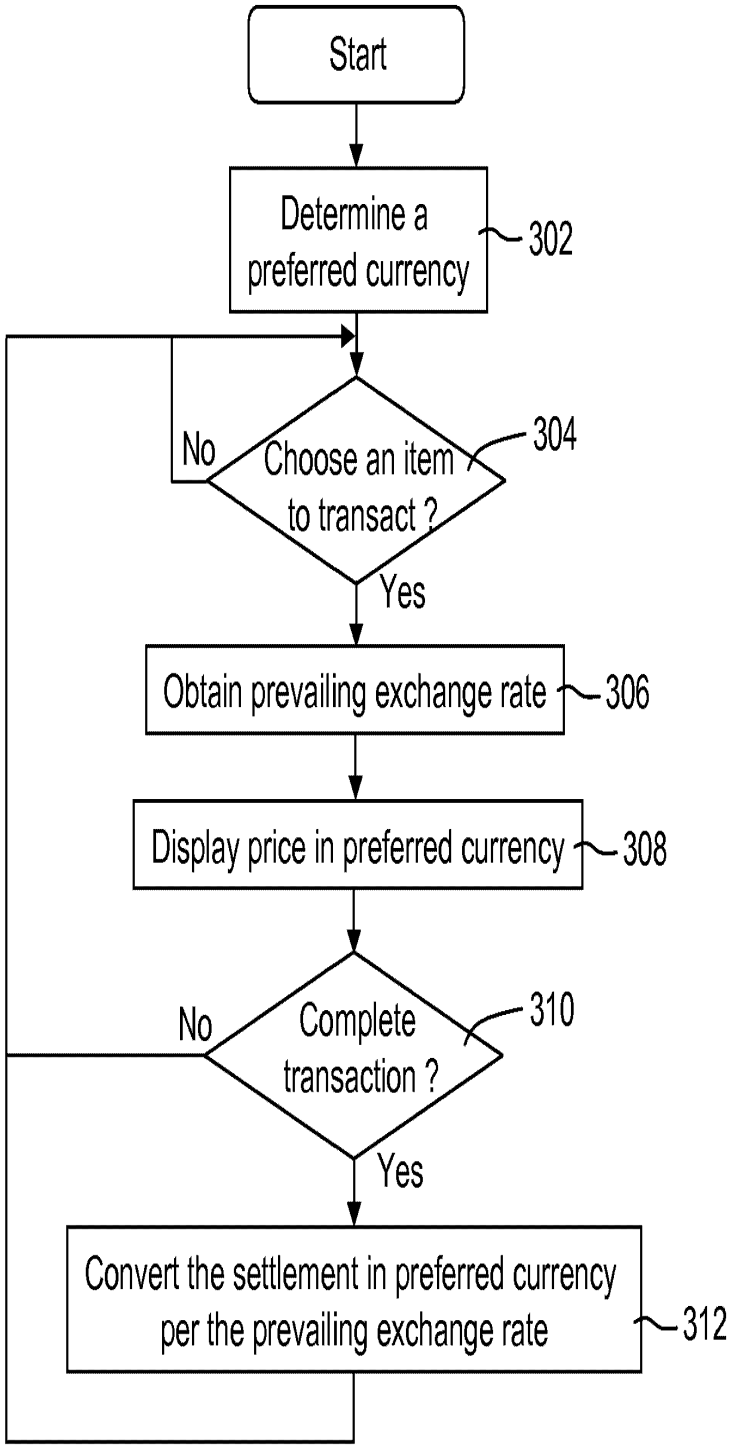

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Determine a preferred currency
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No
Choose an item to transact ?
304
Yes
Obtain prevailing exchange rate
306
Display price in preferred currency
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No
Complete transaction ?
310
Yes
Convert the settlement in preferred currency per the prevailing exchange rate
312

FIG. 3

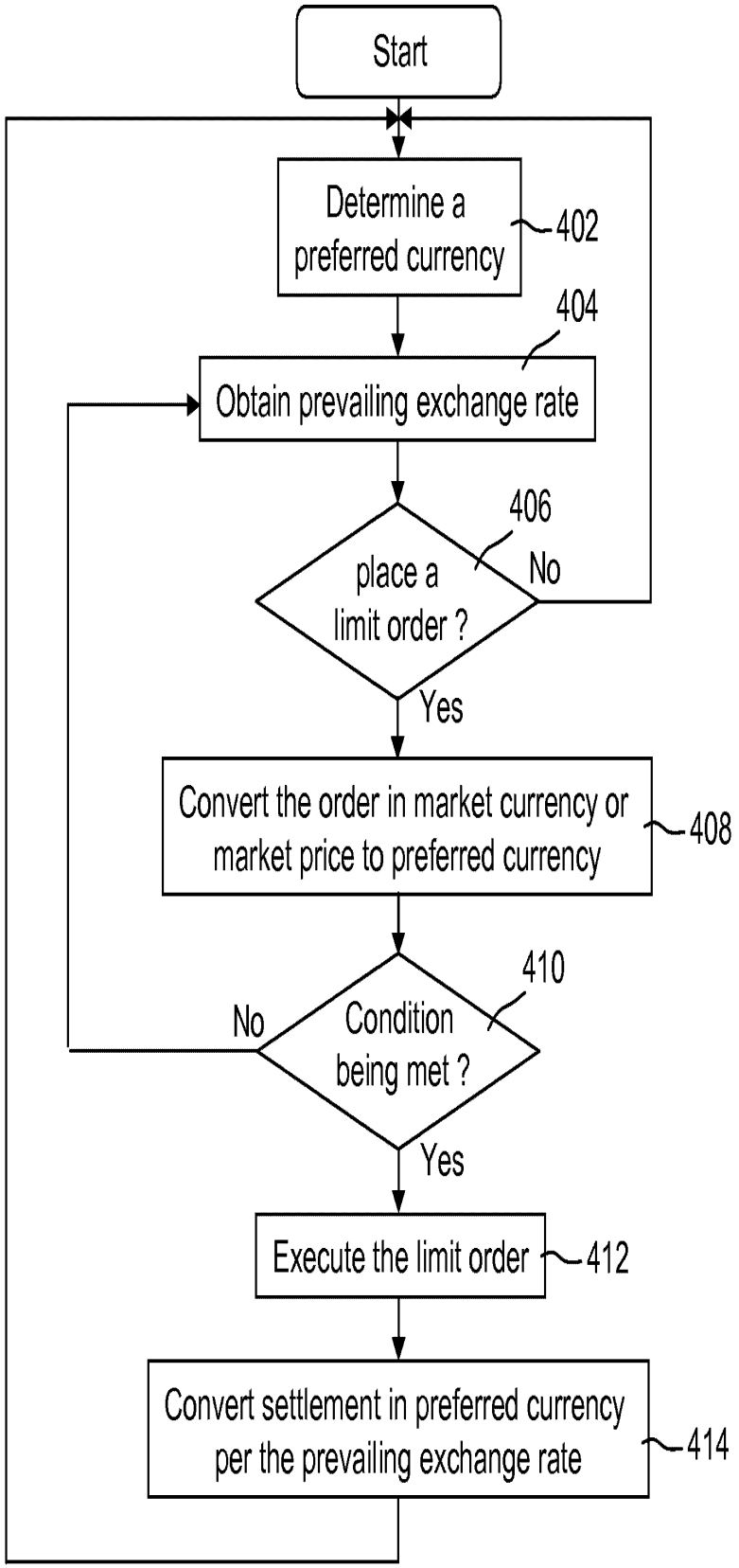

Start
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Determine a preferred currency
402
404
Obtain prevailing exchange rate
406
place a limit order ?
No
Yes
Convert the order in market currency or market price to preferred currency
408
410
Condition being met ?
No
Yes
Execute the limit order
412
Convert settlement in preferred currency per the prevailing exchange rate
414

FIG. 4

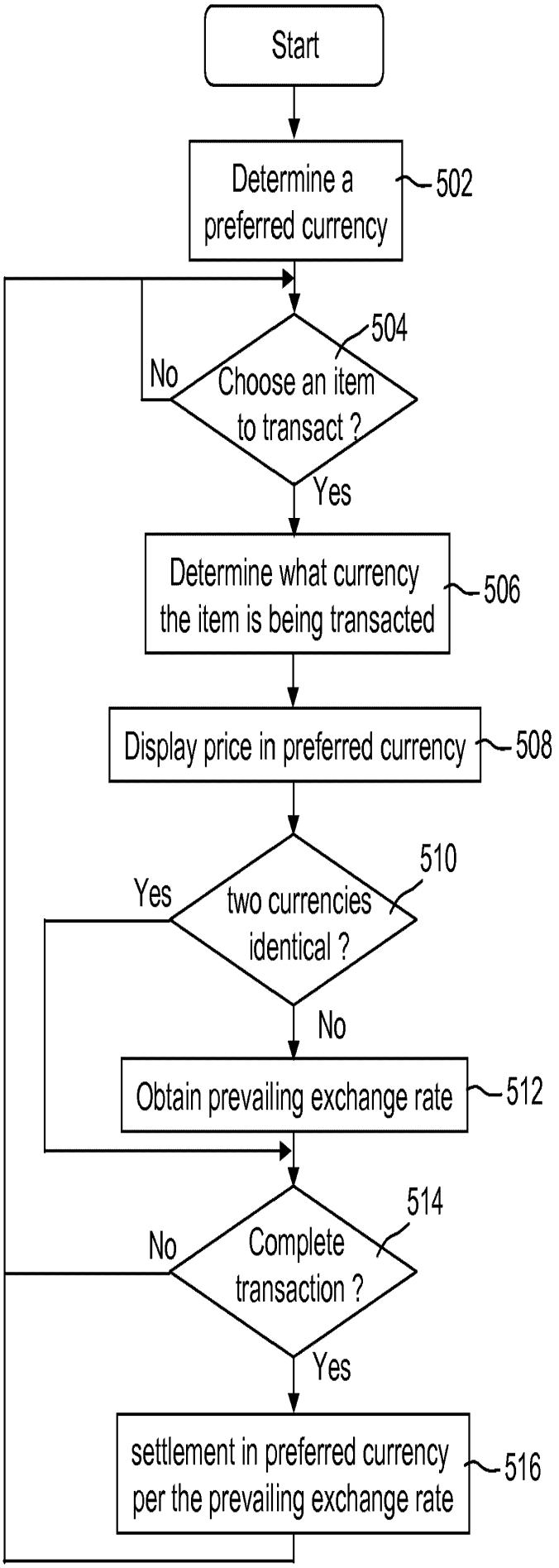

Start
Determine a preferred currency
502
500
504
No
Choose an item to transact ?
Yes
Determine what currency the item is being transacted
506
Display price in preferred currency
508
510
Yes
two currencies identical ?
No
Obtain prevailing exchange rate
512
514
No
Complete transaction ?
Yes
settlement in preferred currency per the prevailing exchange rate
516

FIG. 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION

FOR

Consolidated trading platform

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Express Mail Label # **e-filed via EFS** ; Date of Deposit: **04/18/2007**

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Consolidated trading platform

Jacky Benmoha

FIELD OF THE INVENTION

[0001] The present invention is generally related to the area of transactions in finance. More particularly, the present invention is related to systems and methods for providing a consolidated trading platform allowing traders to trade various assets in a preferred currency regardless where and in what currency the asset is typically traded.

BACKGROUND

[0002] One of the successful applications on the Internet is electronic commerce. Electronic commerce is an integrative concept designed whereby business commercial communications and management are conducted through electronic methods, such as electronic data interchange and automated data-collection systems, all via the Internet. Electronic commerce is seen and utilized in many industries and markets, and it has also penetrated into the financial markets, which for many years were traded manually or with a high degree of broker intervention. The vast accessibility of the Internet and of electronic networks in general makes it possible to connect buyers and sellers more quickly and objectively.

[0003] For example, one of the largest financial services providers, Charles Schwab & Co. has changed its core business from retail to online business. With the establishment of its website www.schwab.com, Charles Schwab allows qualified investors to trade US securities at any time from anywhere as long as Wall Street is in session. To attract investors residing in other countries, Charles Schwab has websites

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in different foreign languages, such as Chinese. As a result, investors residing in China can trade the US securities from their accounts at Charles Schwab via the Internet.

[0004] However, all accounts at Charles Schwab must be in US dollars and all transactions must be conducted in US dollars. FIG. 1 illustrates a process how an investor in China would trade securities listed on a US exchange (e.g., NASDAQ). Because all securities listed on a US exchange are traded in US dollars the investor must first pre-allocate a bulk amount in his/her local currency (e.g., RMB ¥) and look for a source to convert the amount into US dollars that are then deposited into a brokerage (e.g., Charles Schwab) by wire or check. Through the brokerage, the investor may place multiple orders to buy stocks being traded on a US exchange. At a later time, when the investor wishes to realize the profit or loss on his US dollar-denominated stock he must sell his stock and then separately find a foreign exchange resource to convert the settlement of selling the stock back to his local currency. At the time of buying or selling the stocks, as well as during the whole period the investor held the stocks, the investor had no certain knowledge of what profit or loss he was going to get because the currency exchange rate must be obtained for a bulk amount at another time, which may fluctuate significantly enough to affect the ultimate profit or loss.

[0005] One of the problems in the current trading system is that the currency conversion is not at a transactional level. There is a great need for an improved system which performs currency conversion on a transactional level so that a trader or investor knows exactly what profit or loss may occur with a transaction. It is desirable for a trading system to be able to show prices as well as conduct all transactions in a currency preferred by an investor regardless of whatever currency being used in the primary market for the security/asset.

SUMMARY OF THE INVENTION

[0006] This section is for the purpose of summarizing some aspects of the present invention and to briefly introduce some preferred embodiments. Simplifications or omissions in this section as well as in the title and the abstract of this disclosure may be made to avoid obscuring the purpose of the section, the title and the abstract. Such simplifications or omissions are not intended to limit the scope of the present invention.

[0007] Broadly speaking, the invention relates to methods, processes and systems for conducting security transactions in a preferred currency regardless of what original or market currency the securities are being traded in and where the transaction may take place. Securities include but are not limited to a wide array of electronically traded financial assets such as stocks, bonds, options, commodities (e.g., oil, gold), futures/derivatives contracts, funds, index funds, mutual funds, exchange traded funds. According to one aspect of the present invention, a three-tier architecture is presented, which includes a brokerage, a market exchange where securities/assets are traded, and a currency exchange where amounts in one currency can be converted to corresponding amounts in another currency at prevailing rates. Through a consolidated trading platform, the brokerage presents all prices, market data, P&L estimates, and transaction results or settlements in a preferred currency, in conjunction with the market exchange and the currency exchange. As a result, a trader always knows exactly what he/she may end up with a transaction of an asset. Furthermore, according to another aspect of the present invention, when the transaction of the asset is actually performed, the consolidated trading platform can also perform a currency conversion automatically based on specified conditions. Herein the term “trader” represents any initiator of the securities transaction, which includes but is not limited to an individual investor, an institutional investor, an asset manager, a hedge fund, or an electronic order system which automates the work of a human trader or an electronic “black box” algorithmic trading system.

[0008] According to still another aspect of the present invention, orders with conditions (e.g., a limit order, or a stop order) are only executed when the conditions are

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met with reference to the market price from the market exchange together with the currency exchange rate from the currency exchange.

[0009] As it is well known that when investing in another country or in another currency, cost and risk are incurred when a currency conversion is performed, traders trading in the same preferred or home currency would benefit if their transactions could be performed without any currency conversion. Therefore, according to still another aspect of the present invention, the consolidated trading platform analyzes transactions where two or more traders have placed orders in the same assets to determine whether or not the traders can be matched directly without currency conversion even when they share a preferred currency which may differ from the market currency for the asset.

[0010] The invention may be implemented in numerous ways, including a method, system, device, or a computer readable medium. Several embodiments of the invention are discussed below. In one embodiment, the invention is a method for providing a consolidated trading platform and the method comprises: providing access to a trading server that is coupled to a currency exchange server and a market exchange server; determining the preferred currency chosen by the trader, determining whether an asset is being chosen for trading; determining the market currency of the asset being traded at the market exchange; receiving a prevailing currency exchange rate from the currency exchange server if the preferred currency is not identical to the market currency; receiving a price of the asset being traded from the market exchange server, converting the price received by the trading server from the market exchange server to the preferred currency using rates supplied by the currency exchange server and, if the trader chooses to transact the asset, performing a transaction of the asset on the market exchange and a conversion of the proceeds of the transaction into the preferred currency on the currency exchange.

[0011] According to another embodiment, the present invention is a software product providing a consolidated trading platform. The software product may be loaded in a computing machine to provide the functions, benefits, objects and processes contemplated in the present invention. The computing machine may be a server or

servers provided by a financial institution. The software product comprises: programming code for providing access to a trading server that is coupled to a currency exchange server and a market exchange server; programming code for determining whether an asset is being chosen for trading; programming code for determining the preferred currency chosen by a trader; programming code for determining a market currency of the asset being traded; programming code for receiving a prevailing currency exchange rate from the currency exchange server if the preferred currency is not identical to the market currency; programming code for receiving a price of the asset being traded from the market exchange server, converting the price received by the trading server from the market exchange server to the preferred currency using rates supplied by the currency exchange; and programming code allowing the trader to transact the asset, performing a transaction of the asset on the market exchange and a conversion of the proceeds of the transaction into the preferred currency on the currency exchange.

[0012] Accordingly, one of the objects of the present inventions is to provide a consolidated platform for conducting security transactions in a preferred currency regardless what original or market currency the securities are being traded in and where the transaction may take place.

[0013] Other objects, features, and advantages of the present invention will become apparent upon examining the following detailed description of an embodiment thereof, taken in conjunction with the attached drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0014] The invention will be readily understood by the following detailed description in conjunction with the accompanying drawings, wherein like reference numerals designate like structural elements, and in which:

[0015] FIG. 1 shows a process how an investor in China would trade a security item listed on a US exchange (e.g., NASDAQ);

[0016] FIG. 2A illustrates a system configuration in which the present invention may be practiced in accordance with one embodiment thereof;

[0017] FIG. 2B shows a three-tier architecture in which there are three elements together providing various transactions in a preferred currency;

[0018] FIG. 3 shows a flowchart or process of conducting a transaction by a trader in a chosen currency other than a market currency;

[0019] FIG. 4 shows a flowchart or process of executing a conditional order (e.g., limit order, or stop order) by a trader; and

[0020] FIG. 5 shows a flowchart or process of currency neutral trading.

DETAILED DESCRIPTION OF THE INVENTION

[0021] The detailed description of the invention is presented largely in terms of procedures, steps, logic blocks, processing, and other symbolic representations that directly or indirectly resemble the operations of data processing devices coupled to networks. These process descriptions and representations are typically used by those skilled in the art to most effectively convey the substance of their work to others skilled in the art. Numerous specific details are set forth in order to provide a thorough understanding of the present invention. However, it will become obvious to those skilled in the art that the present invention may be practiced without these specific details. In other instances, well known methods, procedures, components, and circuitry have not been described in detail to avoid unnecessarily obscuring aspects of the present invention.

[0022] Reference herein to "one embodiment" or "an embodiment" means that a particular feature, structure, or characteristic described in connection with the embodiment can be included in at least one embodiment of the invention. The appearances of the phrase "in one embodiment" in various places in the specification are not necessarily all referring to the same embodiment, nor are separate or alternative embodiments mutually exclusive of other embodiments. Further, the order of blocks in process flowcharts or diagrams representing one or more embodiments of the invention do not inherently indicate any particular order nor imply any limitations in the invention.

[0023] Referring now to the drawings, in which like numerals refer to like parts throughout the several views. FIG. 2A illustrates a system configuration **200** in which the present invention may be practiced in accordance with one embodiment thereof. The configuration **200** includes a network **202** that may be the Internet, the Intranet and a data network of other private or public networks, and in form of wireless or landlines. Coupled to the network **202** is a client machine **204** that represents one of many client machines that may be accessed by or associated with traders residing anywhere. As used herein the client machine may include, but is not limited to, any form of desktop or laptop or server computer, handheld wireless device, or mobile phone which allows an investor to communicate electronically for trading purposes. Further, a trader may include, but not be limited to, a user, an individual, an investor or an institution that transact (e.g., buy or sell) assets, wherein the assets may include, but not be limited to, various securities. Examples of securities and assets include, but are not limited to, stocks, options, bonds, futures contracts, commodities (oil/gold), derivatives contracts, mutual funds, exchange traded funds, or any other OTC (over the counter) or exchange listed instruments. Exemplary issuers of securities include commercial companies, government agencies, local authorities and international and supranational organizations (such as the World Bank).

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[0024] Also coupled to the network **202** are three servers **206**, **208** and **210**. The server **206** represents a bank, an exchange agency, a multibank portal or matching service providing a currency exchange rate to buy or sell a type of currency for another. The server **208** represents a brokerage (e.g., Scottrade) to faciliate a transaction decided by a trader. The server **210** represents an asset or market exchange (e.g., NYSE) where an asset is caused to change hands. According to one aspect of the present invention, assuming a user has already established an account with the brokerage and authorized to access the account, what the user sees is everything in a preferred currency (e.g., euro, yen or RMB) including all transactions (e.g., to sell or buy an asset) and profit and loss. One of the features, benefits, and advantages of the present invention is to provide a mechanism that shows all transactions in a preferred currency regardless of whatever currency an asset is originally priced. The mechanism conducts a transactional level currency conversion. As a result, a trader knows exactly what profits and losses he/she is going to get in the transaction, without being subject to uncertainty in currency conversion of another time.

[0025] According to one embodiment, the present invention is based on a three-tier architecture as shown in FIG. 2B in which there are three elements together providing a consolidated trading platform. These three elements are communicating over a network, together providing all transactions in a local currency upon a real-time transactional level currency conversion. Depending on implementation, respective modules may be executed in each, some or all of the elements. It should be noted, however, the three elements may be implemented in a single computing machine which may be viewed as a single server or distributed over many servers owned by different organizations.

[0026] FIG. 3 shows a flowchart or process **300** of conducting a transaction by a trader. The process **300** may be implemented in software, hardware or a combination of

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both. The process **300** starts at **302** where it determines what type of currency (e.g., Yen, RMB, EURO) that has been determined by the trader. For example, the trader resides in Japan and keeps his money in Japanese yen, thus the preferred currency is the Japanese yen. Once the currency is determined, all subsequent transactions, market data or quotes are presented in the chosen currency in conjunction with a prevailing currency exchange rate provided by an exchange agent. At **304**, the process **300** determines whether an item (e.g., a stock of XYZ company) has been chosen for transaction (e.g., buying or selling the stock). If a trader has not selected an item for trading, the process **300** goes back awaiting a selected item. Based on the preferred currency, a prevailing exchange rate is obtained at **306** from a currency exchange. In one embodiment, the prevailing exchange rate is provided by a participating financial agency that is willing to buy the Japanese yen and sell US dollars at the published exchange rate.

[0027] The item is assumed to be priced in US dollars. Given the prevailing exchange rate, the various costs of the item are displayed in the Japanese yen at **308**. The costs include, but may not be limited to, a current market cost of the item to own or to sell, a transaction cost, and a total cost including all the costs and fees. Thus the trader has certain knowledge of what to pay for the item, or profit or loss when selling the item.

[0028] The process **300** now goes to **310** where the trader decides whether the item shall be bought or sold. If for some reason that the trader decides not to continue the transaction (e.g., not to own or sell the asset), the process **300** goes back to **302** where the trader may choose another item for trading. Now it is assumed that the trader decides to proceed with the item (e.g., to own or sell the asset), the process **300** goes to **312** where the transaction is completed (i.e., settled) in the preferred currency.

[0029] In one embodiment, to complete the transaction in the preferred currency, the currency exchange converts all settlements to the preferred currency per the prevailing exchange rate, as if the item has changed hands in the preferred currency. In other words, as shown in FIG. 2A, the server **208** communicates with the server **210** to complete the currency conversion. Depending on implementation, the server **210** may be part of the brokerage or an independent agent, and the currency conversion may actually happen (actually money exchanged) or credits may be used in the account.

[0030] According to another embodiment, an investor is planning to invest in the commodity of light sweet crude oil, contracts of which are priced in US dollars on the NYMEX. As the price of the contract is priced in USD while the investor has selected a home currency of EURO, one or more modules in the embodiment of the present invention monitors the prevailing interbank market price of the ratio of EUR/USD as well as the price of oil and updates the price displayed to the investor accordingly. At any point in time the price of the contract displayed to the investor follows the relationship:

Price of Asset in Home Currency = (Price of Asset in USD) / (Rate of EUR/USD)

[0031] If the price of oil is $50/barrel and the rate of EUR/USD is 1.30 (i.e. 1 EURO = 1.3000 US dollars), the effective price of the asset in home currency is 38.46 Euros, and this is the price that can be displayed to the investor. It may be noted that the exchange rate used may be based on the settlement date of the asset class, for instance, a 30-day oil contract may use the EUR/USD 30-day forward rate, whereas a US equity would use a EUR/USD spot next rate.

[0032] The investor is able to view and make purchase or sale decisions based on the combined price, which contains both the asset price and the currency price.

[0033] FIG. 4 shows a flowchart or process **400** of executing a limit order by a trader. The process **400** may be implemented in software, hardware or a combination of both. The process **400** starts at **402** where a preferred currency is determined by the trader. Based on the preferred currency, a prevailing exchange rate is obtained at **404** from a currency exchange. It is assumed that the item being exchanged is in a different currency (i.e., a market currency). At **406**, the process **400** determines whether a limit order of an item has been placed. If no order is placed, the process **400** goes back to **402**.

[0034] It is now assumed that a limit order is placed at **410**, for example, to buy 100 common shares of Microsoft Corporation at RMB ¥ 220/share, good until cancelled. At the time the order is placed, the prevailing exchange rate from RMB to USD is 0.125 and the stock is traded at USD 28/share or RMB ¥ 224/share. Accordingly, the condition of the limit order is not met at **412** and the order will not be executed. The limit order is essentially an open order. As the time goes, either or both of the stock price and the exchange rate change. The process **400** goes back to **404** to obtain an updated exchange rate and unify all parameters into one currency (e.g., either in RMB or USD) at **408** so that the condition of the limit order can be verified at **410** again.

[0035] It is assumed that either the stock price has dropped a little, the exchange rate increases, or both of the stock price or the exchange rate change in favor to the condition of the limit order, the condition of buying 100 common shares of Microsoft Corporation at RMB ¥ 220/share is subsequently met at **410**, the order is executed at **412**.

[0036] To complete the transaction in the preferred currency, the currency exchange converts the settlement to RMB per the prevailing exchange rate at **414**, as if

the stock has changed hands in RMB. In other words, as shown in FIG. 2A, the server **208** communicates with the server **210** to complete the currency conversion.

[0037] FIG. 5 shows a flowchart or process **500** of currency neutral trading. The process **500** may be implemented in software, hardware or a combination of both. As it is well known that, when investing in another country or in any currency, the cost and risk are incurred when a currency conversion is performed. Investors trading in the same home currency would benefit if their transactions could be performed without any currency conversion. In one aspect of the present invention, one embodiment implementing the process **500** is configured to analyze orders and purchases/sales and determine whether or not investors can be matched without currency conversion.

[0038] The process **500** starts at **502** where it determines what type of currency is preferred by a trader. At **504**, the process **500** determines whether an item (e.g., a stock of XYZ company) has been chosen for transaction (e.g., buying or selling the stock). If a trader has not selected an item for trading, the process **500** goes back awaiting a selected item. At **506**, the process **500** checks with an exchange to determine what currency the item is being traded. Regardless whatever the currency the item is being traded, the order is always in the preferred currency selected by the trader at **508**.

[0039] At **510**, the process **500** determines whether the currency being traded is identical to the preferred currency. If the two currencies are different, the process goes to **514** after obtaining a prevailing currency exchange rate at **512**, where the trader has the option to complete the transaction or choose a different item for trading at **514**. If the two currencies are identical, which means there is no need to conduct a currency conversion, the process goes to **514** directly. One of the advantages, benefits and

objects of the process **500** is the inherent ability to analyze orders and purchases/sales and determine whether or not investors can be matched without currency conversion.

[0040] For example, two investors sharing Euro as a home currency, both elect to send orders at 40 euro/barrel (although oil is priced in US dollars). When a match occurs (e.g., on an over-the-counter market), one embodiment of the present invention notes that these two investors traded in the same home currency, as they both take Euro as their home currency. Instead of performing currency conversion trades, the system contemplated in accordance with the present invention simply sends appropriate settlement instructions to each so that the oil contracts can be exchanged directly.

[0041] For example, the trader resides in Europe and keeps his money in Euro, thus the preferred currency is EURO. Based on the preferred currency, a prevailing exchange rate is obtained at **406** from a currency exchange. In one embodiment, the prevailing exchange rate is provided by a participating financial agency that is willing to buy the Euros and sell US dollars at the published exchange rate.

[0042] It is assumed that there are two investors sharing Euro as a home currency, both elect to send orders at 40 euro/barrel. When a match occurs, the system notes that these two investors traded in home currency. Instead of performing currency conversion, the system simply sends appropriate settlement instructions to each so that the oil contracts can be exchanged directly. It should be noted, however, the ability to exchange the contracts may vary based on whether the market for the asset is an OTC (over the counter) or exchange-based central counterparty and the specific settlement characteristics of the asset being traded. In the case where the market permits a direct settlement (such as an OTC market), the contracts/shares/instruments can be exchanged directly without currency conversion if both participants share the same

home currency. The system will perform according to the characteristics of the market for the asset.

[0043] In any case, the settlement is displayed at **516** in the preferred currency so that the trader knows exactly how much this transaction costs, or how much profit or loss this transaction is going to realize.

[0044] One skilled in the art will recognize that elements of the system in the present invention may be implemented in software, but can be implemented in hardware or a combination of hardware and software. The invention can also be embodied as computer-readable code on a computer-readable medium. The computer-readable medium can be any data-storage device that can store data which can be thereafter be read by a computer system. Examples of the computer-readable medium may include, but not be limited to, read-only memory, random-access memory, CD-ROMs, DVDs, magnetic tape, hard disks, optical data-storage devices, or carrier wave. The computer-readable media can also be distributed over network-coupled computer systems so that the computer-readable code is stored and executed in a distributed fashion.

[0045] There are numerous advantages, benefits and features in the present invention. One of these advantages, benefits and features is that the platform contemplated in the present invention facilitates managements of all types of security or asset exchanges in a preferred currency.

[0046] The present invention has been described in sufficient detail with a certain degree of particularity. It is understood to those skilled in the art that the present disclosure of embodiments has been made by way of examples only and that numerous changes in the arrangement and combination of parts as well as steps may be resorted without departing from the spirit and scope of the invention as claimed. Accordingly, the

scope of the present invention is defined by the appended claims rather than the forgoing description of embodiments.

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Claims

I claim:

1. A method for providing a consolidated trading platform, the method comprising:

providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers;

receiving a preferred currency of a trader;

determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency;

conducting a transaction of the asset by transmitting a transaction request to a market exchange server when the trader decides to proceed;

receiving a notification that the transaction of the asset was performed by the market exchange server; and

performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed through a currency exchange server.

2. The method as recited in claim 1, wherein said conducting a transaction of the asset comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and a retrieved currency exchange rate.

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3. The method as recited in claim 2, wherein said monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

receiving periodically an updated price of the asset being traded from the market exchange server;

receiving periodically an updated currency exchange rate from the market exchange server if the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

4. The method as recited in claim 1, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

5. The method as recited in claim 4, wherein the transaction is conducted across at least two countries.

6. The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction amount comprises

receiving a set of conditions for the transaction to take place;

monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

performing the currency conversion only when the conditions for currency conversion have been met.

7. The method as recited in claim 6, wherein said monitoring the conditions for currency conversion comprises

determining how much of an asset has been transacted on a market exchange;

determining if this exceeds a predetermined or dynamically determined threshold value

8. The method as recited in claim 1, wherein said performing a currency conversion of some portion or all of the transaction amount comprises:

analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine if any portion thereof was bought or sold from another trader with the same preferred currency as the trader performing said transaction; and

performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency.

9. A method for providing a consolidated trading platform, the method comprising:

providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers;

receiving a preferred currency of a trader;

determining whether an asset is being chosen for trading;

determining a market currency of the asset being traded;

receiving a prevailing currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency;

receiving a price of the asset being traded from the one or more market exchange servers, the price shown in the trading server being in the preferred currency; and

showing a transaction of the asset in the preferred currency.

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10. The method as recited in claim 9, further comprising:

conducting the transaction of the asset when the trader decided to proceed; and

performing a currency exchange of a settlement in the market currency to the preferred currency when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

11. The method as recited in claim 10, wherein the currency exchange is conducted in the one or more the currency exchange servers per the prevailing currency exchange rate.

12. The method as recited in claim 9, further comprising providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

13. The method as recited in claim 9, wherein said determining whether an asset is being chosen for trading comprises:

receiving a set of conditions for the transaction of the asset; and

monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers.

14. The method as recited in claim 13, wherein said monitoring the conditions in conjunction with the one or more currency exchange servers and market exchange servers further comprises:

retrieving periodically the price of the asset being traded from the one or more market exchange servers;

prevailing periodically the currency exchange rate from the one or more market exchange servers if the preferred currency is not identical to the market currency; and

determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

15. The method as recited in claim 14, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

16. The method as recited in claim 9, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

17. The method as recited in claim 9, further comprising: analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency is identical to the market currency.

18. The method as recited in claim 9, wherein the transaction is conducted across at least two countries.

19. A software product providing a consolidated trading platform and executable in a computer system, the software product comprising:

programming code for providing access to a trading server that is coupled to one or more currency exchange servers and one or more market exchange servers;

programming code for receiving a preferred currency of a trader;

programming code for determining whether an asset is being chosen for trading, wherein the asset is being traded in a market currency;

programming code for conducting a transaction of the asset by transmitting a transaction request to a market exchange server when the trader decides to proceed;

programming code for receiving a notification that the transaction of the asset was performed by the market exchange server; and

programming code for performing a currency conversion of some portion or all of the transaction amount from the market currency to the preferred currency when the preferred currency is not identical to the market currency, the conversion being performed through a currency exchange server.

20. The software product as recited in claim 19, wherein said programming code for conducting a transaction of the asset comprises:

programming code for receiving a set of conditions for the transaction of the asset; and

programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

programming code for performing the transaction of the asset only when the conditions have been met involving a retrieved price of the asset and a retrieved currency exchange rate.

21. The software product as recited in claim 20, wherein said programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

programming code for receiving periodically an updated price of the asset being traded from the market exchange server;

programming code for receiving periodically an updated currency exchange rate from the market exchange server if the preferred currency is not identical to the market currency; and

programming code for determining whether the conditions have been met together with the updated price of the asset and the updated currency exchange rate.

22. The software product as recited in claim 19, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset without currency conversion.

23. The software product as recited in claim 19, wherein the transaction is conducted across at least two countries.

24. The software product as recited in claim 19, wherein said programming code for performing a currency conversion of some portion or all of the transaction amount comprises

programming code for receiving a set of conditions for the transaction to take place;

programming code for monitoring the conditions for currency conversion in conjunction with the currency exchange server and the market exchange server, and

programming code for performing the currency conversion only when the conditions for currency conversion have been met.

25. The software product as recited in claim 24, wherein said programming code for monitoring the conditions for currency conversion comprises

programming code for determining how much of an asset has been transacted on a market exchange;

programming code for determining if this exceeds a predetermined or dynamically determined threshold value

26. The software product as recited in claim 19, wherein said programming code for performing a currency conversion of some portion or all of the transaction amount comprises:

programming code for analyzing any purchases or sales which make up the transaction of the asset in the market currency to determine if any portion thereof was bought or sold from another trader with the same preferred currency as the trader performing said transaction; and

programming code for performing a currency conversion only on that portion of the transaction where that portion was bought or sold from another trader with a different preferred currency.

27. A software product providing a consolidated trading platform and executable in a computer system, the software product comprising:

programming code for providing an access to a trading server that is coupled to a currency exchange server and a market exchange server;

programming code for receiving a preferred currency by a trader;

programming code for determining whether an asset is being chosen for trading;

programming code for determining a market currency of the asset being traded;

programming code for receiving a prevailing currency exchange rate from the market exchange server if the preferred currency is not identical to the market currency;

programming code for receiving a price of the asset being traded from the market exchange server, the price shown in the trading server being in the preferred currency; and

programming code for showing a transaction of the asset in the preferred currency.

28. The software product as recited in claim 27, further comprising:

programming code for conducting the transaction of the asset when the trader decided to proceed; and

programming code for performing a currency exchange of a settlement in the market currency to the preferred currency when the preferred currency is not identical to the market currency so that the transaction is no longer subject to currency fluctuation at a later time.

29. The software product as recited in claim 28, wherein the currency exchange is conducted in the currency exchange server per the prevailing currency exchange rate.

30. The software product as recited in claim 27, further comprising programming code for providing a currency conversion at a transactional level so that a trader knows exactly what ends up with the transaction of the asset.

31. The software product as recited in claim 27, wherein the programming code for determining whether an asset is being chosen for trading comprises:

programming code for receiving a set of conditions for the transaction of the asset; and

programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server.

32. The software product as recited in claim 31, wherein the programming code for monitoring the conditions in conjunction with the currency exchange server and the market exchange server further comprises:

programming code for retrieving periodically the price of the asset being traded from the market exchange server;

programming code for prevailing periodically the currency exchange rate from the market exchange server if the preferred currency is not identical to the market currency; and

programming code for determining whether the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

33. The software product as recited in claim 32, wherein the transaction of the asset only happens when the conditions have been met together with the retrieved price of the asset and the retrieved currency exchange rate.

34. The software product as recited in claim 27, wherein, when the preferred currency is identical to the market currency, the transaction is conducted directly between the trader and another trader selling or buying the asset.

35. The software product as recited in claim 27, further comprising: programming code for analyzing orders and purchases/sales to determine whether or not the trader and another trader selling or buying the asset can be matched without currency conversion, when the preferred currency is identical to the market currency.

36. The software product as recited in claim 27, wherein the transaction is conducted across at least two countries.

Consolidated trading platform

Abstract

Techniques to facilitate security transactions in a preferred currency, regardless what original or market currency the securities are being traded in and where the transaction may take place, are disclosed. According to one aspect of the present invention, a three-tier architecture is presented and includes a brokerage, a market exchange and a currency exchange. Through a consolidated trading platform, the brokerage presents all prices, quotes, transactions or settlements in a preferred currency, in conjunction with the market exchange and the currency exchange. As a result, a trader always knows exactly what he/she may end up with a transaction of an asset.

PTO/SB/35 (11-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor	**Jacky Benmoha**
Title	**Consolidated trading platform**
Atty Docket Number	**SVPA-029**

I hereby 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 agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4/18/2007
Date

/ joe zheng /
Signature

Joe Zheng, Reg. No.: 39,450
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Filer:	Joe Zheng
Attorney Docket Number:	SVPA-029

Filed as Small Entity

Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	75	75
Utility Search Fee	2111	1	250	250
Utility Examination Fee	2311	1	100	100
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**425**

Electronic Acknowledgement Receipt

EFS ID:	1691939
Application Number:	11736583
International Application Number:	
Confirmation Number:	4039
Title of Invention:	Consolidated trading platform
First Named Inventor/Applicant Name:	Jacky Benmoha
Customer Number:	26797
Filer:	Joe Zheng
Filer Authorized By:	
Attorney Docket Number:	SVPA-029
Receipt Date:	18-APR-2007
Filing Date:	
Time Stamp:	01:27:28
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	$425
RAM confirmation Number	1322
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)

1	Oath or Declaration filed	SignedDeclaration.pdf	112233	no	2
Warnings:					
Information:					
2	Drawings	Drawings.pdf	231767	no	5
Warnings:					
Information:					
3	Specification	PatentAsFiled.pdf	131552	no	27
Warnings:					
Information:					
4	Nonpublication request from applicant.	NonPublicationRequest.pdf	32838	no	1
Warnings:					
Information:					
5	Fee Worksheet (PTO-06)	fee-info.pdf	8341	no	2
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		Total Files Size (in bytes):	516731		

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

4/18/07

PTO/SB/06 (12-04)
Approved for use through 7/31/2006. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

11/736,583

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))				75			
SEARCH FEE (37 CFR 1.16(k), (i), or (m))				250			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))				100			
TOTAL CLAIMS (37 CFR 1.16(i))	36 minus 20 =	16	X 25=	400	OR	X 50=	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	4 minus 3 =	1	X 100=	100		X 200=	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 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))			N/A			N/A	
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	925		TOTAL	

APPLICATION AS AMENDED – PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDI-TIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDI-TIONAL FEE ($)
AMENDMENT A	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))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
						TOTAL ADD'T FEE		OR	TOTAL ADD'T FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDI-TIONAL FEE ($)	OR	RATE ($)	ADDI-TIONAL FEE ($)
AMENDMENT B	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))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
						TOTAL ADD'T FEE		OR	TOTAL ADD'T 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.

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