DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

As a below named inventor, I hereby declare that:

This declaration is directed to:

☒ The attached application,

OR

☐ United States Application Number or PCT International application number _____ filed on _____

The above-identified application was made or authorized to be made by me.

I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: Lisa Marshall Date (Optional): 3/14/14

Signature: Lisa Marshall

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute 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.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

As a below named inventor, I hereby declare that:

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OR

☐ United States Application Number or PCT International application number _____
filed on _____

The above-identified application was made or authorized to be made by me.

I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

LEGAL NAME OF INVENTOR

Inventor: James Gaynor Date (Optional): 3.14.14

Signature: James Gaynor

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute 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.

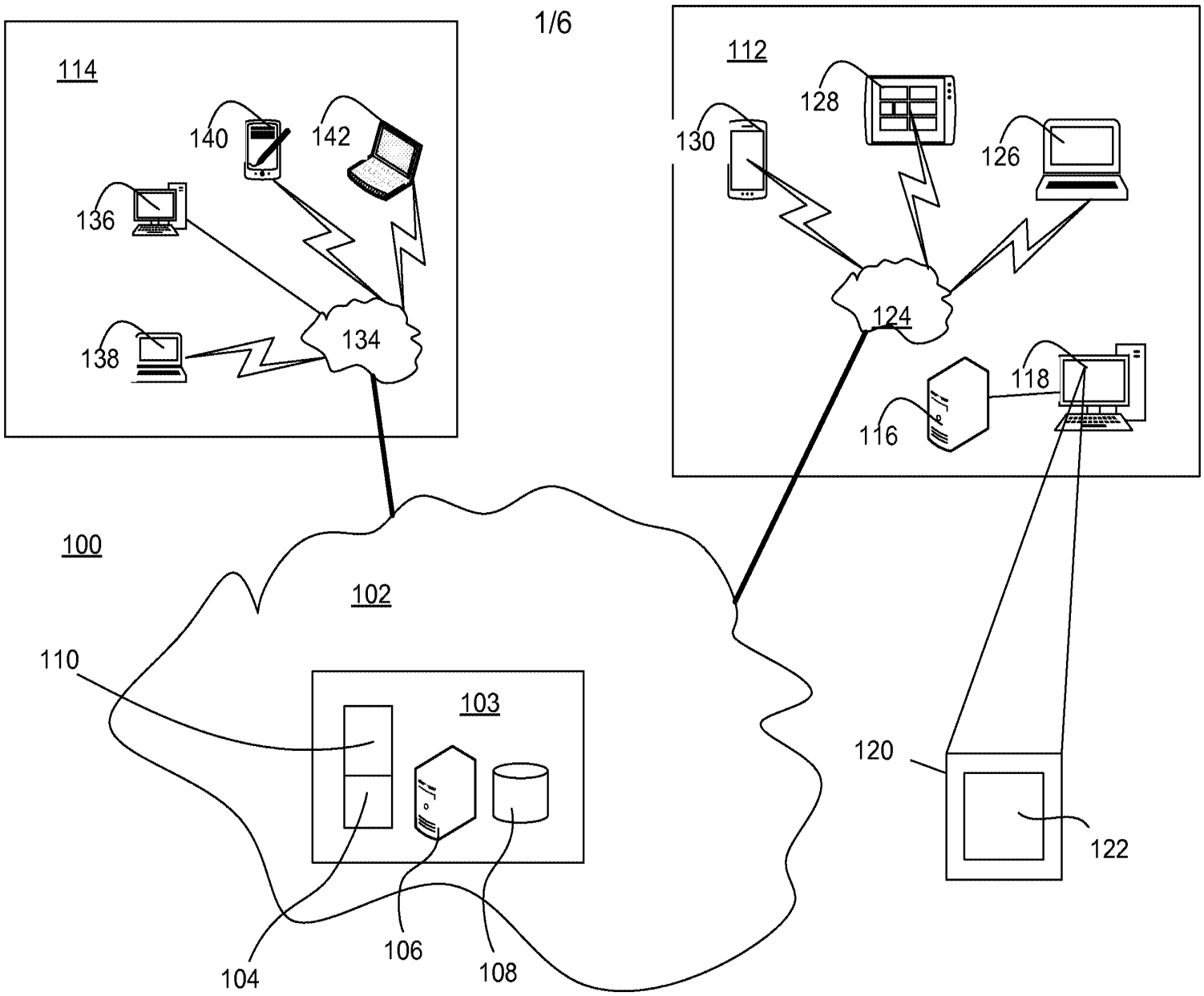

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FIG. 1

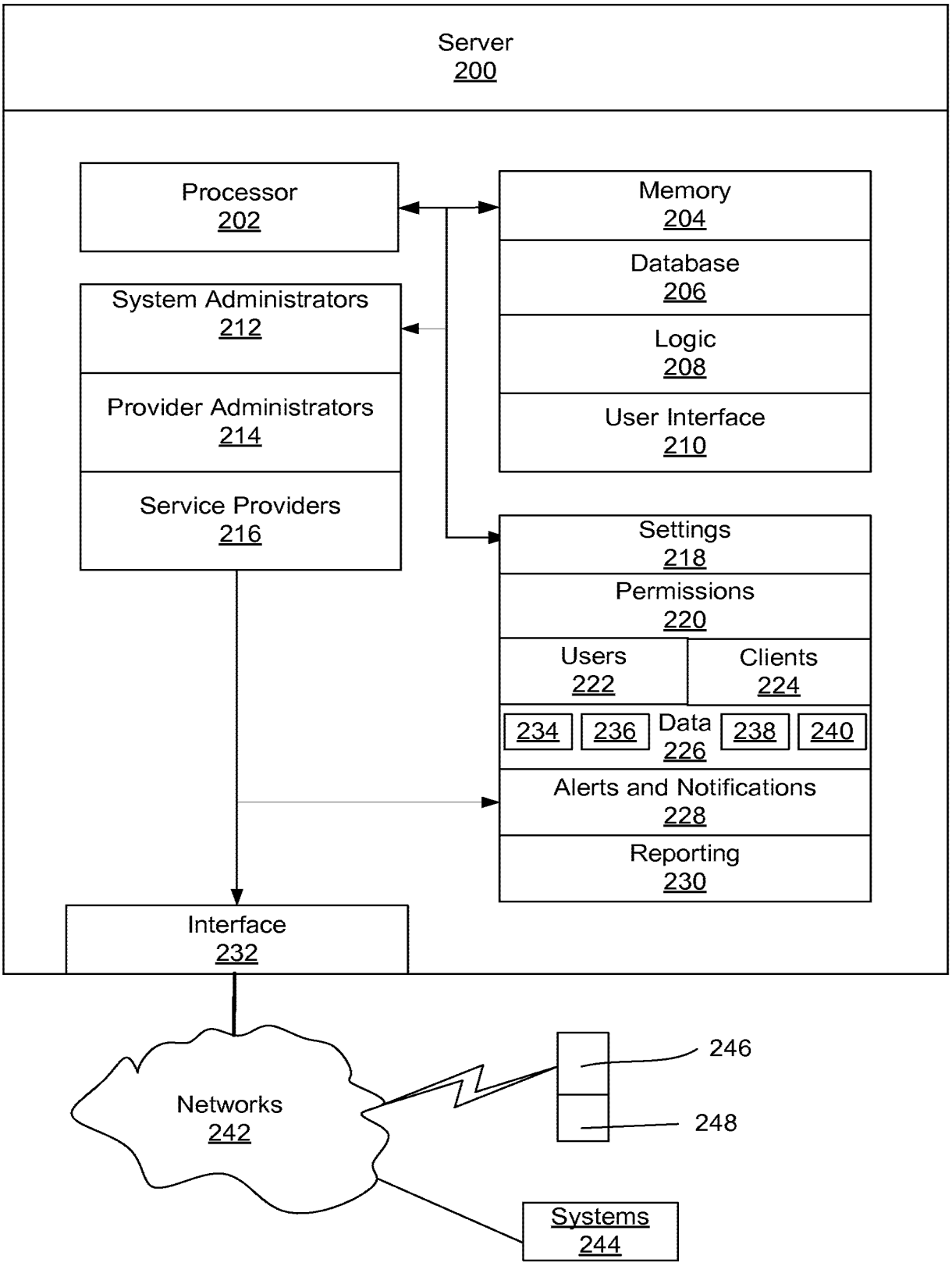

Server
200
Processor
202
Memory
204
Database
206
Logic
208
User Interface
210
System Administrators
212
Provider Administrators
214
Service Providers
216
Settings
218
Permissions
220
Users
222
Clients
224
234
236
Data
226
238
240
Alerts and Notifications
228
Reporting
230
Interface
232
Networks
242
246
248
Systems
244

FIG. 2

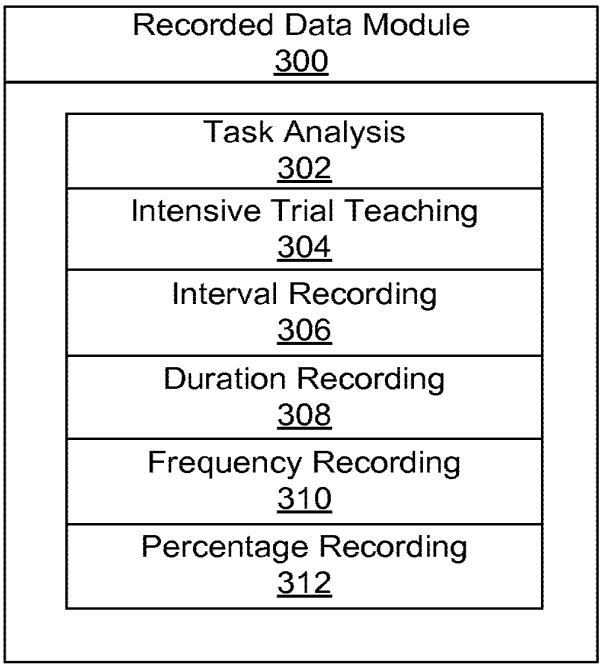

Recorded Data Module
300
Task Analysis
302
Intensive Trial Teaching
304
Interval Recording
306
Duration Recording
308
Frequency Recording
310
Percentage Recording
312

FIG. 3

400

Task	Level of Prompt Needed					
Walk into bathroom	Refused 0	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Pick up toothbrush	Refused 0	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Put toothpaste on brush	Refused 0	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Brush teeth for 30 seconds	Refused 0	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Return brush and paste	Refused 0	Hand-over -hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Rinse mouth	Refused 0	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Independent 5
Dry hands	Refused	Hand-over-hand 1	Touch 2	Gestural 3	Verbal 4	Indepen dent 5

402

Highest Possible	Obtained	Percentage
35	18	51

FIG. 4

Data Health Partners, Inc. Exhibit 2005, Page 6 of 506

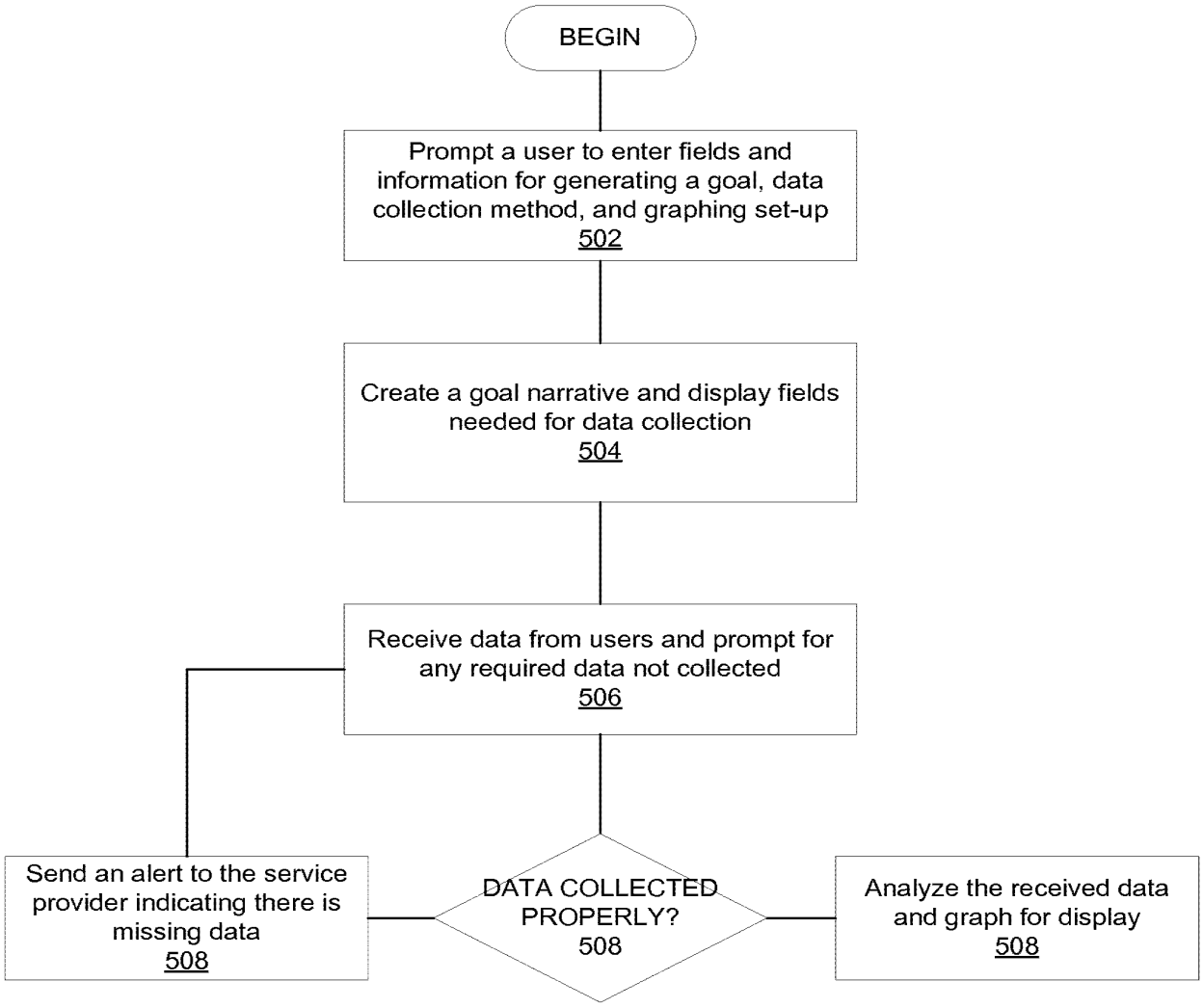

BEGIN
Prompt a user to enter fields and information for generating a goal, data collection method, and graphing set-up
502
Create a goal narrative and display fields needed for data collection
504
Receive data from users and prompt for any required data not collected
506
DATA COLLECTED PROPERLY?
508
Send an alert to the service provider indicating there is missing data
508
Analyze the received data and graph for display
508

FIG. 5

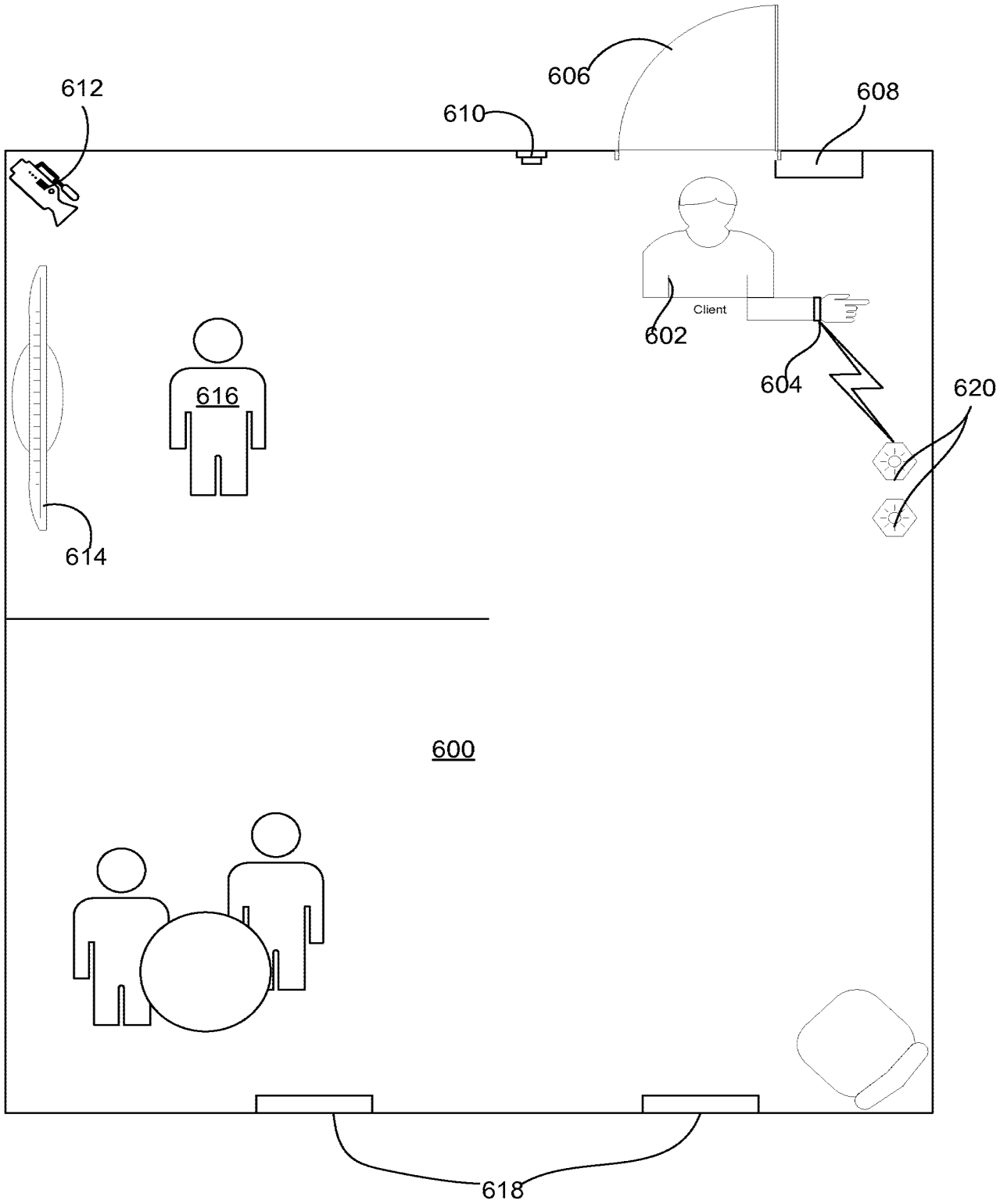


FIG. 6

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

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

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Lisa	A.	Marshall	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Richmond	State/Province	VA	Country of Residence i	US

Mailing Address of Inventor:

Address 1	4016 Northrop St.		
Address 2			
City	Richmond	State/Province	VA
Postal Code	23225	Country i	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	James		Gaynor	II

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Winchester	State/Province	VA	Country of Residence i	US

Mailing Address of Inventor:

Address 1	216 Cotton Ridge Rd.		
Address 2			
City	Winchester	State/Province	VA
Postal Code	22603	Country i	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	122596		
Email Address	contact@deliziogilliam.com	Add Email	Remove Email

Application Information:

Title of the Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES		
Attorney Docket Number	126.103USNP	**Small Entity Status Claimed**	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	6	**Suggested Figure for Publication (if any)**	

Filing By Reference :

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

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

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

Publication Information:

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

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

Representative Information:

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

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	122596		

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

Domestic Benefit/National Stage Information:

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

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61791218	2013-03-15

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button. Add

Foreign Priority Information:

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

Remove

Application Number	Country [i]	Filing Date (YYYY-MM-DD)	Access Code [i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. Add

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

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

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

Authorization to Permit Access:

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

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

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

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

Applicant Information:

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

Applicant 1 Remove

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	

If the Applicant is an Organization check here. ☒

Organization Name	Grafton School, Inc.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

Mailing Address Information:			
Address 1	120 Bellview Avenue		
Address 2			
City	Winchester	**State/Province**	VA
Country i	US	Postal Code	22601
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Assignee Information including Non-Applicant Assignee Information:

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

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication . An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

Remove

If the Assignee or Non-Applicant Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:			
Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button. Add

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	126.103USNP
	Application Number	
Title of Invention	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	

Signature:

Remove

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

Signature	/Brian D. Owens/			Date (YYYY-MM-DD)	2014-03-14
First Name	Brian	Last Name	Owens	Registration Number	55517

Additional Signature may be generated within this form by selecting the Add button. Add

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

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

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

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

RELATED APPLICATIONS

[0001] This application claims the priority benefit of U.S. Application Serial No. 61/791,218 filed Mar 15, 2013.

BACKGROUND

[0002] The ability of organizations, hospitals, schools, businesses, individuals, and others to meet goals is, and always will be, a significant challenge. In particular, it is important to recognize and treat problems and issues that prevent goals and other objectives from being achieved. For example, organizations and institutions that help individuals with disabilities and significant emotional or behavioral challenges have improved their processes in recent years. In particular, more individuals with physical disabilities, autism, chemical imbalances, mental disorders, behavioral problems, drug addictions, and other conditions are being served each year. Improved assessment, medications, training, treatment processes, and education, have provided solutions for addressing the concerns of individuals with special needs.

[0003] However, electronic systems, equipment, software, and processes for tracking, treating, and recording results, such as for individuals with special needs, have not improved as significantly. For example, some organizations still use paper documents and charts to track individuals' information or a single computing system available from only one location to enter and review data. As a result, viewing, updating, managing, and sharing, relevant information may be more difficult than it should be.

SUMMARY

[0004] Illustrative embodiments provide a system, method, server, and computer readable medium for tracking outcome specific data. Input establishing accounts for providers serving clients is received. The accounts are stored in a server. Each of the clients is assigned to one or more of the providers in response to selections from an administrator. Data associated with each of the clients received from the providers is compiled utilizing computing or communications devices in communication with the server. The compiled data is presented visually, in graph

form, in response to a user request. The illustrative embodiments also provide a computer or server including a processor and memory for performing the process herein described and a computer readable medium including a non-transitory memory for tracking outcome specific data.

[0005] Another embodiment provides a system for tracking goal achievement of individuals. The system may include computing and communications devices in communication with a server through one or more networks. The server may be configured to receive input establishing accounts for a plurality of providers serving the individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers utilizing the computing or communications devices in communication with the server, and present the compiled data visually in graph form in response to a user request. The system may also include a database in communication with the server configured to store the accounts, permissions, settings, and data.

[0006] In some embodiments, a method for tracking outcome specific data, the method comprises receiving input establishing accounts for providers serving clients, wherein the accounts are stored in a server; assigning each of the clients to one or more of the providers in response to selections from an administrator; compiling data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server; and presenting the compiled data visually in response to a user request.

[0007] In some embodiments, the server is accessed through a cloud network, and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers.

[0008] In some embodiments, the method further comprises: establishing goals for the clients, wherein the data indicates a status of the goals.

[0009] In some embodiments, the method further comprises: data mining the data to determine best practices.

[0010] In some embodiments, the method further comprises: recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers.

[0011] In some embodiments, the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

[0012] In some embodiments, the method further comprises: communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert.

[0013] In some embodiments, the method further comprises: receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

[0014] In some embodiments, the method further comprises: tracking a time and occurrence number of client actions in response to input from the providers; and indicating a status of goals for the clients in response to the data.

[0015] In some embodiments, the method further comprises: reporting outcomes in response to data compared against a minimum growth line.

[0016] In some embodiments, a system for tracking goal achievement of individuals, the system comprising: computing and communications devices in communication with a server through one or more networks, the server configured to receive input establishing accounts for a plurality of providers serving the individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers utilizing the computing or communications devices in communication with the server, and present the compiled data visualizing in response to a user request, and a database in communication with the server, the database configured to store the accounts, permissions, settings, and data.

[0017] In some embodiments, the database is a relational database management system performing data mining to analyze the data from the providers to associate best practices with each of the individuals.

[0018] In some embodiments, the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices.

[0019] In some embodiments, the one or more networks are a cloud network.

[0020] In some embodiments, the computing and communications devices are utilized by users to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

[0021] In some embodiments, a controller comprises a processor for executing a set of instructions; and a memory for storing the set of instructions, wherein the set of instructions are executed by the processor to receive input establishing user accounts for providers serving clients; assign each of the clients to one or more of the providers in response to selections from an administrator; compile data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server; and present the compiled data visually in response to a user request.

[0022] In some embodiments, the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

[0023] In some embodiments, the set of instructions are further executed to recommend best practices to the providers in response to historic success with the clients.

[0024] In some embodiments, the set of instructions are further executed to receive the data through a plurality of collection methods includes task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

[0025] In some embodiments, the controller is accessible by a plurality of mobile devices, a plurality of computing devices, and a web interface.

BRIEF DESCRIPTION OF THE DRAWINGS

[0026] Illustrative embodiments of the present invention are described in detail below with reference to the attached drawing figures, which are incorporated by reference herein and wherein:

[0027] FIG. 1 is a pictorial representation of a health system in accordance with an illustrative embodiment;

[0028] FIG. 2 is a block diagram of a controller in accordance with an illustrative embodiment;

[0029] FIG. 3 is a block diagram of a recorded data module in accordance with an illustrative embodiment;

[0030] FIG. 4 provides a chart illustrating data collection in accordance with an illustrative embodiment;

[0031] FIG. 5 is a flowchart of a process for generating a goal in accordance with an illustrative embodiment; and

[0032] FIG. 6 is a pictorial representation of a monitoring environment in accordance with an illustrative embodiment.

DETAILED DESCRIPTION OF THE DRAWINGS

[0033] The illustrative embodiments provide systems, methods, servers, techniques, platforms, instruction sequences, computer program products, and networks for optimizing, managing, and tracking data driven outcomes. In one embodiment, a multi-dimensional platform is provided to facilitate data-driven outcomes processes through assessment, goal development, data tracking, graphing, and re-evaluation. In the embodiments, best practices, successful actions, and plans are identified through automatic data-mining and analysis as well as user specified parameters, algorithms, and analytics.

[0034] The illustrative embodiments are applicable to more than just behavioral management. The illustrative embodiments may be adapted to any number of fields, systems, or environments for which an outcome process is identified. The recipient or focus of the outcome

process is a subject, the subject may be a client, patient, student, service provider, program, product, service, device, organization, business, department, or so forth. The subject may also be referred to herein as a client.

[0035] The illustrative embodiments may be applied to distinct outcome processes and content that involve the same or similar steps as described herein, such as client behavior management, educational instruction, school improvement activities, program evaluation, organizational key performance indicators, financial management, weight management, tracking insurance claims, or so forth. As used herein the term "or" is not mutually exclusive.

[0036] The illustrative embodiments may include a health network and system utilized to record, manage, and track progress data. One or more system administrators may manage the system for multiple service providers. As referred to herein a provider is an organization, business, group, school, facility, user, or caregiver, working toward specific goals or objectives. The users may specify goals or objectives. In some instances, goals and objectives are referred to simply as goals. Individuals being cared for may be referred to as clients, patients, students, individuals, or recipients.

[0037] Illustrative embodiments allow for full customization of different variables, such as hierarchical structure, subject title, roles, goal content, assessment variables, strategies and interventions, and underlying rules governing data analysis as needed by the user. In another embodiment of the system, the different users may be program administrators, providers, caregivers, IT support, and so forth. The labels specified for different variables and users may be assigned based on roles, levels of function, permissions within the system, and so forth. The illustrative embodiments may be customized to a desired level of functionality and for specific hierarchies.

[0038] The illustrative embodiments may be utilized to manage organizational quality improvement efforts and activities. As a result, organizations may more easily record and track progress to meeting individual, group, or institutional goals. In one embodiment, the described system is applicable to a behavioral health system, but is equally applicable to different conditions, environments, and situations. The ongoing behavioral health example is given for purposes of further illustrating the concepts.

[0039] In one example, the described embodiments may be utilized to assist and serve children and adults with disabilities, or significant emotional or behavioral challenges. The embodiments may be utilized in a patient-centered model, to provide continuous and coordinated services from early intervention, short-term stabilization, and residential services to substance abuse treatment, outpatient services, educational, and career and technical training. The illustrative embodiments may also be utilized for program or organization evaluation.

[0040] In one embodiment, a health network and system may be utilized to provide software as a service (SaaS). For example, a health network provider may make server-level applications, local applications, web programs, and mobile applications available to a number of providers. Individual users may then enter, retrieve, manage, and view information and data through any number of wired or wireless computing and communications devices. The different software may be updated as new versions are released. As a result, comprehensive systems and software services may be quickly rolled out to the providers. The individuals may be added, deleted, or managed from a number of remote locations. In one embodiment, the existing medical records including files and databases may be integrated with the health network and system to ease any transition concerns. In other embodiments, existing paper records may be digitized for utilization with the health network. Information from existing electronic medical records and systems may be uploaded for immediate utilization. The illustrative embodiments may be utilized to communicate with external databases including importing and exporting medical, financial, or other sensitive records if the correct authorizations are verified.

[0041] In one embodiment, the health network may utilize a cloud network to provide access. The cloud network may allow the system provider to license the system and software more efficiently. The system provider may control the system hosts, client profiles, security access, permissions, key access, and other controls.

[0042] In one embodiment, the described systems and method may be utilized to assess client outcomes to provide data to evaluate a variety of diagnostic, cultural, treatment, and regulatory priorities. Shared and collaborative information may result in team sharing of information for providing automated processes for real-time monitoring of progress and outcomes. The illustrative embodiments provide a systematic data collection and analysis system and process.

[0043] The embodiments may utilize a highly structured outcomes analytics program that assists users in collecting, graphing, and analyzing client-related outcome data. In one embodiment, a provider-defined Analysis of Influences Matrix (AIM) is considered to assess factors associated with a lack of progress to substantiate changes to service methodology. The AIM process may be used to determine needs, propose goals to address, and better match service components to optimize outcomes. In one embodiment, the illustrative embodiments may be referred to as Reliable Evidence Based Outcomes Optimization Technologies (REBOOT). The embodiments may be available to professionals, doctors, teachers, and clinicians as well as family members to facilitate the effectiveness of care and service plans. The data may be collected at the client, service, program, and organization levels to drive comprehensive quality improvement efforts. The illustrative embodiments provide a systematic method of pinpointing staff training needs, identifying departmental resources and programming needs, and developing processes to evaluate the utilization of best practices to improve outcomes.

[0044] In one example of a health system, goal mastery rates across programs that utilize the described processes and embodiments have improved from 35%-81% and have sustained above 80%. At the same time, coercive behavior management interventions have been reduced dramatically. The resulting increases in both client and staff safety indices correlate significantly with associated cost reductions to the organization. The illustrative embodiments decrease delivery costs despite the increases in sophistication over the existing systems.

[0045] The illustrative embodiments may improve client functioning, reduce client and staff injuries, reduce program costs, and mobilize a trans-disciplinary wrap-around system and process that "owns" the actualization of sustainable positive outcomes. The positive results indicate that it is possible to make gains in the independence and quality of life for clients with disabilities, while improving the viability of both the organization and the naturalistic support community as well.

[0046] The following paragraphs provide information that help understand the illustrative embodiments and the processes utilized to measure and achieve goals. As used herein, a baseline may be initial data obtained when the identified goal is first implemented. For example, an initial score and date may be obtained as part of the baseline. A mastery level may be the score or achievement required to master a goal or objective. For example, a measurable activity

may need to be performed at the mastery level a number of times over a duration of time before the goal is considered achieved.

[0047] The duration may be a length measure in time or a number of times an activity is performed at the mastery level or goal is reached. A projected closure date is the date at which the goal will end. The projected closure date is utilized to keep users and clients focused on reaching a designated goal in a reasonable time period. For example, depending upon procedural and regulatory parameters, a projected closure date may be pre-determined (e.g., one year) or may be set by user or agent specification of timeline (e.g., organizational key performance indicators may be set annually). The final mastery window may be the projected closure date minus duration. The final mastery window may represent the last window of opportunity to reach and maintain the mastery level before the goal ends.

[0048] The minimum growth line is a graphical line that runs from the baseline date and score (rating on graph) to the mastery level on the date that starts the final mastery window. The end of the minimum growth line starts the final mastery window and indicates the last possible timeframe during which the goal may be mastered before the goal expires. The minimum growth line is a reference point against which ongoing data ratings are compared to assess status and level of progress. The minimum growth line is not a prediction of how the actual data points will present, but simply a reference line against which the actual data points are compared. Assessing status is determined as data are graphed and compared with the minimum growth line. For example, the system may determine the status automatically utilizing pre-determined rules.

[0049] In one embodiment, each organization may set rules that are utilized by the system to determine whether goals and other criteria are met. For example, a client may be deemed to be progressing if when reviewing three of the most recent data points at least two of the three are better than the minimum growth line (e.g., higher than the upward-sloping minimum growth line or the mathematical indicator corresponding to the time period, lower than the downward slanting minimum growth line, etc.) The status may also be color coded. For example, green may indicate that the client is progressing.

[0050] A client's goal may be determined to not be on track if two of the three most recent data points are worse than the minimum growth line. If three consecutive data points are worse than the minimum growth line, the third data point may have a status identified as "significant."

The significant rating may be marked. For example, the significant rating may be marked in red, highlighted, flash, or so forth. In one embodiment, identification of a significant data point may trigger an AIM-review process to evaluate possible factors inhibiting progress on the goal and to identify changes to the AIM factors that are hypothesized to facilitate progress. The results of the AIM review are noted and a phase change may be noted on the graph. In one embodiment, the phase change may be indicated by a change in a data symbol, color, background color, label, or other indicator.

[0051] In another embodiment, a status of mastered may be given when the mastery level is maintained for an amount of time specified in the duration. For example, mastery may be indicated by a purple star around the data point that meets the criteria. Once a status of mastered is given, maintained mastery is a status given for all subsequent data points that reach or are better than the mastery level. Once a status of mastered is given, all subsequent data points that fall worse than the mastery level (higher for downward-sloping minimum growth line and lower for upward-sloping minimum growth line) are given the status of regression from mastery. When three consecutive ratings are given the status of regression from mastery, the third rating is identified as regression from mastery and significant. For example, a data point associated with regression from mastery may be noted with a red circle, and an AIM review is prompted as previously cited. Each service provider may specify thresholds, criteria, or rules that are utilized to determine the differences between statuses. For example, two consecutive ratings or a specified number may be utilized to determine deviations or significance.

[0052] In one embodiment, when the goal reaches the projected closure date, the goal is given a final status based on the last status entry. Goal mastery data may be analyzed in any number of ways. Final status rates may be calculated and may be assessed by any level of the agent hierarchy (e.g., by client, by service provider, by service type, by location, organization-wide). Status reports may be generated as needed to assess the current status of goals (not yet ended) by any level of the agent hierarchy. In one embodiment, reports may be generated to provide a listing of all goals whose current status is significant.

[0053] The illustrative embodiments may also allow multidimensional analysis of subject, goal, service, and intervention by final status outcomes to generate formulas for best practices by any of these parameters. For example, a specific subject type might be most successful with a

particular goal when a specific intervention is provided. Other analyses may indicate typical timelines for reaching particular outcomes by any of these parameters.

[0054] FIG. 1 is a pictorial representation of a health system 100 in accordance with an illustrative embodiment. The health system 100 may include any number of systems, devices, or equipment. For example, the health system 100 may utilize existing medical record servers, databases, electronic files, and systems. The health system 100 may also include any number of customized or proprietary systems, software, equipment, devices, or other components that are described herein.

[0055] In one embodiment, the health system 100 may include a health network 102 and a management system 103. The health network 102 may include hardware and software components including servers 104, file servers 106, databases 108, and software 110. The health system 100 and the health network 102 are configured to serve numerous customers or providers including Provider A 112 and Provider B 114. Each of the customers may include any number of networks, servers, computing devices, wireless devices, or network equipment, systems, and so forth. In one embodiment, Provider A 112 may utilize a server 116, a computer 118 displaying a graphical user interface (GUI) 120, and an electronic medical record (EMR) 122.

[0056] The Provider A 112 may further utilize a network 124 and wireless devices 126, 128, and 130 jointly "wireless devices 132"). Provider B 114 may utilize a network 134, a computer 136, and wireless devices 138, 140, and 142 (jointly "wireless devices 144"). The wireless devices 132 and 144 may be utilized when connected to a network or offline. The information and data may be entered utilizing a keyboard, speech recognition, imaging system, microphones, or any number of other devices or peripherals known in the art.

[0057] In one embodiment, the management system 103 is one or more devices utilized to enable, initiate, route, and manage communications between one or more computing and communications devices and providers, such as Provider A 112 and Provider B 114. The management system 103 may include one or more devices networked to manage the health network 102. For example, the management system 103 may include any number of servers, routers, switches, or advanced intelligent network devices. The health network 102 sends and receives the electronic signals through any number of transmission mediums. The health

network 102 may include various fiber optics, cables, transmission towers, antennas, or other components for transmitting data, communications, information, and files.

[0058] The health network 102 may represent any number of communications networks and connections including wired or wireless networks, data or packet networks, cable networks, satellite networks, private networks, publicly switched telephone networks (PSTN), or other types of communication networks. For example, communications within the health environment 102 may occur utilizing satellite connections, Wi-Fi, WiMAX, cellular networks, and/ or hardwired connections, such as fiber optics, T1, cable, DSL, standard telephone lines, Ethernet, power line networking, or other digital or analog communications connections. Any number of communications architectures including client-server, network rings, peer-to-peer, tiered networks, application servers, distributed networks, or other network systems may be utilized.

[0059] In one embodiment, communications utilizing the wireless devices 112 and 114 may occur directly or through network devices using communications protocols, such as time division multiple access (TDMA), code division multiple access (CDMA), global systems for mobile (GSM) communications, personal communications systems (PCS), Wi-Fi, WLAN, WiMAX, or other frequently used cellular and data communications protocols and standards. The wireless devices 112 and 114 may include cellular phones, smart phones, personal digital assistants (PDA), mp3 players, laptops, the readers, evolution data optimized (EDO) cards, hybrid devices, tablets, multi-mode devices, and other wireless communication devices and components.

[0060] FIG. 2 is a block diagram of a server 200 in accordance with an illustrative embodiment. In one embodiment, the server 200 may include a processor 202, a memory 204, a database 206, logic 208, a user interface 210, system administrators 212, provider administrators 214, service providers 216, settings 218, permissions 220, users 222, clients 224, data 226, alerts and notifications 228, and reporting 230, and an interface 232. The data 226 may include service delivery 234, goals and objectives 236, recorded data 238, and general notes 240. As referenced herein clients are any individual, parties, groups, process, subject, device, or organization on which data is collected.

[0061] The server 200 may communicate with networks 242, systems 244, and electronic devices 246 utilizing applications 248. In one embodiment, the server 200 is a computing device or group of networked or distributed computing devices. The server 200 may have any number

of hierarchical users including, system administrators 212, provider administrators 214, service providers 216, IT support, support staff, caregivers, and other similar users. In one embodiment, to add any of the described entities, groups, or users to the server 200, any of the following information or data may be required: name (e.g., first, last, username, nickname, etc.), email address, image, mobile telephone number, work number, role (e.g., system administrator, service providers, parent, etc.), user identification, password, designated supervisor, comments, and other related information.

[0062] The processor 202 is circuitry or logic enabled to control execution of a set of instructions. The processor 202 may be microprocessors, digital signal processors, application-specific integrated circuits (ASIC), central processing units, or other devices suitable for controlling an electronic device including one or more hardware and software elements, executing software, instructions, programs, and applications, converting and processing signals and information, and performing other related tasks. The processor 202 may be a single chip or integrated with other computing or communications elements.

[0063] The memory 204 is a hardware element, device, or recording media configured to store data for subsequent retrieval or access at a later time. The memory 204 may be static or dynamic memory. The memory 204 may include a hard disk, random access memory, cache, removable media drive, mass storage, or configuration suitable as storage for data, instructions, and information. In one embodiment, the memory 204 and processor 202 may be integrated. The memory may use any type of volatile or non-volatile storage techniques and media.

[0064] The database 206 may be utilized to store the data 226. The database 206 may include a database management system such as SQL (and variations), Access, Oracle, and DB2. In one embodiment, the interface 232 may include a transceiver configured to both transmit and receive communications for the server 200. The networks 242, systems 244, wireless devices 246 and applications 248 may represent all or a portion of the health system 100 of FIG. 1, such as Provider A 112 or client 114. The database 206 may be configured for data mining of available information and data as is known in the art.

[0065] In another embodiment, the server 200 may act as a web server hosting content that may be retrieved and managed. The illustrative embodiments may be implemented utilizing a web browser for entering, updating, and managing information, goals, activities, and other 226

data. In one embodiment, the software, information, and data utilized by the server 200 may be indexed, archived, or otherwise made available for queries and secured web-based searches. As a result, the users 222 may search the data 226 based on the applicable settings 218 and permissions 220 to determine best practices.

[0066] In one embodiment, information, settings, and data utilized by the server 200 is saved or duplicated to one or more redundant systems for backup, failover, or network purposes utilizing any number of backup standards, formats, or protocols. The various components of the server 200 may represent an application that is stored in the memory 204 and executed by the processor to perform the illustrative embodiments. The server 200 may host an application that communicates with other devices executing a local copy or version of the application (e.g., applications 248). Data may be similarly be synchronized and shared between applications in real-time or near real-time. As a result, multiple users 222 may be able to edit the data 226 simultaneously or concurrently while seeing the changes made by their counterparts.

[0067] In one embodiment, the system administrators 212 may control upload of the provider administrators 214, service providers 216 and clients 224 into the systems of the server 200. The system administrators 212 may be allowed to manage the setup of information, settings rules governing data analysis, and modules for the provider administrators 214. In one embodiment, the system administrators may be prevented from seeing specific types of data. However, in one example, general information, such as effectiveness of the service delivery 234 (e.g., a specific treatment plan) and the associated data 226 may be made available to the system administrators 212 for further enhancing the server 200 and providing additional actions and best practices to a number of clients that the system administrator 212 manages. In one embodiment, different provider administrators 214 associated with different organizations may be assigned to each of the system administrators 212 as a caseload. Service providers 216 may be similarly assigned as needed.

[0068] Provider administrators 214 may be provided unique access to the server 200 through a user interface 210. The user interface 210 may be represented by programs, applications, secure access protocols or systems made available through the server 200, such as the user interface 210, or alternatively, the applications 248, or the systems 244. The user interface 210 may present a dashboard or portal for managing the described information and data. In one embodiment, the provider administrators 214 functions of the user interface 210 may be accessed

through a desktop application interface or webpage. The provider administrators 214 may have complete read/write access to the user accounts represented by the service providers 216 including the settings 218, permissions 220, clients 224 and data 226. In one embodiment, the user interface 210 may display any number of icons, images, drop-down menus, videos, hyperlinks, internal links, scroll wheels, tabs, Windows, or other selection or display components.

[0069] The provider administrators 214 may have the capacity to add, edit, archive, and delete users 222 and the clients 224. The provider administrators 214 may have access to data 226 including service plans 234, goals and objectives 236, recorded data 238, and general notes 240. The user interface 210 may also provide user access for monitoring a patient's behavioral status. The service providers 216 may represent supervisors or may also be users 222 associated with one or more clients 224.

[0070] In one embodiment, the status may be associated with alerts or notifications 228 triggered by built-in system monitoring logic, such as reporting 230, that is intended to guide service providers 216 in their administration of service plans, tracking of recorded data 238, and service provider communications. The server 200 stores and provides access to every recorded service providers 216 interaction with the client file (e.g., updates, general notes 240, recorded data 238, event-triggered notifications, etc.) included in the data 226 or specific to the clients 224. As a result, the service providers 216 may log all activities within a file thereby allowing other service providers 216 to view the activities based on the pre-established settings 218 and permissions. For example, business, hospitals, or schools may have sharing agreements for exchanging data while still complying with the applicable laws and industry practices. Provider administrators 214 may also post public notes, comments, alerts, and notifications, associated with data 226 being recorded by the server 200 by the users 222 through the user's accounts. For example, public notes may be accessible to the related service provider 216.

[0071] Provider administrators 214 may manage their team of service providers 216 who work directly with clients 224 to administer information and data, such as goals and objectives 236. The provider administrators 214 may have complete access to the service providers 216 and the clients 224 to assign the clients 224 to individual service providers 216 through the user interface 210. In one embodiment, the service providers 216 represent authorized users able to access all or portions of the server 200 applicable to the service provider, view elements of the

service plans 234, view and add goals and objectives 236 for clients 224 that are associated with the service providers 216 to enter data, information, statistics, and record audio and video permitted by the provider administrators 214.

[0072] The users 222 may utilize the applications 248 (e.g., Android, iOS, Windows, etc.) to communicate with the user interface 210 to view data 226. For example, mobile applications executed by the electronic devices 246 may communicate the data 226 that is saved to the server 600. The user interface 210 may provide an easy to navigate and user friendly interface with quick search utilities and filters (e.g., location, caseload, etc.). The user may be granted read only/write access with the capacity of adding new instances. In one embodiment, changes to the client's information, such as service plans 234, goals and objectives 236, recorded data 238, and general notes 240 may be required to be reviewed by supervisors prior to submission. The users 222 may represent support staff, parents, professionals, and in some cases the clients 224 themselves may be given full or limited access to their own data 226. In one embodiment, the users 222 may represent the full hierarchy of individuals associated with clients 224 from administrators to support staff. From each client-dashboard available through the user interface 210, the service provider 216 may have access to a log of interactions associated with the data 226 (e.g., data collection, inactivity alerts, etc.).

[0073] The communications with the server 200 are secured for sensitive electronic protected health information and to comply with applicable laws, such as HIPAA. Communications with the server 200, whether in real-time or file transfers, may be encrypted or utilize other secure data transmission protocols (e.g., SSL, https, security certificates, etc.). The server 200 may also be configured to communicate with any number of databases 206 or systems 244, internal or external, maintained or accessible by the provider administrator 214, such as electronic client records databases. The applications 248 may record information and data even if one of the networks 242 is not currently available or if the wireless devices 246 and the systems 244 are offline. Synchronization methods and modes may be utilized as necessary (e.g., cloud synchronization). In one embodiment, conflicts and synchronization of information may be presented to the service provider 216 or provider administrators 214. In one embodiment, variance conflicts may be resolved by an automated processes or based on input from the provider administrator 214.

[0074] In one embodiment, users accessing the server 200 through the user interface 210 may be able to view clients 224 by location, caseload, or assignment. For example, the clients 224 may be associated with one or more locations, services, or programs. The locations may allow for further sub categorization, such as national, regional, or local programs. In one embodiment, provider administrators 214 may be able to see clients 224 associated with their respective service providers 216 or treatment team. In one example, the service providers 216 may be presented with a default list of clients 224 that have most recently been reviewed at login with options to search by location, client name, or other identifying information.

[0075] In one embodiment, the data 226 may further specify strengths and abilities, preferences, assistance or accommodations, such as environmental supports, activities of daily living, communication, and other, instruction and intervention strategies, and health and safety information, such as medication and special monitoring or precautions. Each of the authorized users may be able to view additional details by making further selections, such as double tapping a portion of the client data 226 presented on a touchscreen. The data 226 may be further customized or displayed in response to a user selection. For example, in an application focused on health and safety information of a client may include additional information, for example, regarding seizures, bowel movements, special diet, exercise program, and one-on-one services that may be further explored or reviewed.

[0076] In one embodiment, by choosing a heading, the service providers 216 may be presented with information for specific goals and objectives 226. For example, in a behavioral health field, the goals and objectives 226 may include areas, such as coping skills, fine motor skills, and physical aggression. The user may utilize a goal wizard or management function to be able to enter headings as well as detailed descriptions or narratives associated with each heading in a hierarchical format. For example, each of the goals and objectives 236 may include a main heading, a start date, a projected closure date, a goal description, a goal narrative, a lead service provider, a data collection method, email notifications (e.g., for individual users associated with the specific client or information for the client), function, and options. Goals may be opened and closed out at any time and may be viewed in separate files, such as active and archived. In one embodiment, the data 226 may be associated with mastery scores, baseline information, and objectives. The information may also be prioritized or color-coded as needed.

[0077] In one embodiment, the alerts and notifications 228 may be configured to communicate information. For example, any number of alerts and notifications 228 may be communicated through the interface 232. The interface 232 may be configured to communicate with wired and wireless networks. As a result, the alerts and notifications 228 may represent emails, text messages, in-application messages or alerts, audio, video, picture, or text messages, streaming communication sessions, or other similar alerts, messages, or communications that are sent in real-time or near real-time. The alerts and notifications 228 may also include hyperlinks back to the original source of the alert or notification for easy review and to address further action that may be needed. The alerts and notifications 228 may also utilize a feed to send information to users. The feed may be similar to a newsfeed and may be organized by subject date in which users may create dialogues of streams of information related to a particular topic for a client. Individual users may add to each other's feeds or may create new ones. The user may also be able to view and re-enter the most recently accessed areas of an application utilizing a history or most recently utilized function.

[0078] In one embodiment, the alerts and notifications 228 may include a client name, goal/objective name (e.g. decrease physical aggression, 100% customer satisfaction, register balance, etc.), date of rating, name of user, and link back to the rating. If there are multiple significant ratings in a row the alert may include a note specifying how many (e.g. there are now 6 weeks of activities or data points that are off the minimum growth line). Alerts and notifications 228 are also meant to include positive information, such as a mastered rating that may include a client name, assigned providers, date of rating, name of user, and a link back to the rating. The links may represent hyperlinks or metadata for retrieving the information in a web browser application or through an electronic access system as is herein described.

[0079] Certain activities, once configured, automatically trigger the alerts and notifications 228 to send out information and request a response. For example, every time that a user is required to perform a restraint in a health facility, an alert may be sent out to a specified group of providers, users, and administrators to best care for the client restrained as well as for liability and auditing purposes. The alert may indicate the client name, time, response required, and name of the person entering information and any specific notes or comments. The alerts and notifications 228 may also send out alerts for data exceptions. For example, if data are not received for three weeks in a row, an alert may be generated indicating the reasons for the

exceptions, the user name entering the information, and a link back. The alerts may be automatically sent to supervisors, administrators, or other designated parties.

[0080] In one embodiment, the reporting 230 may be utilized to communicate charts and graphs, track and record progress, determine timeliness of data entry, and other information. The reports may be based on clients, location, service provider, region, or date ranges. The reports are configured to be customizable to track and display a variety of process mechanisms input or entered by a user or administrator based on the specific needs for which the illustrative embodiments are utilized. In one example, the reports may be selected to report, significant scores with no AIM review comment, two or more significant scores in a row, AIM distribution by a client, location, and provider, missing data for more than a time period, or other relevant information. The reports may include quick snapshot reports as well as long-term and comprehensive reports.

[0081] The reporting 230 may be configured to present information graphically utilizing bar charts, pie charts, scatter plots, line graphs, and other similar display messages. Graphical representations may include information embedded in multiple layers for automatically displaying additional information to a user (e.g., displaying identifying information and statistics when hovering over a data point). The reporting 230 may also display information statistically, utilizing percentages, in standard document formats (e.g., Word, Excel, GoogleDocs, etc.).

[0082] In one embodiment, the user may set a date range for information to be displayed and specific goals/objectives active during the date range may be automatically entered or selected by the user for display. A current status may indicate the status for a client or subject for all ongoing activities. A final status report may graphically display goals the final outcome of goals and associated activities that were closed during a specified data range.

[0083] As disclosed herein, the reports may include code categories, which may include mastered, maintained mastery, and regression from mastery. Progress toward a goal may also be displayed with information, such as progress (also progressing, or on track), not on track, and not on track/significant. Alternative reporting code categories may include “plan expired”, “achieved mastery”, “closed prior to end date”, “ready for discharge”, “premature discharge”, “entered in error”, “discontinued”, “removed”, or other similar codes. Some of the codes may be

required by other electronic tracking systems and may be added, removed, or translated from existing code categories as is needed.

[0084] The reporting 230 may also specify an overall total based on all participating users and organizations. Overall totals may be generated by code category and by goal service type (e.g., overtime, education, etc.) as well as provider. Similarly, organization, sub-organization, and location specific reporting may also be performed by code category, goal service type, or provider. The various reporting abilities of the illustrative embodiments are configured to apply to privacy laws, such as HIPAA, and may require waivers or authorizations to share information even within an organization for treatment purposes. For example, sub-contractors or other parties may perform reporting as needed or required.

[0085] The reporting 230 may also generate reports based on an identified group of clients automatically or manually selected by a user. For example, the report for the group may show the client, service, goal/objectives, current status, and current status date. The reporting 230 may allow a user to drill down from the organization level to the client and associated goal level.

[0086] Additional information available through the reporting may include length of time of goal implementation until mastery, specified as an average time until mastery calculated from a baseline date to a mastered date and may be determined by goal service type, goal description for total, organizational, sub-organization, and location.

[0087] The reporting 230 may also allow for monitoring reports that are established to include a number of variables and may be displayed or exported in any number of formats. The monitoring reports may be automatically generated and available or communicated to the user. For example, a monitoring report may indicate goal/objectives with the most recent rating that is significant within the past x number of weeks. The reports may show sub-organization, goal/objective, provider, date of significant rating, AIM review comment associated with the significant rating, and so forth. Other monitoring reports may include goals/objectives with x number of significant ratings in a row (e.g. six consecutive points off of the minimum growth line). The monitoring reports may also retrieve all active goals/objectives organized by client, service, most recent status, and status date. Status dates that are older than two weeks old may be indicated, such as being shown in red. The monitoring reports may also specify goals/objectives that are within x number of weeks of the final mastery period.

[0088] In one embodiment, the AIM is a process utilized to analyze the content of any outcome process. For example, AIM may represent an algorithm that is executed by the logic 208 to retrieve and analyze information as needed by any number of parties. AIM is fully customizable depending upon the content established for a group or organization. In the system administrators 212 may be able to identify key factors that most influence the outcome of the selected content. The variables may then become the different factors of AIM for that application on the server 200.

[0089] The AIM process may be used in the initial site assessment of a "client" or "subject" based on the parameters identified for the content of the client's outcome process. In one embodiment, the AIM process is smart and automated for driving questions based on answers from previous questions. As a result, various users are focused towards best practice assessments of the content. For example, AIM may also provide suggestions for goals, objectives, and interventions based on the information provided on the subject. Broad data mining may feed the AIM process based on the data 226 and other information stored by the server 200 to narrow the scope of questioning two factors found to be the most associated with positive outcomes.

[0090] The AIM process may also be used at any point during the data analysis process when the subject is not making sufficient process (e.g. a determination based on the minimum growth line line). For example, if a subject, such as a client in a behavioral health facility, has three data readings that are off the minimum growth line, the third rating is considered significant, and the user is prompted to conduct an AIM review. The AIM process may also generate suggestions for interventions to facilitate the progress of the subject.

[0091] FIG. 3 is a block diagram of a recorded data module 300 in accordance with an illustrative embodiment. The health system as is herein described includes a number of different methods of recording client data. There are a number of different data collection methods available to provide flexibility and accuracy in data collection design.

[0092] In one embodiment, the recording behavior module 300 may include task analysis 302, intensive trial teaching 304, interval recording 306, duration recording 308, frequency recording 310, and percentage recording 312. The different aspects and features of the recording behavior module 300 may be combined in any number of combinations and formats. In one

embodiment, the recorded data module 300 includes data, information, numbers, statistics, pictures, descriptions, or other content that may be received through a goal wizard or management feature.

[0093] In one embodiment, the recorded data module 300 may be presented to the user as part of a graphical user interface (GUI). The graphical user interface may be presented as part of a mobile application, web program, electronic device, or a communication session.

[0094] In one embodiment, each data collection method may include a specific set of rules related to the data entry and visual presentation of information, data, graphs, and reports available through the health system. In addition to this information, graphics, such as goal mastery graphs, may demonstrate user data results across different data collections episodes and in conjunction with each service goal. The setup and configuration of the information and graphics may be managed by the administrator. The display of the information and graphics may also take into consideration specific device orientation, display options (e.g., graph layout and corresponding information may be presented in a first configuration when viewed in a landscape mode and in a second configuration when viewed in a portrait mode), display limitations, permissions, and so forth.

[0095] In one embodiment, each graphic is the result of specific formulas and calculations. Each user may submit the features, parameters, criteria, or calculations utilized to generate graphics, such as performance measurement charts. In one embodiment, the graphs may be produced in real-time as data are entered or may be set to display historical data. A rules engine may be configured to dynamically handle information and data entered into the health system.

[0096] The recorded data 300 may be tracked to determine whether a particular goal or objective is met. In one embodiment, this option may be controlled by any number of authorized users that are assigned to a client. All or portions of the recorded data 300 may be viewed at once to make analysis accessible and thorough.

[0097] In one embodiment, the data collected in the recorded data 300 may include an antecedent trigger button (e.g., may indicate triggers for patient behavior), location, response (e.g., programmed list of responses providers and/or caregivers made, customized fields for entries including restrictions, next actions, alerts for restricted practices, etc.), reinforcement options, severity button (e.g., ratings, description, etc.), and comments (e.g., text, audio, video,

etc. The information may be presented automatically or based on the type of information presented.

[0098] Any number of data collection systems and methods may be utilized to collect patient data and measure goals and objectives. In one embodiment, all data collection options may be available to the service provider during set-up, but then only the relevant information and fields may be shown for the actual data collection.

[0099] In one embodiment, in the setup for task analysis 302 there may be two settings for that request a hierarchy and task. Task analysis 302 may also be referred to as ratings. To set up the prompt hierarchy an administrator or user may identify a field including a number of prompt types or numbers (e.g., hand over hand, touch prompt, gestural, verbal, independent, etc.), additional comments, color code or priority, and so forth. Task analysis 302 may be set up by establishing the number of tasks or steps, a narrative label for each step, optional comments for more description if needed, and scores. In one embodiment, the tasks may be associated with a particular goal or objective.

[0001] In one example, the fields included during task analysis may include any of the following:

a. What level/percent do you want (subject) to get? _____%

b. Across how many opportunities? ____ within ____ interval

c. Is there a time limit? Yes No

- If yes, what is the time limit? _____ (interval)

d. How would you like your data calculated and graphed? Average or for each episode.

e. For how long do you want (subject) to get a score of _____ (prepopulated based on answer to a) in order to consider this goal/objective mastered? _____ out of _____ (interval) or _____ consecutive (interval)

f. Projected closure data for goal/objective (timeline to master)

g. Y axis label

h. Baseline mode – on or off

i. Tasks – number of tasks and labels for each task

j. Prompt hierarchy – level of prompt, score and color-coding

k. Option to add to goal bank

l. Instructions/Directions

m. Special permissions related to data collection

n. Alert recipients

o. Customized modification to data analysis rules if applicable

[00100] In one embodiment, task analysis 302 may specify dates or times during which data are collected each day, week, or month. For data collection, the user may be able to see each task and step paired with the prompt hierarchy. For example, the user may select a task and then a prompt level. FIG. 4 provides a chart 400 illustrating data collection in accordance with an illustrative embodiment. For example, the chart 400 illustrating levels of prompt that may be required for a patient to perform the specified tasks. Any number of tasks or objectives may be utilized and the chart 400 of FIG. 4 is given as an example.

[00101] The chart 400 may further illustrate a score 402 that may be calculated based on the level of prompts required for each task. For example, the calculation may be made by adding up the scores for the chosen prompts and dividing that number by the highest score possible. In one embodiment, the score may be reported as a percentage. For example, the score recorded may be 51%.

[00102] The illustrative embodiments may present any number of graph or chart options for the specified goal or objective. For example, by default, a percentage score may appear with the graph. The user may also be presented with the option to generate graphs for each individual task or several tasks over time to evaluate client progress. In one embodiment, the user may select the task to graph, and each graph may be generated utilizing the distinct data and formatting (e.g., color, graph type, etc.). In one embodiment, the graph schedule may be set by an administrator for graphing each entry. As a result, each data point on a graph may immediately be saved as well as displayed.

[00103] Turning again to FIG. 3, the user may be presented with additional options based on the data collection schedule. For example, the user may select to graph each entry or average the entry results. For example, if the data collection schedule is set to three times per week, then once all three data collections are made in a week, the score may be calculated and graphed. In another embodiment, weekly determinations may be made utilizing seven-day intervals starting with a baseline date. If there are not enough data collection episodes entered to total the number

identified during the data collection schedule, the calculations may not be made and an alert signal may be displayed next to the graph indicating the lack of additional data collection points.

[00104] In one embodiment, if a specified time period ends without a specific number of data collection episodes being collected, an email or other alert may be sent to the service provider and/ or the identified supervisor. In one embodiment, entries may be automatically recorded and saved as input. In another embodiment, the data collection displays may include save and edit buttons. Different versions of the recorded information may also be saved to ensure that data are not improperly overwritten. In addition, users may not be able to edit previous entries and only supervisors or administrators may be able to make such changes. The user may also be presented with a comment button to record a comment related to a data collection episode.

[00105] In one embodiment, the intensive trial teaching (ITT) 304 is a data collection module and method. Intensive trial teaching 304 may also be referred to as repeated trials. The ITT 304 and other data collection methods may have multiple modes, such as instructional and testing. While data in both modes may be viewed, in one embodiment, only data entered into the testing mode may be graphed. As previously described, the ITT 304 utilizes a prompt hierarchy, labels, fields (e.g., answer choices, yes, no, etc.), field size data collection schedules, and other options (see FIG. 4 and the associated description). The ITT 304 may also be scored as previously described.

[00106] In one example, the fields included during ITT 304 may include any of the following:

a. What percentage should be achieved? _____

b. How many trials? #_____ Randomize trial listing? Yes No

c. Across how many episodes? _____ within _____ (interval)

d. How would you like your data calculated and graphed? Average or for each episode.

e. For how long do you want (subject) to get a score of _____ (prepopulated based on answer to a) in order to consider this goal/objective mastered? _____ out of _____ (interval) or _____ consecutive (interval)

f. Projected closure data for goal/objective (timeline to master)

g. Y axis label

h. Baseline mode – on or off

i. Trials – number of tasks and labels for each task

j. Label to identify correctness: Right/Wrong, Correct/Incorrect, Yes/No

k. Option to add to goal bank

l. Instructions/Directions

m. Special permissions related to data collection

n. Alert recipients

o. Customized modification to data analysis rules if applicable

[00107] In one embodiment, the interval recording 306 may include different types, such as whole, partial, or momentary time sampling (e.g., fixed, variable, etc.). The different types of interval recording 306 may include observation duration, length of interval (e.g., seconds, minutes, etc.), options to enter response choices (e.g., yes, no, custom label, etc.), and selection for inclusion in a score selection. In one embodiment, an alert or indicator may be made at the end of each interval. For fixed momentary time sampling, the signal may be given at the conclusion of the time. For variable momentary time sampling, the signal may be given at random times within the identified time. If the interval is specified as 30 seconds, then the signal may be given at any point between one and 30 seconds for each separate interval.

[00108] The interval recording 306 may also include other options for pausing and resuming passage of time, indicating multiple behaviors displayed at once, indicating passage of time, summary of intervals, location, save and edit options, and comment options. After setting up interval recording 306 as a data collection method, an auditory, tactile, or visual signal may be chosen to alert the user as to when to collect data. When the signal is presented, the user may rate the client based on the parameters set and enter the data.

[00109] In one example, the fields included in the interval recording 306 may include any of the following:

a. What percent of intervals are you trying to achieve? _____#

b. What type of time sampling should be used? Whole, Partial, Momentary

c. Observation duration: _____min _____sec

d. Interval duration: _____min _____sec

e. Across how many opportunities? _____ within _____ (interval)

f. How would you like your data calculated and graphed? Average or for each episode

g. For how long do you want (subject) to maintain the score in order to consider this goal/objective mastered? _____ out of ____(interval) or _____ consecutive (interval)

h. Projected closure data for goal/objective (timeline to master)

i. Y axis label

j. Baseline mode – on or off

k. Label to identify correctness: Right/Wrong, Correct/Incorrect, Yes/No

l. Option to add to goal bank

m. Instructions/Directions

n. Special permissions related to data collection

o. Alert recipients

p. Customized modification to data analysis rules if applicable

[00110] In one embodiment, the duration recording 308 may include fields for starting and stopping, a current record time, data recorded (e.g., hours, minutes, seconds to hundreds of a decimal), data collection schedule options, graph schedule options (see FIG. 4), and cumulative duration calculations. The duration recording 308 may also include a field for location and optional comments.

[00111] In one example, the fields included in the duration recording 308 may include any of the following:

a. What is your desired duration? _____# (interval)

b. How many episodes do you want to measure? All or ____ per ____ (interval)

c. How would you like your data calculated and graphed? Cumulative or Average or for Each episode

d. For how long do you want (subject) to maintain (pre-populated duration) in order to consider this goal/objective mastered? _____ out of ____ (interval) or ____ consecutive (interval)

e. Projected closure data for goal/objective (timeline to master)

f. Y axis label

g. Baseline mode – on or off

h. Option to add to goal bank

i. Instructions/Directions

j. Special permissions related to data collection

k. Alert recipients

l. Customized modification to data analysis rules if applicable

[00112] In one embodiment, the frequency recording 310 may include a number of options, such as duration of data collection. Frequency recording 310 may also be referred to as counts. In option 1, the frequency recording 310 may include a daily start time and end time. In option 2 the frequency recording 310 may include a specific interval including designations for hours and minutes, and option 3 may include a specific setting. In one embodiment, option 1 may display information that says ""Data collected from_____to_____" (times)", option 2 may display information that says "Data collected for____(minute) interval" with a displayed start time and start button, and option 3 may display information that says "Data collected in___." The frequency recording 310 and associated data collection options may allow a user to provide a user selection, voice input, or tactile input indicating the number of times a behavior or skill is shown by the client, an indication that no observed behavior was seen during the data collection, and an indication that data collection was not available and an associated comment specifying the associated reasons. Frequency counts may also show a number of items (e.g., returned retail items) or other number of times an event occurs (e.g. customer complaints). Graphing options may be presented to the user as was previously described. In addition, the user may be presented with the opportunity to utilize a scatter plot. The scatter plot may require additional information, such as a date range, time range, and time interval. The graph may then display data that are recorded within the entered specifications. If only one data point is entered on the graph, the data point may indicate the frequency of the behavior within the interval. The data point may be expanded or provide additional details to understand the specific information.

[00113] In one example, the fields included in the frequency recording 310 may include any of the following:

a. Do you want to collect data all day Yes No

If not, Data Collection from _____time to _____time

b. What is the desire score? _____#

c. Choose collection limit: Exactly At Least

d. Across how many opportunities? _____ out of ____ (interval)

e. How would you like your data calculated and graphed? Cumulative or Average

f. For how long do you want (subject) to maintain the score in order to consider this goal/ objective mastered? ____ out of _____ (interval) or _____ consecutive (interval)

g. Projected closure data for goal/objective (timeline to master)

h. Y axis label

i. Baseline mode – on or off

j. Option to add to goal bank

k. Instructions/Directions

l. Special permissions related to data collection

m. Alert recipients

n. Customized modification to data analysis rules if applicable

[00114] In one embodiment, the percentage recording 312 may be set up to include fields for the number of questions/ opportunities, number correct, and percentage correct. In one embodiment, the percentage recording 314 may include labels, number of labels, overall score (e.g., percentage, time, frequency, etc.), and individual scores for tasks. The percentage recording 314 may also be displayed as previously described.

[00115] In one example, the fields included in the percentage recording 312 may include any of the following:

a. What level/percent do you want? _____#

b. Across how many opportunities? All or _____ within ____(interval)

c. Is there a time limit per opportunity? Yes No

If yes, What is the time limit? ____# (interval)

d. How would you like your data calculated and graphed? Average or Each episode

e. For how long do you want (subject) to maintain the score in order to consider the goal/ objective mastered? ____ out of ____(interval) or ___ consecutive (interval)

f. Projected closure data for goal/objective (timeline to master)

g. Y axis label

h. Highest Possible Score

i. Baseline mode – on or off

j. Option to add to goal bank

k. Instructions/Directions

l. Special permissions related to data collection

m. Alert recipients

n. Customized modification to data analysis rules if applicable

[00116] In another embodiment, the illustrative embodiments may utilize an optional reinforcement recorder (RR) that may be utilized with any of the recording methods of FIG. 3 or

the illustrative embodiments. The reinforcement recorder may be set to prompt a user to provide reinforcement to the subject on a scheduled or random basis. Two types of reinforcement recorders are provided. The first reinforcement recorder may be associated with a particular subject and goal. The user may program specific reinforcement options or procedures to be provided to the subject dependent upon performance accuracy or at a fixed or variable schedule. In one embodiment, based on the set-up of the reinforcement recorder, the user may be prompted to provide the reinforcement and may be given the options of reinforcement available to that subject. The user may then indicate which type of reinforcement was provided. Reinforcement provided dependent upon performance accuracy may be noted along with other data collection information for that episode or record. The system may log the reinforcement recorder data for analysis purposes.

[00117] In another embodiment, a second reinforcement recorder may be available for general use by the user. This reinforcement recorder may not be associated with a specific subject. The second reinforcement recorder may be programmed to provide a prompt for reinforcement on a fixed or variable schedule and provide options for reinforcement type. When the prompt is given, the user may apply the reinforcement to the subject and/or group of subjects depending upon how the user wants to apply the function. The user may be able to designate the recipient(s) of the reinforcement and the type of reinforcement provided. For example, the recorded data module 300 may log the reinforcement recorder data for analysis purposes.

[00118] In another embodiment, the data collection methods of FIG. 3 may utilize a goal bank for optional use by other users with any number of goal types. The client administrators may specify which information is placed in the goal bank. The goal bank may provide a way of retrieving goal descriptions and the associated tasks for review, modification, and acceptance by any number of users in the way to record each update to the goal.

[00119] In one embodiment, the system may have two banks or memories to store goals and associated objectives, data collection methods, and interventions. One bank may be specific to that agency or organization and the other bank may be available to all-related organizations. For example, the banks may be used pending administrator access and permissions. Users may be given the option of placing self-created goals into the goal bank as approved by the Administrator. There is also the option for requiring Administrator approval for all suggestion goals prior to acceptance into the Bank. The AIM process may generate a list of relevant goals

from the goal bank. Users may also go into the bank when setting up a goal without going through the AIM process. The Goal Bank may be sorted by Service/Type, Goal Name, and/or by typing in keywords. A generic form of the banked goal may pull in with fields requiring customization for that subject. The customizable fields may be the other fields described with respect to the goal wizard.

[00120] In one embodiment, the goal mastery graphs or other graphs may have a number of components that may be managed utilizing a goal wizard and other management feature. The user may set a number of variables during graph set-up, including the Y axis labels, baseline data and date, mastery level, mastery level duration, and projected closure date. The system may automatically calculate a final mastery period by moving back the targeted date by the target rating duration. A minimum growth line may be automatically added as a straight line from the baseline rating and date to the target rating and the beginning of the final mastery period. Ratings entered on the graphs may be colored coded to indicate their status. Data points of significance may be identified by a filled red circle. Data points that satisfy the mastery level and duration may be identified with a purple star.

[00121] The user may also be presented with options for entering other data criteria, value or number specifications, and customizations. In one embodiment, status may be automatically determined and displayed for each of the goals and objectives. The status may include any number of rules, criteria, parameters, or thresholds for calculation and display. The status may also be color-coordinated. For example, progress may be noted in green, lack of progress may be noted in orange, a significant lack of progress may be noted in red, and mastery or maintained mastery may be noted in purple. Regression from mastery may also be noted by color. Data points may be determined as significant utilizing a standardized rule of three consecutive points insufficient to the minimum growth line or a customized set of rules determined by the provider administrator.

[00122] The user may be presented with other options for picking multiple goals/ objectives to graph in a single graph, show data or hide data, view last three data points, or zoom in to a particular data point to see all enter information relevant to that data collection episode.

[00123] In one embodiment, data points of significance may be utilized to generate an alert. For example, identified users may receive a notification within the system or an email, text

message, in-app message, or other alert. In one embodiment the email may include the service provider's name, client's name, goal description, reason for notification, the rating date and any review comments entered for the rating that prompted the notification. The alert may also provide a direct link back to the data collection episode entered in the system.

[00124] The illustrative embodiments may be configured to receive comments and reviews. In one embodiment, in response to determining a data point is significant, a review may be prompted or required. In one embodiment, a review may be referred to as an Analysis of Influences Matrix or "AIM Review" and prompt the user to review and document factors associated with lack of progress. The user may also be presented with options to select an intervention change or no change. Information entered in response to intervention change may be prioritized and marked for review and subsequent alerts.

[00125] The illustrative embodiments may be applied to any number of performance management methodologies, such as drug rehabilitation, smoking cessation, physical therapy, medical and behavioral treatments, weight loss, addiction recovery, hotel management, and so forth. In one embodiment, the illustrative embodiments may compile information and data from any number of clients to provide decision-support based on the compiled data. For example, based on research and development, new practices, medications, or service plans may be suggested based on the individual or aggregated recorded data. As a result, services may be adapted in real-time based on dynamic learning from aggregated data. Reporting may be performed without compromising the privacy of client information and data or violating applicable laws. For example, the identifying information, such as client name or location, may be removed from the aggregated data when compiled to provide for anonymity. In addition, the removal of identifying information may ensure that inherent biases, assumptions, inferences, or statements are not promulgated. As a result, more and more clients may utilize the systems and methods herein described increasing the amount of data and accuracy even more.

[00126] In one embodiment, the compiled data may be mined utilizing relational database management systems. The data may also be searched utilizing key word searches, Boolean searches, wild card searches or other similar search protocols, strategies, and algorithms. The generic compiled information may also be sold by a system administrator (or alternatively to service providers or other designated parties) to organizations, universities, drug manufacturers, governments, or other parties to encourage development of new treatments.

[00127] FIG. 5 is a flowchart of a process for generating a goal in accordance with an illustrative embodiment. In one embodiment, a goal manager or wizard may compile information that is utilized to generate a goal/objective. The process of FIG. 5 may be implemented by a server, application, device, or combination of communicating elements referred to as a system. In one embodiment, the process may begin by prompting a user to enter fields and information for generating a goal, data collection method, and graphing set-up (step 502). For example, a series of probes or questions may guide the user through completing fields that may generate the goal/objective narrative, data collection method set up, and graphing setup schedule. Step 502 may help ensure all elements are included in the goal/objective narrative to make specific, objective, and measurable goals. The process may also ensure information is entered to define how the process facilitates data collection, graph set-up, graph scheduling, and alert/notifications associated with these processes. The goal Wizard may distinguish between long-term and short-term goals and objectives.

[00128] In one embodiment, the following fields may be included in the process of step 502: i). Service/Provider Type - customized by a user, ii). Designation of "Increase" or "Decrease" content or activity, iii). Field for entering "Condition" under which the goal/objective may be measured, iv). Field for entering content assessed (e.g., skill/behavior, actions taken, documentation, etc.). This field may captures what the goal/objective is designed to measure, and v). Field for entering data collection method. In one embodiment, a number of options are provided: Task Analysis, Intensive Trial Teaching, Interval Recording, Duration Recording, Frequency Recording, and Percentage Recording. Based on which data collection method is chosen, additional fields are generated to drive information needed for that type of data collection.

[00129] Next, the system creates a goal narrative and display fields needed for data collection (step 504). The data collection options may depend on the type of data collection method and the responses entered for the associated fields (e.g., in step 502).

[00130] Next, the system receives data from users and prompts for any required data not collected (step 506). The system may automatically score the data based on the rules associated with the data collection method and responses may automatically graph the data on the graph.

[00131] Next, the system determines whether data are collected properly (step 508). The determination of step 508 may be made based the data collection method. For example, the system may require that three entries are received per week and if only two are received, the data are not deemed to have been collected properly.

[00132] If the data are not collected properly in step 508, the system sends an alert to the service provider indicating that there are missing data (step 510). During step 508, the system may also indicate that there was insufficient data collected during a time period to the extent a graph is automatically generated or generated based on a user request. For example, any incomplete graphs may be automatically marked as such. After step 510, a user may correct the lack of data by submitting data that are received by the user. The submission may be made through a website, application, or any number of devices.

[00133] If the data are collected properly in step 508, the system analyzes the data and graphs the data for display (step 512). In one embodiment at the end of the process of FIG. 5 that may be performed by a goal wizard, the option is given to customize the data analysis fields if applicable. If this option is chosen, the user is prompted to identify the rules for determining "status" and "significance" by completing the following questions: i). Regression from Mastery: _____ consecutive data records off MGL, ii). Progress: ____ out of ____ => upward MGL / =< downward MGL, iii). Not on Track: ____ out of ____ =< upward MGL / => downward MGL, and iv). Significance: _____ consecutive points that are Regression from Mastery - _____Consecutive points that are Not on Track.

[00134] For behavioral-type goals that are marked as "decrease," in addition to the data filed associated with the type of data collection method, the following questions are provided as well: i). Severity - option for On Off (* Standard rating scale of severity is provided but may be customized), ii). Response - offers limitless number and fields for Label and Description for each, iii). Antecedent/Triggers - offers limitless number and fields for label and description for each, iv). Function - Offers options for Obtain, Escape, Automatic, and Attention and fields to write descriptions for each.

[00135] FIG. 6 is a pictorial representation of a monitoring environment 600 in accordance with an illustrative embodiment. The monitoring environment 600 represents any number of facilities, buildings, or conditions in which the illustrative embodiments may be utilized. The

monitoring environment 600 may be utilized to determine the location of any or all individuals within the facility as well as determine user and environmental conditions. For example, the monitoring environment 600 may represent a group home, a hospital, or business. The monitoring environment 600 may include any number of components including a client 602, a communications device 604, a door 606, a scanner 608, a panic button 610, a camera 612, a display 614, a user 616, speakers 618, and sensors 620.

[00136] In one embodiment, the panic button 610 is configured to set off an alarm or notify everyone or previously identified individuals in the event that there is an event that demands immediate attention. The panic button 610 may be utilized by any number of users or clients in proximity to it. The associated alert may be broadcast universally or selectively. For example, the panic button 610 may be activated in response to a heated argument between two clients and may be communicated to individuals assigned to address security issues or arguments. In another embodiment, the communications device 604 may include a panic indicator that may be relayed to the panic button 610 for communication to the designated location and parties. For example, logic may indicate specific individuals or groups of individuals that receive an alert based on a detected action, location, time of day, or so forth.

[00137] The monitoring environment 600 may include any number of rooms, furniture, separators, other individuals, or so forth that are not specifically called out. For example, the client 602 may enter the monitoring environment 600 through the door 606. In response to entering the door 606, the communications device 604 and the scanner 608 may communicate to document the location of the client 602. In one embodiment, scanners at the entryways to distinct portions of a building or room may indicate the general proximity of the client 602. The information associated with the monitoring environment 600 may be stored in any number of databases, memories, or electronic storage systems for permanent or temporary access. Positive or negative alerts may be generated in response to criteria or parameters associated with the location of the client 602.

[00138] The communications device 604 may represent a wireless communications device or personal signaling device. The communications device 604 may be waterproof, durable, and shock resistant. The communications device 604 may be freely removable or may be secured to the client utilizing a specialized tool. In one embodiment, the communications device 604 may be a bracelet, necklace, armband, glasses, anklet, electronic sticker, headband, ornament, or other

item that may be worn or integrated with the clothing or body of the client 602. The communications device 606 may communicate utilizing Wi-Fi, Bluetooth, ZigBee, global positioning system (GPS) signals, near field communications, or other existing or developing communications protocols. The communications device 604 may include a microphone, speaker, vibrator, text display, leads, biometric sensor, or other components.

[00139] The communications device 604 may also be configured to determine biometric information associated with the client 602. In one embodiment, the communications device 604 may be configured to determine a heart rate, skin response, temperature, breathing rate, blood sugar level, agitation level (e.g. voice intensity, pitch, or frequency), or other vital information associated with the client 602. The communications device 604 may also be able to determine a distance between the client 602 and one or more other clients or the user 616. For example, the communications device 604 may indicate that the client 602 is speaking to two other clients and that the client 602 and a secondary client both have elevated heart rate and are yelling at each other while the user 616 monitors the situation from approximately 20 feet away.

[00140] The communications device 604 may transmit client information and a location of the client 602 to one or more centralized systems through a wireless access point, wireless device, intercom system, or other communications points. The communications device 604 may communicate with one or more external devices to determine a location. For example, the communications device 604 may communicate with the sensors 620 indicate a room position of the client 602. In other embodiments, GPS information may be determined by the communications device 604. The GPS information may be utilized to determine the location of the client 602 as well as the communications device 604 if it is lost or otherwise removed. Any number of location generation techniques may be utilized including proximity detection, wireless triangulation, signal strength indicators, or any combination thereof. The scanner 608 and the sensors 620 may be wireless access points, radio frequency identification (RFID) tag readers, wireless beacons, proximity sensors, or other similar devices. In one embodiment, the scanner 608 and the sensor 620 may be integrated with light fixtures, outlets, intercoms, tiles, or other components typically included in a room or facility.

[00141] In one embodiment, the communications device 604 may log activities of the client 602 throughout the day and the associated vital information to determine activities that allow the

client 602 to relax and activities that may potentially agitate the client 602. The logged activities may be utilized to determine strategies and plans for any number of clients and users.

[00142] The location of the client 602 and the user 616 may also be determined utilizing the camera 612. The camera 612 may include picture, video, and audio capturing components. The camera 612 may be wireless or wired for communications with the system as herein described. In one embodiment, the camera 612 may utilize logic or algorithms to perform motion capture including detecting sudden movements, struggles, or other information that may be associated with a negative event. The camera 612 may also capture information associated with positive events for automatic or manual documentation.

[00143] Various output devices within the monitoring environment 100 may be configured to communicate auditory, video, visual, or tactile messages to the client 602 or the user 616. In one embodiment, the various communications devices and electronics within the monitoring environment 100 may be controlled through a wired or wireless communications network. As a result, communications and other messaging may be coordinated for maximum effectiveness. In one embodiment, the communications device 604, the display 614, and the speakers 618 may be configured to provide one or more of auditory output (e.g. spoken words, verbal directions, music, a calming mantra, etc.), visual output (e.g. words, pictures, videos), or tactile output (e.g. vibrations with optional speed and frequency).

[00144] The strategy may be determined based on an algorithm of the system and may be specific to the client 602. The strategies may be previously entered for the client 602 may be based on data mining for similar situations and clients. For example, a piece of music known calm client 602 may be played through the speakers 618 and the communications device 604 in response to the client 602 becoming agitated. The strategy may be implemented automatically or manually based on selection of the client 602 or a provider, administrator, or other party authorized to implement the strategy for the client 602. For example, the communications device 604 may flash green in response to a positive action and may flash red and vibrate in response to a negative event occurring and then provide positive or negative feedback accompanying suggestions for de-escalation.

[00145] Actions performed by the different components of the monitoring environment 600 may be based on the vital information, actions, biometric readings, environmental recordings

(e.g. loud noises, repeated movements, etc.) or other indicators that may indicate the behavior of concern is occurring. In one embodiment, the communications device 604 may act as a personal panic device for the client 602. For example, the client 602 may automatically request help by pressing a button on the communications device 604. The communications device 604 may also be enabled for voice communications or may include a walkie-talkie function. In one embodiment, the user 616 may include a similar communications device or may communicate with the client 602 utilizing an application run on both a communications device (not shown) controlled by the user 616 and an application run on the communications device 604 of the client 602.

[00146] The display 614 may represent a television, computer monitor, electronic glass, or other display component integrated with or attached to the floors, walls, ceiling, furniture, or other aspects of the monitoring environment 600. In one embodiment, the user 616 may utilize the camera 612 to provide audio and video feedback to the client 602 in any different room or section of the monitoring environment 600. For example, the user 616 may provide instructions for performing a calming ritual known to help the client 602 relax or face a phobia.

[00147] In one embodiment, a reinforcement recorder may be linked to the communications device 604. The communications device 604 may be utilized with the reinforcement recorder to provide the client 602 with positive reinforcement on a fixed or variable schedule. The reinforcement may be an auditory, visual, or tactile output that is automatically or manually generated. For example, if the client 602 is viewed as performing a cleaning act without prompting through the camera 612, the user 616 may utilize a cell phone to text a message that is routed to the communications device 604 telling the client 602 that he has done a good job.

[00148] The communications device 604 and the other monitoring equipment may also be utilized to monitor the health of the client 602. For example, the client 602 may have a heart condition that may be monitored utilizing a pole, temperature, and position of the user 602. The communications device 604 may include accelerometers that may determine the location and position of the client 602. For example, the accelerometers of the communications device 604 may determine that the client 602 is lying down in a position that is not associated with his room or bed.

[00149] The communications device 604 is one example of a communications device that may record data associated with a client. Any number of communications device may be utilized simultaneously. Each communication device may be associated with a client profile or other unique identifier for distinguishing the data. As a result, any number of channels or frequencies may be utilized simultaneously. In one embodiment, the communications device 604 may include multiple transceivers for communicating utilizing a short range signal (when available) and transitioning to long distance communications (e.g., cell signals) when short range signals are unavailable. The communications device may be configured to display a time, date, text, video, audio, or tactile alerts. The communications device 604 may also be configured for simplex, half-duplex, or full duplex communications. The communications device 604 may include a touch screen, dedicated keys (e.g., panic button, voice communications, etc.), soft keys, volume indicator, and so forth. The communications device 604 may represent any number of existing or developing communications devices that interface with the system through communications and software.

[00150] The illustrative embodiments provide a number of advantages over the existing art. For example, the embodiments provide an automated AIM process for assessment that drives goals, services, and interventions. Goal management functionality allows goals to be defined, created, tracked and analyzed utilizing data. Goals may be separately stored on any number of micro and macro-levels for reference by other organizations, service providers, and individuals. The illustrative embodiments also provide a prompted data collection, calculation and analysis, and graphing process for information, such as a minimum growth line. Standardized and structured interpretations of data are presented graphically and statistically for review along with a definitive status.

[00151] The illustrative embodiments may provide an interface that displays clients assigned to a particular provider. By selecting a picture, icon, text, or avatar associated with the client 602, tracking information would be displayed for easy data entry related to one or more goals. Data may be synched between any number of devices in response to changes saved on a single device. Similarly, alerts and notifications may be propagated through the system to applications and devices based on a user logged in or associated (permanently or temporarily) with the applications and devices. The reinforcement recorder may also be active on a device or application and may allow entry of specified reinforcement information for a client or group of

clients to be entered. Medication and other sensitive or critical time-dependent information may be communicated via an audio, video, text, or tactile prompt at a set time interval prior to the event (e.g. prompt a provider to provide a client medication at a set time). All information related to an event, including the client 602, the medication with full dosage and administration instructions, and method for indicating the event is completed may be provided through the interface.

[00152] The illustrative embodiments also provide for a number of notifications and alerts. For example, real-time communications may be configured based on preset conditions and parameters (e.g., errors in user application, incomplete data collection or analysis, quality assurance audits, etc.). Stakeholder, team, or transdisciplinary communications are facilitated. For example, stakeholders may see what others have done on a case and automatic alerts are sent out to notify needed stakeholders so that the stakeholders may collaborate and form solutions. As a result, individual responsibility and ownership of issues are encouraged while increasing shared ownership and accountability. All data stored by the illustrative embodiments may be stored and analyzed through a set of standardized reports or customized reports based on user needs. Analysis of data may be utilized for individual client monitoring and may also look for trends in all levels of the hierarchy within the user and among a hierarchy of different users with similar purposes or roles. As a result, the system allows for process modifications at all levels that are associated with the most positive outcomes.

[00153] A browser, graphical user interface, or application as herein described may be utilized to provide an example of the embodiments labeled as Reliable Evidence-Based Outcomes Optimization Technologies. The user interface may prompt to one or more users for logging in, creating a password, modifying a password, resetting a password, system administration for providers, searching, suggested searching, alert notification generation and display, customizing a workspace, portal, or dashboard, creating new providers, adding, modifying, and deleting providers, teams, service providers, and clients, client data, profiles, and details, managing permissions, archiving users, creating and managing contacts, updating information, commenting, assigning caseloads, managing caseloads, establishing settings, tracking user activity, updating service information and plans, establishing, recording, tracking, and managing goals and objectives, establishing data collection methods and profiles, performing task analysis, ITT, interval recording, time recording, frequency, percentage recording data, creating episode

records, indicating status and significance levels, AIM review, comments (e.g., text, audio, video, etc.), updating goals, goal activity, GMD, quick views, and data collection.

[00154] As described in FIG. 6, the illustrative embodiments may be utilized with any number of imaging systems (HD cameras, infrared, multiple wavelength, etc.), medical devices, communications devices, cameras, or so forth to gather biometric feedback. The biometric feedback may be associated with one or more patients individually or as a group. In one embodiment, biometrics may include pulse rate, facial expressions, sweat analysis, retinal or pupil dilation, body heat output, galvanic skin response, respiration rate, voice stress analysis, or other indicators. In one embodiment, the patients may wear medical devices, such as bracelets, glasses, or headbands. The medical devices may be configured to determine any of the aforementioned biometrics. The biometrics may also be associated with known emotional responses or conditions, such as anger, fear, excitement, agitation, or so forth that may be utilized to intervene or take action. In one embodiment, the biometrics may be configured to generate alerts, such as an indication that a group is becoming agitated or an event may be about to occur, such as a fight or escalated argument.

[00155] As will be appreciated by one skilled in the art, aspects of the present inventive subject matter may be embodied as a system, method or computer program product. Accordingly, aspects of the present inventive subject matter may take the form of an entirely hardware embodiment, an entirely software embodiment (including firmware, resident software, micro-code, etc.) or an embodiment combining software and hardware aspects that may all generally be referred to herein as a "circuit," "module" or "system." Furthermore, aspects of the present inventive subject matter may take the form of a computer program product embodied in one or more computer readable medium(s) having computer readable program code embodied thereon.

[00156] Any combination of one or more computer readable medium(s) may be utilized. The computer readable medium may be a computer readable signal medium or a computer readable storage medium. A computer readable storage medium may be, for example, but not limited to, an electronic, magnetic, optical, electromagnetic, infrared, or semiconductor system, apparatus, or device, or any suitable combination of the foregoing. More specific examples (a non-exhaustive list) of the computer readable storage medium would include the following: an electrical connection having one or more wires, a portable computer diskette, a hard disk, a

random access memory (RAM), a read-only memory (ROM), an erasable programmable read-only memory (EPROM or Flash memory), an optical fiber, a portable compact disc read-only memory (CD-ROM), an optical storage device, a magnetic storage device, or any suitable combination of the foregoing. In the context of this document, a computer readable storage medium may be any tangible medium that can contain, or store a program for use by or in connection with an instruction execution system, apparatus, or device.

[00157] A computer readable signal medium may include a propagated data signal with computer readable program code embodied therein, for example, in baseband or as part of a carrier wave. Such a propagated signal may take any of a variety of forms, including, but not limited to, electro-magnetic, optical, or any suitable combination thereof. A computer readable signal medium may be any computer readable medium that is not a computer readable storage medium and that can communicate, propagate, or transport a program for use by or in connection with an instruction execution system, apparatus, or device.

[00158] Program code embodied on a computer readable medium may be transmitted using any appropriate medium, including but not limited to wireless, wireline, optical fiber cable, RF, etc., or any suitable combination of the foregoing.

[00159] Computer program code for carrying out operations for aspects of the present inventive subject matter may be written in any combination of one or more programming languages, including an object oriented programming language such as Java, Smalltalk, C++ or the like and conventional procedural programming languages, such as the "C" programming language or similar programming languages. The program code may execute entirely on the user's computer, partly on the user's computer, as a stand-alone software package, partly on the user's computer and partly on a remote computer or entirely on the remote computer or server. In the latter scenario, the remote computer may be connected to the user's computer through any type of network, including a local area network (LAN) or a wide area network (WAN), or the connection may be made to an external computer (for example, through the Internet using an Internet Service Provider).

[00160] Aspects of the present inventive subject matter are described with reference to flowchart illustrations and/or block diagrams of methods, apparatus (systems) and computer program products according to embodiments of the inventive subject matter. It will be

understood that each block of the flowchart illustrations and/or block diagrams, and combinations of blocks in the flowchart illustrations and/or block diagrams, may be implemented by computer program instructions. These computer program instructions may be provided to a processor of a general purpose computer, special purpose computer, or other programmable data processing apparatus to produce a machine, such that the instructions, which execute via the processor of the computer or other programmable data processing apparatus, create means for implementing the functions/acts specified in the flowchart and/or block diagram block or blocks.

[00161] These computer program instructions may also be stored in a computer readable medium that can direct a computer, other programmable data processing apparatus, or other devices to function in a particular manner, such that the instructions stored in the computer readable medium produce an article of manufacture including instructions which implement the function/act specified in the flowchart and/or block diagram block or blocks.

[00162] The computer program instructions may also be loaded onto a computer, other programmable data processing apparatus, or other devices to cause a series of operational steps to be performed on the computer, other programmable apparatus or other devices to produce a computer implemented process such that the instructions which execute on the computer or other programmable apparatus provide processes for implementing the functions/acts specified in the flowchart and/or block diagram block or blocks.

[00163] Figure 1 depicts an example server 106. The server and other computer systems of FIG. 1 may include a processor unit (possibly including multiple processors, multiple cores, multiple nodes, and/or implementing multi-threading, etc.). The server 106 includes a memory. The memory may be system memory (e.g., one or more of cache, SRAM, DRAM, zero capacitor RAM, Twin Transistor RAM, eDRAM, EDO RAM, DDR RAM, EEPROM, NRAM, RRAM, SONOS, PRAM, etc.) or any one or more of the above already described possible realizations of machine-readable media. The computer system also includes a bus YY03 (e.g., PCI, ISA, PCI-Express, HyperTransport®, InfiniBand®, NuBus, etc.), a network interface YY05 (e.g., an ATM interface, an Ethernet interface, a Frame Relay interface, SONET interface, wireless interface, etc.), and a storage device(s) or database (e.g., optical storage, magnetic storage, etc.). In one embodiment, the system memory or database 108 associated with the server embodies functionality to implement embodiments described above.

[00164] In addition, any one of these functionalities may be partially (or entirely) implemented in hardware and/or on the processing unit of the server 106. For example, the functionality may be implemented with an application specific integrated circuit, in logic implemented in the processing unit, in a co-processor on a peripheral device or card, etc. Further, realizations may include fewer or additional components not illustrated in FIG> 1 (e.g., video cards, audio cards, additional network interfaces, peripheral devices, etc.).

[00165] While the embodiments are described with reference to various implementations and exploitations, it will be understood that these embodiments are illustrative and that the scope of the inventive subject matter is not limited to them. In general, techniques for managing goals and outcomes for organizations, groups or individuals as described herein may be implemented with facilities consistent with any hardware system or hardware systems. Many variations, modifications, additions, and improvements are possible.

[00166] Plural instances may be provided for components, operations or structures described herein as a single instance. Finally, boundaries between various components, operations and data stores are somewhat arbitrary, and particular operations are illustrated in the context of specific illustrative configurations. Other allocations of functionality are envisioned and may fall within the scope of the inventive subject matter. In general, structures and functionality presented as separate components in the exemplary configurations may be implemented as a combined structure or component. Similarly, structures and functionality presented as a single component may be implemented as separate components. These and other variations, modifications, additions, and improvements may fall within the scope of the inventive subject matter.

WHAT IS CLAIMED IS:

1. A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients, wherein the accounts are stored in a server;

assigning each of the clients to one or more of the providers in response to selections from an administrator;

compiling data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server; and

presenting the compiled data visually in response to a user request.

2. The method according to claim 1, wherein the server is accessed through a cloud network, and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers.

3. The method according to claim 1, further comprising:
establishing goals for the clients, wherein the data indicates a status of the goals.

4. The method according to claim 3, further comprising:
data mining the data to determine best practices.

5. The method according to claim 3, further comprising:
recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers.

6. The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

7. The method according to claim 1, further comprising:

communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert.

8. The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

9. The method according to claim 1, further comprising:

tracking a time and occurrence number of client actions in response to input from the providers; and

indicating a status of goals for the clients in response to the data.

10. The method according to claim 1, further comprising

reporting outcomes in response to data compared against a minimum growth line.

11. A system for tracking goal achievement of individuals, the system comprising:

computing and communications devices in communication with a server through one or more networks;

the server configured to receive input establishing accounts for a plurality of providers serving the individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers utilizing the computing or communications devices in communication with the server, and present the compiled data visualizing in response to a user request; and

a database in communication with the server, the database configured to store the accounts, permissions, settings, and data.

12. The system according to claim 11, wherein the database is a relational database management system performing data mining to analyze the data from the providers to associate best practices with each of the individuals.

13. The system according to claim 12, wherein the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices.

14. The system according to claim 11, wherein the one or more networks are a cloud network.

15. The system according to claim 11, wherein the computing and communications devices are utilized by users to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

16. A controller comprising:

a processor for executing a set of instructions; and

a memory for storing the set of instructions, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

compile data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server; and

present the compiled data visually in response to a user request.

17. The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

18. The server according to claim 16, wherein the set of instructions are further executed to:

recommend best practices to the providers in response to historic success with the clients.

19. The server according to claim 16, wherein the set of instructions are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

20. The controller according to claim 16, wherein the controller is accessible by a plurality of mobile devices, a plurality of computing devices, and a web interface.

ABSTRACT OF THE DISCLOSURE

A system, method, server, and computer readable medium for tracking outcome specific data. Input establishing accounts for providers serving clients is received. The accounts are stored in a server. Each of the clients is assigned to one or more of the providers in response to selections from an administrator. Data associated with each of the clients received from the providers is compiled utilizing computing or communications devices in communication with the server. The compiled data is presented visually in response to a user request.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Filer:	Andrew DeLizio/Jackie Blackwell
Attorney Docket Number:	126.103USNP

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility application filing	1011	1	280	280
Utility Search Fee	1111	1	600	600
Utility Examination Fee	1311	1	720	720
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

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

Electronic Acknowledgement Receipt

EFS ID:	18479366
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Andrew DeLizio/Jackie Blackwell
Filer Authorized By:	Andrew DeLizio
Attorney Docket Number:	126.103USNP
Receipt Date:	14-MAR-2014
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Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1600
RAM confirmation Number	3835
Deposit Account	503998
Authorized User	DELIZIO GILLIAM, PLLC

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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	Oath or Declaration filed	126103USNP-SignedDeclarations.pdf	159997 f509643bb36b443f8635d96df10123fc08e44acb	no	2
Warnings:					
Information:					
2	Drawings-only black and white line drawings	126103USNP_Drawings_tofile.pdf	185419 72c16730fdeb0213ce41b3de7a617665ed325872	no	6
Warnings:					
Information:					
3	Application Data Sheet	126103USNP_ADS_Signed.pdf	1561359 9928289911d99b387a14ffa34283c66c4caad553	no	7
Warnings:					
Information:					
4		126103NP_Application_tofile.pdf	296184 40375744ad7b4378806950b90e97be88b2b56ddd	yes	48

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	44
Claims	45	47
Abstract	48	48

Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	33115 034f4ed5178f520e2ca402933e7537013558f524	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	2236074	

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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.

SCORE Placeholder Sheet for IFW Content

Application Number: 14212429 Document Date: 03/14/2014

The presence of this form in the IFW record indicates that the following document type was received in electronic format on the date identified above. This content is stored in the SCORE database.

- Drawings – Other than Black and White Line Drawings

Since this was an electronic submission, there is no physical artifact folder, no artifact folder is recorded in PALM, and no paper documents or physical media exist. The TIFF images in the IFW record were created from the original documents that are stored in SCORE.

To access the documents in the SCORE database, refer to instructions below.

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Form Revision Date: September 30, 2013

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
14/212,429	03/14/2014	2447	1600	126.103USNP	20	3

CONFIRMATION NO. 9747

122596
Grafton
c/o DeLizio Gilliam, PLLC
15201 Mason Road, Suite 1000-312
Cypress, TX 77433

FILING RECEIPT



Date Mailed: 04/08/2014

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

Inventor(s)

Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

Applicant(s)

Grafton School, Inc., Winchester, VA

Assignment For Published Patent Application

Grafton School, Inc., Winchester, VA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/791,218 03/15/2013

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

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

If Required, Foreign Filing License Granted: 04/04/2014
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/212,429**
Projected Publication Date: 09/18/2014
Non-Publication Request: No

Early Publication Request: No
Title

PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

Preliminary Class

709

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 14/212,429

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	280
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	600
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	720
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*			OR	x 80 =	0.00
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*				x 420 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1600

APPLICATION AS AMENDED - PART II

		(Column 1) 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($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
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))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)		RATE($)	ADDITIONAL FEE($)
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))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14212429
Filing Date	Mar 14, 2014
First Named Inventor	Lisa A. Marshall
Title	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
Art Unit	2447
Examiner Name	
Attorney Docket Number	126.103USNP

SIGNATURE of Applicant or Patent Practitioner

Signature	/Brian D. Owens/	Date (Optional)	5/5/2014
Name	Brian D. Owens	Registration Number	55517
Title (if Applicant is a juristic entity)			
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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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Document Description: Power of Attorney

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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 122596

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number: 122596

OR

Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Grafton School, Inc., 120 Bellview Avenue, Winchester, VA 22601

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	Kim Sanders	Date (Optional)	4/17/14
Name	Kim Sanders		
Title	Executive Vice President		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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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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.

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

Electronic Acknowledgement Receipt

EFS ID:	18937028
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Andrew DeLizio/Jackie Blackwell
Filer Authorized By:	Andrew DeLizio
Attorney Docket Number:	126.103USNP
Receipt Date:	05-MAY-2014
Filing Date:	14-MAR-2014
Time Stamp:	12:16:19
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	Power of Attorney	126-103USNP_POAandTransmittal_signed.pdf	326064 81e95bf91d18044e1ef1ae77356f35f8851d1270	no	3

Warnings:	
Information:	

Total Files Size (in bytes):	326064

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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.

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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

122596
Grafton
c/o DeLizio Gilliam, PLLC
15201 Mason Road, Suite 1000-312
Cypress, TX 77433

POA ACCEPTANCE LETTER

OC000000068282155

Date Mailed: 05/12/2014

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/05/2014.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/zabraha/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

122596
Grafton
c/o DeLizio Gilliam, PLLC
15201 Mason Road, Suite 1000-312
Cypress, TX 77433

PUBLICATION NOTICE

OC00000070843170

Title:PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

Publication No.US-2014-0280136-A1
Publication Date:09/18/2014

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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

Doc Code: PA.
Document Description: Power of Attorney

PTO/AIA/82B (07-13)
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
14212429	March 14, 2014

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☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above.

133690

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

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☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	/Kim Sanders/	Date (Optional)	
Name	Kim Sanders		
Title	Executive Vice President		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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.

Data Health Partners, Inc. Exhibit 2005, Page 81 of 506

Electronic Acknowledgement Receipt

EFS ID:	23461708
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	126.103USNP
Receipt Date:	11-SEP-2015
Filing Date:	14-MAR-2014
Time Stamp:	00:12:55
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	Power of Attorney	Grafton_POA_OptimizingData_Executed.pdf	228009 397b489b4805aa93c46f327e1b2ebad79f4f5bd9	no	1

Warnings:	
Information:	

Total Files Size (in bytes):	228009

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

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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

OC000000077528790

122596
Grafton
c/o McKee, Voorhees & Sease, PLC
801 Grand Avenue, Suite 3200
Des Moines, IA 50309

Cc: GOODHUE, COLEMAN & OWENS, P.C.
650 S. PRAIRIE VIEW DR.
SUITE 125, PMB #209
WEST DES MOINES, IA 50266

Date Mailed: 09/18/2015

DENIAL OF REQUEST FOR POWER OF ATTORNEY

The request for Power of Attorney filed 09/10/2015 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☐ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of _____, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.
- ☐ Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.
- ☐ A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has

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been received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).

☑ The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).

☐ The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.

☐ The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).

☑ Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

Application Assistance Unit
571-272-4200

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

122596
Grafton
c/o McKee, Voorhees & Sease, PLC
801 Grand Avenue, Suite 3200
Des Moines, IA 50309

MISCELLANEOUS NOTICE

OC000000077528790

Date Mailed: 09/21/2015

A communication which cannot be delivered in electronic form has been mailed to the applicant.

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STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: Grafton School, Inc

Application No./Patent No.: 14212429 Filed/Issue Date: 3/14/14

Titled: Platform for optimizing data driven outcomes

Grafton School, Inc., a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☑ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 032444, Frame 0772, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

   1. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

   2. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**.

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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

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5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Brian D. Owens/	9/22/15
Signature	Date
Brian D. Owens	55,517
Printed or Typed Name	Title or Registration 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.

Doc Code: PA.
Document Description: Power of Attorney

PTO/AIA/82B (07-13)
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
14212429	March 14, 2014

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above.

133690

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

	Firm or Individual Name				
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	/Kim Sanders/	Date (Optional)	
Name	Kim Sanders		
Title	Executive Vice President		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

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

Data Health Partners, Inc. Exhibit 2005, Page 90 of 506

Electronic Acknowledgement Receipt

EFS ID:	23586202
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	126.103USNP
Receipt Date:	23-SEP-2015
Filing Date:	14-MAR-2014
Time Stamp:	19:32:40
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	Power of Attorney	Grafton_Executed_2POA_Filed_9-23-15.pdf	3257211 7fceb019a6432a8628fb19c60c7be06d1b5ea2f7	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	3257211

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New Applications Under 35 U.S.C. 111

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

OC000000077754362

122596
Grafton
c/o McKee, Voorhees & Sease, PLC
801 Grand Avenue, Suite 3200
Des Moines, IA 50309

Cc:- GOODHUE, COLEMAN & OWENS, P.C.
650 S. PRAIRIE VIEW DR.
SUITE 125, PMB #209
WEST DES MOINES, IA 50266

Date Mailed:- 09/30/2015

DENIAL OF REQUEST FOR POWER OF ATTORNEY

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- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☐ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) _____co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
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- ☐ A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has been received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).

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☒ The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).

☐ The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.

☐ The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).

☒ Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

Application Assistance Unit
571-272-4200

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	126.103USNP

CONFIRMATION NO. 9747

122596
Grafton
c/o McKee, Voorhees & Sease, PLC
801 Grand Avenue, Suite 3200
Des Moines, IA 50309

MISCELLANEOUS NOTICE

OC000000077754362

Date Mailed: 10/01/2015

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PTO/SB/08a (03-15)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	14212429
Filing Date	2014-03-14
First Named Inventor	MARSHALL, LISA A.
Art Unit	2156
Examiner Name	RAAB, CHRISTOPHER J
Attorney Docket Number	GRAFTON-POOO2

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	RE42508	RE	2011-06-28	LEWIS	
	2	8355925	B2	2013-01-15	ROTHMAN	
	3	8313433	B2	2012-11-20	COHEN	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20090192825	A1	2009-07-30	HUNT	
	2	20090112924	A1	2009-04-30	HARRIS	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	14212429
	Filing Date	2014-03-14
	First Named Inventor	MARSHALL, LISA A.
	Art Unit	2156
	Examiner Name	RAAB, CHRISTOPHER J
	Attorney Docket Number	GRAFTON-POOO2

	1							☐

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NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	"International Application No PCT/US2014/029287 International Search Report and Written Opinion", 08/22/2014, 7 pages.	☐

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

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
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	Attorney Docket Number	GRAFTON-POOO2

CERTIFICATION STATEMENT

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

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

OR

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

☐ See attached certification statement.

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

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Kyle S. Coleman/	Date (YYYY-MM-DD)	2015-11-21
Name/Print	KYLE S. COLEMAN	Registration Number	66,257

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

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

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

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

ADVANCE E-MAIL

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)
(PCT Rule 44bis.1(c))

To:

COLEMAN, Kyle, S.
MCKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
ETATS-UNIS D'AMERIQUE

Date of mailing *(day/month/year)* 24 September 2015 (24.09.2015)	
Applicant's or agent's file reference P11260WO00	**IMPORTANT NOTICE**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2014/029287	14 March 2014 (14.03.2014)	15 March 2013 (15.03.2013)

Applicant
GRAFTON SCHOOL, INC.

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Philippe Bécamel

e-mail: pt03.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference P11260WO00	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/US2014/029287	International filing date *(day/month/year)* 14 March 2014 (14.03.2014)	Priority date *(day/month/year)* 15 March 2013 (15.03.2013)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant GRAFTON SCHOOL, INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 15 September 2015 (15.09.2015)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Philippe Bécamel e-mail: pt03.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Brian D. Owens
15201 Mason Road, Suite 1000-312
Cypress, Texas 77433
United States of America

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	22 AUG 2014
Applicant's or agent's file reference 126-103WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US14/29287	14 March 2014 (14.03.2014)	15 March 2013 (15.03.2013)

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G06Q 50/22 (2014.01)
USPC - 705/2

Applicant GRAFTON SCHOOL, INC.

1. This opinion contains indications relating to the following items:

- [X] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [X] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA/US	Date of completion of this opinion	Authorized officer:
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	21 July 2014 (21.07.2014)	Shane Thomas PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (July 2011)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US14/29287

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US14/29287

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	5, 7-10, 12-13, 15, 18-19	YES
	Claims	1-4, 6, 11, 14, 16-17, 20	NO
Inventive step (IS)	Claims	8, 15, 19	YES
	Claims	1-7, 9-14, 16-18, 20	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1-4, 6, 11, 14, 16-17 and 20 lack novelty under PCT Article 33(2) as being anticipated by US 2011/0047404 A1 to Metzler et al. (hereinafter "Metzler").

As to claims 1 and 16, Metzler discloses method for tracking outcome specific data (clinical outcomes in the backend provide data to the front end (tracking the status and progress (outcome specific data) of the user), paragraph [0037]); and a controller (software program executing on a server (and a controller), paragraphs [0024], [0121]) comprising: a processor for executing a set of instructions (a processor executing a software module (a processor for executing a set of instructions), paragraph [0121]); and a memory for storing the set of instructions (a storage medium (memory) where the software module resides (for instructions), paragraph [0101]), wherein the set of instructions are executed by the processor to (the software module is executed by the processor (the software module is executed by the processor, (paragraph [0121]); to perform the method of: receiving input establishing accounts for providers serving clients (logon module provides the features and tools that allow a user to register for an account (receiving input establishing accounts) for healthcare professionals (for providers) to observe and interact with users (serving clients), paragraphs [0036], [0037]) wherein the accounts are stored in a server (accounts are stored in a database that is in communication with the server, paragraphs [0025], [0033], [0036]); assigning each of the clients to one or more of the providers in response to selections from an administrator (each patient (client) is assigned to a clinical professional (providers) and is set up and approved by (in response to) the administrator, paragraphs [0036], [0047]); compiling data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server (data is collected regarding a user (compiling data associated with each of the clients) from treatment professionals (providers) using any network device (utilizing computing devices) interacting with web pages on the server (in communication with the server), paragraphs [0025], [0032], [0071]); and presenting the compiled data visually in response to a user request (the content module can display (presenting visually) the user's progress in completing the achievements (the compiled data), in response to the requests, the hosting device can transfer content to the requesting devices (in response to a user request), figure 9, paragraphs [0025], [0065], [0094]).

As to claim 11, Metzler discloses a system for tracking goal achievement of individuals (tracking a user's goals and performance, paragraphs [0094], [0098]), the system comprising: computing and communications devices in communication with a server through one or more networks (using any network device (computing and communications devices) interacting with web pages (in communication) on the server over the internet (through one or more networks), paragraphs [0025], [0117]); the server configured to receive input establishing accounts for a plurality of providers serving the individuals (the system (the server) includes a logon module provides the features and tools that allow a user to register for an account (establishing accounts) for healthcare professionals (providers) to observe and interact with users (serving the individuals), paragraphs [0036], [0037]), assign each of the individuals to one or more of the providers in response to selections from administrator (each patient (individual) is assigned to a clinical professional (providers) and is set up and approved (in response to selections) by the administrator, paragraphs [0036], [0047]), compile data associated with each of the individuals received from the providers utilizing the computing or communications devices in communication with the server (data can be accumulated (compile data) regarding a user (client) from treatment professionals (received from the providers) using any network device (utilizing computing or communications devices) interacting with web pages on the server (in communication with the server), paragraphs [0025], [0032], [0071], [0092]), and present the compiled data visualizing in response to a user request (the content module can display (presenting visually) the user's progress in completing the achievements (the compiled data), in response to the requests, the hosting device can transfer content to the requesting devices (in response to a user request), figure 9, paragraphs [0025], [0065], [0094]); and a database in communication with the server (the application stores and retrieves data from the database that is in communication with the server, paragraphs [0025], [0033]), the database configured to store the accounts, permissions, settings, and data (the database stores user accounts (store the accounts), privacy settings (permissions), notification settings (settings) and events and activities (data), paragraphs [0036], [0073], [0068], [0078]).

As to claim 2, Metzler disclose the method according to claim 1. Metzler further disclose a method wherein the server is accessed through a cloud network (the server is accessed through the internet (a cloud network), figure 1, paragraph [0024]), and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers (an application executed on a computer data is collected (receive user input) from treatment professionals (from the providers), figure 1, paragraphs [0025], [0071]).

As to claim 3, Metzler discloses the method according to claim 1. Metzler further discloses a method further comprising: establishing goals for the clients, wherein the data indicates a status of the goals (the professionals can set goals (establishing goals) in the account of the user (clients) and have the site assist in the monitoring and support of those goals where the user can report their progress (status of the goals), paragraph [0063]).

-***-Continued Within the Next Supplemental Box-***-

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US14/29287

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:
-***-Continued from Box V: Citations and Explanations-***-

As to claim 4, Metzler discloses the method according to claim 3. Metzler further discloses a method comprising: data mining the data to determine best practices (the data can be used for statistical analysis (data mining) by healthcare providers to compare to other treatment centers to determine comparable outcomes (best practices), paragraph [0092]).

As to claim 6, Metzler discloses the method according to claim 1. Metzler further discloses a method wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (events and activities are captured and stored (recorded activities), paragraph [0068]).

As to claim 14, Metzler discloses the system according to claim 11. Metzler further discloses a system wherein the one or more networks are a cloud network (the server is accessed through a local area network, wide area network, virtual private network, or the internet (the server is accessed through a cloud network), figure 1, paragraph [0024]).

As to claim 17, Metzler discloses the server according to claim 16. Metzler further discloses wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (the activities of the patients are captured and stored in the database (recorded activities), paragraph [0068]).

As to claim 20, Metzler discloses the controller according to claim 16. Metzler further discloses a controller wherein the controller is accessible by a plurality of mobile devices, a plurality of computing devices, and a web interface (the software operating on the server (the controller) accessed (accessible) by mobile devices such as a mobile telephone or personal digital assistant (mobile devices); a patient and clinical professional device including a personal computer (computing devices), where the content may be displayed on a mobile device in the form of a webpage (a web interface), paragraphs [0025], [0026], [0121]).

Claim 5 lacks an inventive step under PCT Article 33(3) as being obvious over Metzler in view of US RE42508 E to Lewis et al. (hereinafter "Lewis").

As to claim 5, Metzler disclose the method according to claim 3. However, Metzler fails to disclose a method further comprising: recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers. Lewis discloses a method comprising: recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers (recommending an alternative ancillary medical procedure (best practices) to the physicians (providers) for an identified patient (client) treated by the physician that is not being treated per guidelines of ancillary medical procedures, column 5 lines 52-64, column 12, lines 5-12). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method of Metzler to include recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers, as taught by Lewis, for the benefit of providing updated recommendations to the providers so they can determine the best treatment for the client.

Claims 7 lacks an inventive step under PCT Article 33(3) as being obvious over Metzler in view of US 2009/0192825 A1 to Hunt et al. (hereinafter "Hunt").

As to claim 7, Metzler discloses the method according to claim 1. However, Metzler fails to disclose a method further comprising: communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert. Hunt discloses a method comprising: communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert (the communication includes an email (communicating) of an alert (an alert) based on essential data (in response to the data) available for a patient), when a threshold of the user triggers the alert (reaching a threshold), paragraphs [0055], [0057], claim 9). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method of Metzler to include communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert, as taught by Hunt, for the benefit of alerting clients of situations that may require attention or contact with the provider.

Claim 9 lacks an inventive step under PCT Article 33(3) as being obvious over Metzler in view of US 2009/0112924 A1 to Harris et al. (hereinafter "Harris").

As to claim 9, Metzler discloses the method according to claim 1. Metzler further discloses a system comprising: indicating a status of goals for the clients in response to the data (each goal and the user's progress in completing the goals (status) are shown (indicating) based on the data (in response to the data), figure 9, paragraphs [0065], [0094]). However, Metzler fails to disclose a method further comprising: tracking a time and occurrence number of client actions in response to input from the providers. Harris discloses a method comprising: tracking a time and occurrence number of client actions in response to input from the providers (each record includes a record number (occurrence number) and a timestamp (tracking a time) of an action performed by the client (of client actions) in response to a request or other reporting event (in response to input), from the provider, paragraphs [0090], [0098]). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method of Metzler to include tracking a time and occurrence number of client actions in response to input from the providers, as taught by Harris, for the benefit of storing records with timestamps so queries can be preformed in the database on historical data.

-***-Continued Within the Next Supplemental Box-***-

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US14/29287

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:
-***-Continued from Previous Supplemental Box-***-

Claim 10 lacks an inventive step under PCT Article 33(3) as being obvious over Metzler in view of US 8355925 B2 to Rothman et al. (hereinafter "Rothman").

As to claim 10, Metzler discloses the method according to claim 1. However, Metzler fails to disclose a method further comprising reporting outcomes in response to data compared against a minimum growth line. Rothman discloses a method comprising reporting outcomes in response to data compared against a minimum growth line (the comparison module may include a statistical reference curve so that the health score (reporting outcomes in response to data) may be easily compared to a baseline reference (minimum growth line), column 21, lines 52-55, column 22, lines 14-16). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method of Metzler to include reporting outcomes in response to data compared against a minimum growth line, as taught by Rothman, for the benefit of giving the data more meaning by comparing against a target or baseline.

Claims 12-13 and 18 lack an inventive step under PCT Article 33(3) as being obvious over Metzler in view of US 8313433 B2 to Cohen et al. (hereinafter "Cohen").

As to claim 12, Metzler discloses the system according to claim 11. Metzler further discloses the system wherein the data is from the providers (data is collected regarding a user from treatment professionals (providers), paragraph [0071]). However, Metzler fails to disclose a system wherein the database is a relational database management system performing data mining to analyze the data to associate best practices with each of the individuals. Cohen discloses a system wherein the database performing data mining to analyze the data to associate best practices with each of the individuals (data may be stored in the database; the data may be made available (performing data mining) and analyzed based on the historical information of the subject (individuals) associated with the beneficial practices (best practices), column 11, lines 25-36). Although neither Metzler nor Cohen specifically disclose a relational database management system, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a relational database for the benefit of comparing larger amounts of data with varied relationships faster, as relational databases are old and well known in the art. Further, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the system of Metzler to include wherein the database performing data mining to analyze the data to associate best practices with each of the individuals, as taught by Cohen, for the benefit of analyzing historic data to ensure the patients receive the proper and best practices recommended.

As to claim 13, Metzler and Cohen disclose the system according to claim 12. However, Metzler fails to disclose a method wherein the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices. Cohen discloses a method wherein the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices (the database stores recommendations that may be accessed by the healthcare provider (recommend) and access beneficial practices (one or more best practices) where information may be made generally available for health care providers for analyzing data based on the historical information of the subject (in response to the data of the individuals) associated with the beneficial practices, column 2, lines 60-65, column 11, lines 25-36, column 29, lines 20-24). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the system of Metzler to include wherein the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices, as taught by Cohen, for the benefit of using the individual client data to recommend best practices to multiple providers.

As to claim 18, Metzler discloses the server according to claim 16. However, Metzler fails to disclose a server wherein the set of instructions are further executed to: recommend best practices to the providers in response to historic success with the clients. Cohen discloses a server wherein the set of instructions are further executed to: recommend best practices to the providers in response to historic success with the clients (recommendations may be accessed by the healthcare provider (recommend best practices to the providers); aggregate data of many subject sources may allow the healthcare provider to recognize beneficial practices (in response to historic success), column 2, lines 60-65, column 29, lines 20-24). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the server of Metzler to include wherein the set of instructions are further executed to: recommend best practices to the providers in response to historic success with the clients, as taught by Cohen, for the benefit of using the historic data of a plurality of clients to develop best practices for future clients.

Claims 8, 15 and 19 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest: receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, frequency, percentage data, and a reinforcement recorder. In the closest prior art, Metzler discloses a method and a system comprising: receiving the data through time recording (data is collected (receiving the data) that is tracked over time (through time recording), paragraphs [0072]). However, the prior art fails to disclose the limitations as discussed above.

Claims 1-20 have industrial applicability as defined by PCT Article 33(4) because the subject matter can be made or used in industry.

Electronic Acknowledgement Receipt

EFS ID:	24154810
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Kyle S. Coleman
Filer Authorized By:	
Attorney Docket Number:	GRAFTON-POOO2
Receipt Date:	21-NOV-2015
Filing Date:	14-MAR-2014
Time Stamp:	13:46:18
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	Information Disclosure Statement (IDS) Form (SB08)	GRAFTON-P0002_14212429_IDS_11-21-15.pdf	1035195 76989eef50381d78e422c27c423096ba21919a14	no	4

Warnings:	
Information:	

2	Non Patent Literature	PCTUS2014029287-ipp1-ib326-000001-EN.pdf	424059 1aa8723fe1fcf26a6d79a08ce955e9f37ca86ea3	no	7

Warnings:	
Information:	
Total Files Size (in bytes):	1459254

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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.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
Approved for use through 11/30/2014. OMB 0651-0051
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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14/212,429
Filing Date	March 14, 2014
First Named Inventor	MARSHALL, LISA A.
Title	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
Art Unit	2156
Examiner Name	RAAB, CHRISTOPHER J
Attorney Docket Number	GRAFTON-P0002

SIGNATURE of Applicant or Patent Practitioner

Signature	/Kyle S. Coleman/	Date (Optional)	
Name	KYLE S. COLEMAN	Registration Number	66,257
Title (if Applicant is a juristic entity)			
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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.

Doc Code: PA,.
Document Description: Power of Attorney

GRAFTON-P0002 PTO/AIA/82B (07-13)
Approved for use through 11/30/2014. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 133690

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or Individual Name	GOODHUE, COLEMAN & OWENS, P.C.				
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

GRAFTON SCHOOL, INC., 120 BELLVIEW AVE., WINCHESTER, VA 22601

☐ Inventor or Joint Inventor (title not required below)
☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	Kim Sanders	Date (Optional)	
Name	Kim Sanders		
Title	President		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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.

Electronic Acknowledgement Receipt

EFS ID:	24154909
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	122596
Filer:	Kyle S. Coleman
Filer Authorized By:	
Attorney Docket Number:	GRAFTON-POOO2
Receipt Date:	21-NOV-2015
Filing Date:	14-MAR-2014
Time Stamp:	15:30:19
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	Power of Attorney	GRAFTON-P0002_14212429_TRANS-POA_AIA-82A-B_11-21-15.pdf	514337 27feda2909de257ef5c441367ebf985dfd3628c9	no	2

Warnings:	
Information:	

Total Files Size (in bytes):	514337

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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.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	GRAFTON-P0002

CONFIRMATION NO. 9747

133690
Goodhue, Coleman & Owens, P.C.
650 S. Prairie View Dr.
Suite 125, PMB #209
West Des Moines, IA 50266

POA ACCEPTANCE LETTER

OC000000078998842

Date Mailed: 12/04/2015

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/21/2015.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/ttran/

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	GRAFTON-P0002

CONFIRMATION NO. 9747

POWER OF ATTORNEY NOTICE

122596
Grafton
c/o McKee, Voorhees & Sease, PLC
801 Grand Avenue, Suite 3200
Des Moines, IA 50309

OC00000078998777

Date Mailed: 12/04/2015

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/21/2015.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/ttran/

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	GRAFTON-P0002	9747

133690 7590 01/05/2016

Goodhue, Coleman & Owens, P.C.
650 S. Prairie View Dr.
Suite 125, PMB #209
West Des Moines, IA 50266

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
01/05/2016	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Office Action Summary	Application No. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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 *03/14/14*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

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

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☒ The drawing(s) filed on *03/14/14* 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 *11/21/15*.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

DETAILED ACTION

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

Information Disclosure Statement

02. The information disclosure statement (IDS) filed on **11/21/15** has been considered by the examiner and made of record in the application file.

Priority

03. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

Drawings

04. The drawings were received on **03/14/14**. These drawings are accepted.

Remarks

05. Claims 11 – 15 have been interpreted under 35 U.S.C. 112, sixth paragraph. Claim 11 uses the non-structural terms of a computing and communications devices, a server, and a database. These non-structural terms are coupled with functional language, without reciting sufficient structure to achieve the function, and are not preceded by a structural modifier. Therefore claims 11 – 15 have been interpreted to

invoke 35 U.S.C. 112, sixth paragraph, to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action. If applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph

For more information, see *Supplementary Examination Guidelines for Determining Compliance with 35 U.S.C. § 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Objections

06. **Claim 17 – 19** are objected to because of the following informality:

a) replace “The server” with --The controller--

Claim Rejections - 35 USC § 101

07. 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.

08. **Claims 1 – 20** are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. Claims 1 – 20 are directed to human organized activities which are an abstract idea. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because:

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).

a) Regarding claims 1 – 20, the claims are directed to creating accounts for clients through providers. This is considered to be an abstract idea inasmuch as such activity is considered a method of organizing human activity.

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

c) The claims merely amount to the application or instructions to apply the abstract idea (i.e. using a computer to identify the consistency of different versions of stored objects) on a computer, and is considered to amount to nothing more than requiring a generic computer system (e.g. a computer system comprising a generic processor and a generic associated server) to merely carry out the abstract idea itself. As such, the claims, when considered as a whole, are nothing more than the instruction to implement the abstract idea (i.e. establish an account) in a particular, albeit well-understood, routine and conventional technological environment.

d) Accordingly, the Examiner concludes that there are no meaningful limitations in the claim that transform the judicial exception into a patent eligible application such that the claim amounts to significantly more than the judicial exception itself.

Claim Rejections - 35 USC § 102

09. 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 –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. **Claims 1 – 20** are rejected under 35 U.S.C. 102(b) as being unpatentable over **Metzler et al. (US PGPub 2011/0047404)**, hereinafter "Metzler".

Consider **claim 1**, Metzler discloses a method for tracking outcome specific data (abstract, paragraph [0006]), the method comprising:

receiving input establishing accounts for providers serving clients, wherein the accounts are stored in a server (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assigning each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compiling data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

presenting the compiled data visually in response to a user request (paragraphs [0041], [0089], data is displayed visually for the user).

Consider **claim 2**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the server is accessed through a cloud network, and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 3**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

establishing goals for the clients, wherein the data indicates a status of the goals (paragraphs [0026], [0063], goals are established for the users, which can indicate a status of the goal).

Consider **claim 4**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

data mining the data to determine best practices (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 5**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 6**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 7**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert (paragraphs [0048], [0067], alerts can be sent to the users based on certain requirements being met).

Consider **claim 8**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 9**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

tracking a time and occurrence number of client actions in response to input from the providers, and indicating a status of goals for the clients in response to the data (paragraphs [0003], [0026], [0042], [0058], the time of the actions is tracked, which can indicate the status of goals).

Consider **claim 10**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

reporting outcomes in response to data compared against a minimum growth line (paragraphs [0028], [0041], [0091], the outcomes of the data responses are tracked).

Consider **claim 11**, Metzler discloses a system for tracking goal achievement of individuals (abstract, paragraph [0006]), the system comprising:

receive input establishing accounts for providers serving clients, wherein the accounts are stored in a server (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

present the compiled data visually in response to a user request (paragraphs [0041], [0089], data is displayed visually for the user).

Consider **claim 12**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

data mining the data to determine best practices (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 13**, and **as applied to claim 12 above**, Metzler discloses a system comprising:

recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 14**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the server is accessed through a cloud network, and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 15**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 16**, Metzler discloses a controller (abstract, paragraph [0006]), comprising:

receive input establishing accounts for providers serving clients, wherein the accounts are stored in a server (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing computing or communications devices in communication with the server (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

present the compiled data visually in response to a user request (paragraphs [0041], [0089], data is displayed visually for the user).

Consider **claim 17**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 18**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

recommending the best practices to the providers in response to historic success with the clients (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 19**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073],

[0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 20**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

the controller is accessible by a plurality of mobile devices, a plurality of computing devices, and a web interface (paragraphs [0025], [0111], a multitude of different devices can be used to access the system).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Merrifield, Eric S. et al.	US PGPub	2010/0082381
b) Cautley, Paul C.R. et al.	US PGPub	2002/0065697
c) Brennan, Anthony et al.	US PGPub	2008/0281651
d) Sullivan, Daniel J. et al.	US PGPub	2002/0194046
e) Zagotta, Robert J. et al.	US PGPub	2002/0147626

12. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

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P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

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Alexandria, VA 22314

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sherief Badawi can be reached on (571) 272-9782. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Examiner, Art Unit 2156

December 01, 2015

/SHERIEF BADAWI/

Supervisory Patent Examiner, Art Unit 2156

Notice of References Cited	Application/Control No. 14/212,429	Applicant(s)/Patent Under Reexamination MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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-2011/0047404 A1	02-2011	Metzler; David	G06F19/322	714/2
*	B	US-2010/0082381 A1	04-2010	Merrifield, JR.; Eric S.	G06Q10/06	705/7.37
*	C	US-2002/0065697 A1	05-2002	Cautley, Paul C.R.	G06Q10/0637	705/7.36
*	D	US-2008/0281651 A1	11-2008	Brennan; Anthony Clive Lincoln	G06Q10/06	705/7.36
*	E	US-2002/0194046 A1	12-2002	Sullivan, Daniel J.	G06Q10/0637	705/7.36
*	F	US-2002/0147626 A1	10-2002	Zagotta, Robert J.	G06Q10/06311	705/7.15
	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	CPC Classification
	N					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*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.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	("20110047404").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/12/01 13:24
L2	10	("20090112924" | "20090192825" | "8313433" | "8355925" | "RE42508").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:00
L3	3130	account WITH client WITH provider	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
L4	77	data mining WITH goal WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
L5	41	data mining WITH best practices	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
L6	1	intensive trial teaching	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
L7	1	reinforcement recorder	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:06
L8	864	goal WITH achiev$5 WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:24
L9	3158	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
L10	1117	L9 AND goal	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
L11	78	L9 AND (goal WITH status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
L12	23	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25

L13	6	Macrosolve$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
L14	84	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30

EAST Search History (Interference)

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BIB DATA SHEET

CONFIRMATION NO. 9747

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
14/212,429	03/14/2014	707	2156	GRAFTON-P0002

APPLICANTS
Grafton School, Inc., Winchester, VA;

INVENTORS
Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

**** CONTINUING DATA ***************************
This appln claims benefit of 61/791,218 03/15/2013

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ****
04/04/2014

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /CHRISTOPHER J RAAB/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		VA	6	20	3

ADDRESS

Goodhue, Coleman & Owens, P.C.
650 S. Prairie View Dr.
Suite 125, PMB #209
West Des Moines, IA 50266
UNITED STATES

TITLE

PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	14212429
Filing Date	2014-03-14
First Named Inventor	MARSHALL, LISA A.
Art Unit	2156
Examiner Name	RAAB, CHRISTOPHER J
Attorney Docket Number	GRAFTON-POOO2

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	RE42508	RE	2011-06-28	LEWIS	
	2	8355925	B2	2013-01-15	ROTHMAN	
	3	8313433	B2	2012-11-20	COHEN	

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	1	20090192825	A1	2009-07-30	HUNT	
	2	20090112924	A1	2009-04-30	HARRIS	

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Data Health Partners, Inc. Exhibit 2005, Page 134 of 506

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	14212429
	Filing Date	2014-03-14
	First Named Inventor	MARSHALL, LISA A.
	Art Unit	2156
	Examiner Name	RAAB, CHRISTOPHER J
	Attorney Docket Number	GRAFTON-POOO2

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	"International Application No PCT/US2014/029287 International Search Report and Written Opinion", 08/22/2014, 7 pages.	☐

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EXAMINER SIGNATURE

Examiner Signature	/Christopher Raab/	Date Considered	12/01/2015

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

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

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	14212429
	Filing Date	2014-03-14
	First Named Inventor	MARSHALL, LISA A.
	Art Unit	2156
	Examiner Name	RAAB, CHRISTOPHER J
	Attorney Docket Number	GRAFTON-POOO2

CERTIFICATION STATEMENT

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

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

OR

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

☐ See attached certification statement.

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

☒ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Kyle S. Coleman/	Date (YYYY-MM-DD)	2015-11-21
Name/Print	KYLE S. COLEMAN	Registration Number	66,257

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

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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.

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR

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

/CHRISTOPHER J RAAB/ Examiner.Art Unit 2156	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015								
	1	✓								
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	19	✓								
	20	✓								

PATENT
Attorney Docket No.
GRAFTON-P0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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Commissioner:

AMENDMENT

In reply to the Office Action mailed 01/05/2016, the period for response to 04/05/2016 which extends through 07/05/2016, please amend the above-identified application as follows:

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

Remarks follow the amendments section of this paper.

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients, wherein the accounts are stored in a database of a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in the database in response to selections from an administrator utilizing one of the plurality of communications devices;

compiling data associated with each the clients received from the providers in the database utilizing ~~computing or~~ the plurality of communications devices in communication with the server;

automatically communicating an alert from the server to the plurality of communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert;

and

communicating~~presenting~~ the compiled data ~~visually~~ in response to a user request, wherein the compiled data is sent from the server through the one or more networks to one or more of the plurality of communications devices.

Claim 2 (Currently Amended): The method according to claim 1, wherein the server is accessed through a cloud network, and wherein an application executed by the ~~computing or~~ the plurality of communications devices is utilized to receive user input from the providers.

Claim 3 (Previously presented): The method according to claim 1, further comprising: establishing goals for the clients, wherein the data indicates a status of the goals.

Claim 4 (Previously presented): The method according to claim 3, further comprising: data mining the data to determine best practices.

Claim 5 (Previously presented): The method according to claim 3, further comprising: recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers.

Claim 6 (Currently Amended): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Currently Amended): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices~~further comprising: communicating an alert in response to the data for each of the clients reaching a threshold associated with the alert~~.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Previously presented): The method according to claim 1, further comprising:

tracking a time and occurrence number of client actions in response to input from the providers; and

indicating a status of goals for the clients in response to the data.

Claim 10 (Previously presented): The method according to claim 1, further comprising reporting outcomes in response to data compared against a minimum growth line.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals, the system comprising:

~~computing and~~ communications devices in communication with a server through one or more networks;

the server configured to receive input establishing accounts for a plurality of providers serving the individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers utilizing the ~~computing or~~ communications devices in communication with the server, automatically communicate an alert from the server to the communications

devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert, and ~~the~~ communicate~~present~~ the compiled data visual~~lyizing~~ in response to a user request, wherein the compiled data is sent to the providers assigned to each of the individuals utilizing the communications devices associated with the providers; and

a database in communication with the server, the database configured to store the accounts, assignments of the individuals to the one or more providers, ~~permissions, settings,~~ and the compiled data.

Claim 12 (Previously presented): The system according to claim 11, wherein the database is a relational database management system performing data mining to analyze the data from the providers to associate best practices with each of the individuals.

Claim 13 (Previously presented): The system according to claim 12, wherein the server is configured to recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices.

Claim 14 (Previously presented): The system according to claim 11, wherein the one or more networks are a cloud network.

Claim 15 (Currently Amended): The system according to claim 11, wherein the

~~computing and~~ communications devices represent wired or wireless communications and computing devices, and wherein the communications devices are utilized by users to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server~~controller~~ comprising:

a processor for executing a set of instructions; and

a memory for storing the set of instructions, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

compile data associated with each of the clients received from the providers utilizing ~~computing or~~ communications devices in communication with the server;

automatically communicate an alert from the server to the communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert; and

communicate~~present~~ the compiled data ~~visually~~ in response to a user request.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 18 (Previously presented): The server according to claim 16, wherein the set of instructions are further executed to:

recommend best practices to the providers in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of instructions are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Currently Amended): The server~~controller~~ according to claim 16, wherein the server~~controller~~ is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface.

REMARKS

In the Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

II. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler".

The Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Office Action now and in the future. For example, Applicants assert that the claims support sufficient structure, material or acts to preclude application of 35 U.S.C. 112, sixth paragraph.

Applicant amends claims 1, 2, 7, 11, 15, 16, and 20. Specifically, independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1, claim 1 has been amended and thus the previous rejections

of claim 1 are moot in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. For example, Applicants note the method described utilizing at least a server and database. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

CLAIM REJECTIONS – 35 USC. 102

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler". This rejection is respectfully traversed.

With regard to claim 1, Metzler fails to teach, suggest, or disclose "automatically communicating an alert from the server to the plurality of communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert." Metzler teaches a social network for a patient recovering from a heath issue. (Metzler, Abstract, [0028]) In Metzler, the user herself creates an account and selects a group for communications. (Metzler, [0036]) Metzler teaches that a "clinical professional or administrator may look for patterns or parse the data received from the content module **40** to determine how a patient is performing in his recovery." (Metzler, [0066]) Metzler teaches that a person looks for patterns and parses data as a manual process whereas claim 1 recited "automatically communicating." Metzler is also silent with regard to a threshold associated with an alert. Thus, Metzler fails to teach, suggest, or disclose "automatically communicating an alert from the server to the plurality of communications devices associated with the providers in response to the

data for one of the clients reaching a threshold associated with the alert." Thus, the rejection of claim 1 is improper and claim 1 should be allowed.

Claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16, respectively.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 50681.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: April 5, 2016

By: / Brian Dean Owens /
Reg. No. 55517
(515) 218-7888

Electronic Acknowledgement Receipt

EFS ID:	25407738
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens
Filer Authorized By:	
Attorney Docket Number:	GRAFTON-P0002
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Application Type:	Utility under 35 USC 111(a)

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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	GRAFTON-P0002_response_nonfinal_20160114.pdf	373047 046095224da8ecc704ab7e6698d8126d3008f511	no	11

Warnings:	
Information:	

Total Files Size (in bytes):	373047

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)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/212,429	Filing Date 03/14/2014	☐ 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 **04/05/2016**

	(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))	* 20	Minus	** 20	= 0	X $80 =	0
Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $420 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

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
/BRENDA HARRISON/

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.
14/212,429	03/14/2014	Lisa A. Marshall	GRAFTON-P0002	9747

133690 7590 07/14/2016

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EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
07/14/2016	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Office Action Summary	Application No. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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 *04/05/16*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

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

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ 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: _____.

DETAILED ACTION

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

Response to Amendment

02. This action is in response to Applicant's amendment filed on **04/05/16**. **Claims 1 – 20** are pending in the present application.

Applicant's arguments and amendments are considered but are not persuasive.

This action is made final.

Response to Arguments

03. Applicant argues that the claims, as amended, should not be rejected under 35 USC 101 for being directed towards a judicial exception. Examiner respectfully disagrees. The claims have been amended to recite that the server has a database, that a plurality of communications devices are in communication with the server by one or more networks, and that these components perform various functions of the claims. However, these are generic components that are claimed to perform their basic functions of storing, retrieving, and processing data. These generic computing elements do not amount to significantly more than the judicial exception. Examiner suggests incorporating language of the specific program that is utilized and how it is able to process the information and generate alerts for the user. This would allow the

scope of the claim to go beyond the mere concept of simply communicating data from a server to communications devices.

Applicant argues that claims 11 – 15 claim sufficient structure, material, or acts to preclude application of 35 USC 112 sixth paragraph. Examiner respectfully disagrees. Claim 11 recites a system that comprises communication devices, a server, and a database. These are non-structural terms that are coupled with functional language, and do not recite sufficient structure to achieve the function. Applicant's specification supplies and describes the structure of these components that achieve the claimed function. Therefore claims 11 – 15 are interpreted as invoking 35 USC 112 sixth paragraph.

Applicant argues that Metzler does not disclose "automatically communicating an alert from the server to the plurality of communications devices associated with the providers in response to the data for the one of the clients reaching a threshold associated with the alert". Examiner respectfully disagrees. Metzler teaches that data is determined and stored for users. This data can represent an individual and their status and health information. One important aspect of Metzler is that alerts can be sent to (other) users based on certain requirements being met. For example, if the system determines that a user may be sick or not recovering based on an analysis of the input data, an alert can be sent to the other users (paragraphs [0048], [0067]). Furthermore, the claimed limitation does not recite what a threshold is or how it is associated with the alert and could simply be a user updating or changing information in the system. Therefore Metzler teaches the Applicant's aforementioned claim limitation.

Remarks

04. Claims 11 – 15 have been interpreted under 35 U.S.C. 112, sixth paragraph. Claim 11 uses the non-structural terms of “communications devices”, “a server”, and “a database”. These non-structural terms are coupled with functional language, without reciting sufficient structure to achieve the function, and are not preceded by a structural modifier. Therefore claims 11 – 15 have been interpreted to invoke 35 U.S.C. 112, sixth paragraph, to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action. If applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph

For more information, see *Supplementary Examination Guidelines for Determining Compliance with 35 U.S.C. § 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Rejections - 35 USC § 101

05. 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.

06. **Claims 1 – 20** are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. Claims 1 – 20 are directed to human organized activities which are an abstract idea. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because:

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).

a) Regarding claims 1 – 20, the claims are directed to creating accounts for clients through providers. This is considered to be an abstract idea inasmuch as such activity is considered a method of organizing human activity.

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

c) The claims merely amount to the application or instructions to apply the abstract idea (i.e. using a computer and sever to generate accounts for clients) on a computer, and is considered to amount to nothing more than requiring a generic computer system (e.g. a computer system comprising a generic processor and a generic associated server) to merely carry out the abstract idea itself. As such, the claims, when considered as a whole, are nothing more than the instruction to implement the abstract idea (i.e. establish an account) in a particular, albeit well-understood, routine and conventional technological environment.

d) Accordingly, the Examiner concludes that there are no meaningful limitations in the claim that transform the judicial exception into a patent eligible application such that the claim amounts to significantly more than the judicial exception itself.

Claim Rejections - 35 USC § 102

07. 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 –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

08. **Claims 1 – 20** are rejected under 35 U.S.C. 102(b) as being unpatentable over **Metzler et al. (US PGPub 2011/0047404)**, hereinafter "Metzler".

Consider **claim 1**, Metzler discloses a method for tracking outcome specific data (abstract, paragraph [0006]), the method comprising:

receiving input establishing accounts for providers serving clients, wherein the accounts are stored in a database in a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assigning each of the clients to one or more of the providers in the database in response to selections from an administrator utilizing one of the plurality of communications devices (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compiling data associated with each of the clients received from the providers in the database utilizing the plurality of communications devices in communication with the server (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

automatically communicating an alert from the server to the plurality of communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert (paragraphs [0048], [0067], alerts can be sent to the users based on certain requirements being met);

communicating the compiled data in response to a user request, wherein the compiled data is sent from the server through the one or more networks to one or more of the plurality of communications devices (paragraphs [0041], [0089], data is displayed visually for the user).

Consider **claim 2**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the server is accessed through a cloud network, and wherein an application executed by the the plurality of communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 3**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

establishing goals for the clients, wherein the data indicates a status of the goals (paragraphs [0026], [0063], goals are established for the users, which can indicate a status of the goal).

Consider **claim 4**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

data mining the data to determine best practices (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 5**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 6**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 7**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices (paragraphs [0089], a visual representation of the other user's status can be displayed).

Consider **claim 8**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073],

[0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 9**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

tracking a time and occurrence number of client actions in response to input from the providers, and indicating a status of goals for the clients in response to the data (paragraphs [0003], [0026], [0042], [0058], the time of the actions is tracked, which can indicate the status of goals).

Consider **claim 10**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

reporting outcomes in response to data compared against a minimum growth line (paragraphs [0028], [0041], [0091], the outcomes of the data responses are tracked).

Consider **claim 11**, Metzler discloses a system for tracking goal achievement of individuals (abstract, paragraph [0006]), the system comprising:

receive input establishing accounts for providers serving clients, wherein the accounts are stored in a server (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing the communications devices in communication with the server (paragraphs

[0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

automatically communicate an alert from the server to the plurality of communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert (paragraphs [0048], [0067], alerts can be sent to the users based on certain requirements being met);

communicate the compiled data visually in response to a user request, wherein the compiled data is sent to the providers assigned to each of the individuals utilizing the communications devices associated with the providers (paragraphs [0041], [0089], data is displayed visually for the user).

Consider **claim 12**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

data mining the data to determine best practices (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 13**, and **as applied to claim 12 above**, Metzler discloses a system comprising:

recommending the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 14**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the server is accessed through a cloud network, and wherein an application executed by the computing or communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 15**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the communications devices represent wired or wireless communications and computing devices, and whereby the communications devices are utilized by users to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 16**, Metzler discloses a server (abstract, paragraph [0006]), comprising:

receive input establishing accounts for providers serving clients, wherein the accounts are stored in a server (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server (paragraphs [0030],

[0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

automatically communicate an alert from the server to the plurality of communications devices associated with the providers in response to the data for one of the clients reaching a threshold associated with the alert (paragraphs [0048], [0067], alerts can be sent to the users based on certain requirements being met);

communicate the compiled data in response to a user request (paragraphs [0041], [0089], data is displayed for the user).

Consider **claim 17**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 18**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

recommending the best practices to the providers in response to historic success with the clients (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 19**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency,

percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 20**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

the server is accessible by the plurality of communications devices inducing at least a plurality of mobile devices, a plurality of computing devices, and a web interface (paragraphs [0025], [0111], a multitude of different devices can be used to access the system).

Conclusion

09. 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.

10. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

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

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sherief Badawi can be reached on (571) 272-9782. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Examiner, Art Unit 2156

July 08, 2016

/AUGUSTINE K. OBISESAN/

Primary Examiner, Art Unit 2156

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015	07/08/2016							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
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	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1753	alert WITH automatic$6 WITH threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
L2	540	alert NEAR5 automatic$6 NEAR5 threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S1	2	("20110047404").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/12/01 13:24
S2	10	("20090112924" | "20090192825" | "8313433" | "8355925" | "RE42508").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:00
S3	3130	account WITH client WITH provider	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S4	77	data mining WITH goal WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S5	41	data mining WITH best practices	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S6	1	intensive trial teaching	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S7	1	reinforcement recorder	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:06
S8	864	goal WITH achiev$5 WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:24
S9	3158	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S10	1117	S9 AND goal	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25

S11	78	S9 AND (goal WITH status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S12	23	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S13	6	Macrosolve$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S14	84	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30

EAST Search History (Interference)

<This search history is empty>

7/8/2016 4:34:55 PM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR
Updated Search	07/08/16	CJR

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

/CHRISTOPHER J RAAB/ Examiner.Art Unit 2156	

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 08/10/2016

Goodhue, Coleman & Owens, P.C.
650 S. Prairie View Dr.
Suite 125, PMB #209
West Des Moines, IA 50266

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
08/10/2016	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	14/212,429	MARSHALL ET AL.	
	Examiner	Art Unit	
	Christopher J. Raab	2156	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Christopher J. Raab*. (3)_____.

(2) *Brian Owens (Applicant's Representative)*. (4)_____.

Date of Interview: *27 July 2016*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☒101 ☐112 ☒102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1*.

Identification of prior art discussed: *Metzler (US PGPub 2011/0047404)*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant's Representative discussed the 101 rejections of the claims and asked Examiner about how to overcome the rejections. Examiner suggested amending the claims to recite the specific software and/or operations that are performed by the specialized software. Also discussed was the prior art reference Metzler. Applicant's Representative explained that Metzler is designed for users who are aware of their status and that the users enter this information, whereas the Applicant's invention is designed for users who don't explicitly enter data to the system. It was generally agreed by Examiner and Applicant's Representative that an amendment to the claims that addressed these issues would help advance prosecution. Examiner also agreed to contact Applicant while working on the application in the event that issues arise or if allowable subject matter is discovered..

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/Christopher J Raab/ Examiner, Art Unit 2156	/SHERIEF BADAWI/ Supervisory Patent Examiner, Art Unit 2156

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

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

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

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

PATENT
Attorney Docket No.
GRAFTON-P0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. Application No. **14/212,429** **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	Confirmation No. **9747** **Group Art Unit:** 2156 Examiner: **Christopher J RAAB**

REQUEST FOR EXAMINER INTERVIEW AND PROPOSED AGENDA

Dear Examiner Raab,

Applicant has previously scheduled an Examiner's interview between Applicants' representative, Brian Owens, for Wednesday, July 27, 2016 at 4:00 (EST) to discuss the above identified application. Applicant would like to discuss the below referenced information.

The present application has been previously amended. Applicant would like to accomplish a number of things:

1. The Applicant would like to introduce their company and what they do.
2. The Applicant would like to discuss the amendments you would like to see to overcome the 112 rejections.
3. The Applicant would like to discuss the differences between the cited art (Metzler) and the current application.

4. The Applicant would like to discuss strategies for moving the application forward as effectively as possible.

Applicant would like to discuss the current claims as well as the art cited against these references. Applicant would be willing to discuss amendments to reach allowable subject matter or advancing prosecution.

In addition, Applicants welcome the opportunity for the Examiner to present suggested claim amendments that the Examiner would consider as containing allowable subject matter. Applicants look forward to speaking with the Examiner.

Dated: July 27, 2016

Respectfully submitted,

By: /Brian D. Owens/
Brian D. Owens
Registration No.: 55,517

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	14/212,429	Filing Date	2014-03-14	Docket Number (if applicable)	ProEventa-P0001	Art Unit	2156
First Named Inventor	Lisa A. Marshall			Examiner Name	Christopher J RAAB		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 506801

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/BRIAN D OWENS/	Date (YYYY-MM-DD)	2016-09-14
Name	BRIAN D. OWENS	Registration Number	55517

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

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

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

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

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT
Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

AMENDMENT ACCOMPANYING A REQUEST FOR CONTINUED EXAMINATION

In reply to the Office Action mailed 7/14/2016, please accept this RCE and amend the above-identified application as follows:

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

Remarks follow the amendments section of this paper.

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers ~~in the database~~ in response to selections from an administrator utilizing one of the plurality of communications devices;

compiling data associated with each of the clients received from the providers without input from the clients to generate a score utilizing the rules; ~~in the database utilizing the plurality of communications devices in communication with the server~~;

analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server to the plurality of communications devices associated with the

providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients, ~~reaching a threshold associated with the alert;~~

~~and~~

~~communicating the compiled data in response to a user request, wherein the compiled data is sent from the server through the one or more networks to one or more of the plurality of communications devices.~~

Claim 2 (Currently Amended): The method according to claim 1, wherein the server is accessed through a cloud network, and wherein an application executed by the ~~the~~ plurality of communications devices is utilized to receive user input from the providers.

Claim 3 (Previously presented): The method according to claim 1, further comprising: establishing goals for the clients, wherein the data indicates a status of the goals.

Claim 4 (Currently Amended): The method according to claim 3, further comprising: data mining the compiled data to automatically determine best practices for each of the clients.

Claim 5 (Currently Amended): The method according to claim 3, further comprising: automatically recommending the best practices to the providers in response to the best practices being relevant ~~associated with a~~ to one or more of the clients assigned to the providers.

Claim 6 (Previously Presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Previously presented): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Previously presented): The method according to claim 1, further comprising:

tracking a time and occurrence number of client actions in response to input from the providers; and

indicating a status of goals for the clients in response to the data.

Claim 10 (Currently Amended): The method according to claim 1, further comprising reporting outcomes in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals,

the system comprising:

communications devices in communication with a server through one or more networks;

the server configured to receive input establishing accounts for a plurality of providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules~~utilizing the communications devices in communication with the server~~, analyze the compiled data and the score to automatically determine a status of the clients, the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert including the compiled data and the status from the server to the communications devices associated with the providers in response to the compiled data becoming significant~~for one of the clients reaching a threshold associated with the alert, and communicate the compiled data visually in response to a user request, wherein the compiled data is sent to the providers assigned to each of the individuals utilizing the communications devices associated with the providers~~; and

a database in communication with the server, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Currently Amended): The system according to claim 11, wherein the database is a relational database management system performing data mining to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Currently Amended): The system according to claim 12, wherein the server is configured to automatically recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices.

Claim 14 (Currently Amended): The system according to claim 11, wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold.

Claim 15 (Currently Amended): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices are utilized by the providers~~users~~ to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server comprising:

a processor for executing a set of instructions; and

a memory for storing the set of instructions, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from the clients to generate a score utilizing the rules;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients ~~reaching a threshold associated with the alert~~; and

communicate the compiled data in response to a user request.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 18 (Previously presented): The server according to claim 16, wherein the set of instructions are further executed to:

recommend best practices to the providers in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of instructions are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Currently Amended): The server according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold.

REMARKS

Applicant thanks Examiner Raab for the interview granted on July 27, 2016 and for the productive conversation. Applicant has strived to implement actions based on the discussion of the phone interview.

In the Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

II. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler".

The Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Office Action now and in the future. For example, Applicants assert that the claims support sufficient structure, material or acts to preclude application of 35 U.S.C. 112, sixth paragraph.

Applicant amends claims 1, 2, 4, 5, 7, 10-16, and 20. Specifically, independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts

the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1, claim 1 has been amended as suggested by the Examiner to incorporate specific language regarding the various embodiments and thus the previous rejections of claim 1 are no longer applicable in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. For example, Applicants note the method described utilizing at least a server and database. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

CLAIM REJECTIONS – 35 USC. 102

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler". This rejection is respectfully traversed.

With regard to claim 1, Metzler fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant." Metzler teaches a social network for a patient recovering from a heath issue. (Metzler, Abstract, [0028]) In Metzler, the user herself creates an account and selects a group for communications. (Metzler, [0036, 90]) Metzler teaches that a "clinical professional or administrator may look for patterns or parse the data received from the content module **40**

to determine how a patient is performing in his recovery." (Metzler, [0066]) Metzler also teaches that emoticons are utilized for the user to set her status (Metzler, [0116]). The emoticons and previously selected emoticons are associated with the condition of the user (e.g., faintness, cravings, etc.). *id.* Metzler makes not mention of compiled data and a score as disclosed by Applicant. Similarly, Metzler does not disclose a threshold as claimed by Applicant. Thus, Metzler fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant." Thus, the rejection of claim 1 is improper and claim 1 should be allowed.

Further with regard to claim 1, the cited art does not teach, suggest, or disclose "compiling data associated with each of the clients received from the providers without input from the clients to generate a score utilizing the rules." As previously noted, Metzler teaches that emoticons and other response to interactive content are received from the user being monitored. (Metzler, [0004-0007], claims 1-6) Thus, Metzler does not teach compiling data associated with each of the clients received from the providers without input from the clients. Thus, the rejection of claim 1, is improper and claim 1 should be allowed.

Claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16, respectively.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims. The office action includes a Request for Continued Examination.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 50681.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: September 14, 2016

By: / Brian Dean Owens /
Reg. No. 55517
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Data Health Partners, Inc. Exhibit 2005, Page 194 of 506

Electronic Patent Application Fee Transmittal

Application Number:	14212429
Filing Date:	14-Mar-2014
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Filer:	John Darrell Goodhue/Ashlyn Nguyen
Attorney Docket Number:	ProEventa-P0001

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 1st Request	1801	1	1200	1200
		Total in USD ($)		**1200**

Electronic Acknowledgement Receipt

EFS ID:	26929158
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	John Darrell Goodhue/Ashlyn Nguyen
Filer Authorized By:	John Darrell Goodhue
Attorney Docket Number:	ProEventa-P0001
Receipt Date:	14-SEP-2016
Filing Date:	14-MAR-2014
Time Stamp:	18:39:18
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1200
RAM confirmation Number	5514
Deposit Account	506801
Authorized User	GOODHUE, JOHN D

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 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	Request for Continued Examination (RCE)	PROEVENTA-P0001_14212429_USPTO_SB30_REQ-FOR-CONT-RCE-TRANS_9-14-16.pdf	1364508 c7923209266ff7c1ab3f98498f9b930047a2c741	no	3
Warnings:					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	PROEVENTA-P0001_14212429_RCE-RESPONSE_9-14-16_EFS.pdf	2917288 83b02867b5042790a9c243db66f468ae8761cc37	no	12
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30031 974b4d2e92edc151a9b2df35f096720d85dcd0ab	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	4311827		

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
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/212,429	Filing Date 03/14/2014	☐ 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	09/14/2016	(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))	* 20	Minus	** 20	= 0	X $80 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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
CAROL BARNES

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.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 01/12/2017

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EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
01/12/2017	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Office Action Summary	Application No. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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 *09/14/16*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

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

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ 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: _____.

DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

02. 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 **09/14/16** has been entered.

Response to Arguments

03. Applicant argues that the claims, as amended, should not be rejected under 35 USC 101 for being directed towards a judicial exception. Examiner respectfully disagrees. Claim 1, for example, recites a method for assigning clients to providers. This is an abstract idea in that users are matched up, which is based on some compiled data. The claim also does not amount to anything significantly more than the abstract idea, as the claim limitations merely recite compiling and analyzing data to determine to communicate an alert based on a threshold. Applicant argues that the method utilizes a server and a database, which would preclude a rejection under 35 USC 101. However,

the claimed server and database are generic components that are claimed to perform their basic functions of storing, retrieving, and processing data. These generic computing elements do not amount to significantly more than the judicial exception (assigning clients to providers).

Applicant argues that Metzler does not disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant". Examiner respectfully disagrees. The main argument presented by Applicant is that Metzler teaches that a user selects an emoticon for their emotional state (status). Examiner does agree that this is one embodiment taught by Metzler, but Metzler also teaches that the user status can be determined by the system. Metzler teaches that the system can analyze different metrics for the user, such as user interactions, in order to identify trends. Paragraphs [0070] and [0085] – [0088] disclose that trends can be identified, such as user behavior. Specifically, this is helpful to predict future behavior, by analyzing past data and activities, and to determine when a trend is happening or when a user is acting differently. This reads on the Applicant's aforementioned claim limitations of determining a status of the clients and to determine when the data becomes significant.

Applicant argues that Metzler does not disclose "compiling data associated with each of the clients received from the providers without input from the clients to generate a score utilizing the rules". Examiner respectfully agrees that Metzler does not fully

disclose the claim limitation. Metzler does teach that users can set their status and that data can be obtained from the user. As explained above, Metzler also teaches that user interactions can be used to determine the status of a user. However, user interactions are still data that is input from the user, and therefore Metzler does not teach a specific embodiment where data is obtained or a status determined without any user input. Examiner has relied upon a new prior art references, Thayne, to disclose obtaining data without any user input.

Remarks

04. Claims 11 – 15 have been interpreted under 35 U.S.C. 112, sixth paragraph. Claim 11 uses the non-structural terms of “communications devices”, “a server”, and “a database”. These non-structural terms are coupled with functional language, without reciting sufficient structure to achieve the function, and are not preceded by a structural modifier. Therefore claims 11 – 15 have been interpreted to invoke 35 U.S.C. 112, sixth paragraph, to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action. If applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth

paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph

For more information, see *Supplementary Examination Guidelines for Determining Compliance with 35 U.S.C. § 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Rejections - 35 USC § 101

05. 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.

06. **Claims 1 – 20** are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. Claims 1 – 20 are directed to human organized activities which are an abstract idea. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because:

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).

a) Regarding claims 1 – 20, the claims are directed to creating accounts for clients through providers. This is considered to be an abstract idea inasmuch as such activity is considered a method of organizing human activity.

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

c) The claims merely amount to the application or instructions to apply the abstract idea (i.e. using a computer and sever to generate accounts for clients) on a computer, and is considered to amount to nothing more than requiring a generic computer system (e.g. a computer system comprising a generic processor and a generic associated server) to merely carry out the abstract idea itself. As such, the claims, when considered as a whole, are nothing more than the instruction to implement the abstract idea (i.e. establish an account) in a particular, albeit well-understood, routine and conventional technological environment.

d) Accordingly, the Examiner concludes that there are no meaningful limitations in the claim that transform the judicial exception into a patent eligible application such that the claim amounts to significantly more than the judicial exception itself.

Claim Rejections - 35 USC § 103

07. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

08. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102 of this title, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

09. **Claims 1 – 20** are rejected under 35 U.S.C. 103 as being unpatentable over **Metzler et al. (US PGPub 2011/0047404)**, hereinafter "Metzler", in view of **Thayne et al. (US PGPub 2011/0029521)**, hereinafter “Thayne”.

Consider **claim 1**, Metzler discloses a method for tracking outcome specific data (abstract, paragraph [0006]), the method comprising:

receiving input establishing accounts for providers serving clients, wherein the input includes rules for determining progress on the clients, wherein the accounts are stored in a database in a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assigning each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compiling data associated with each of the clients received from the providers to generate a score utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicating an alert including the compiled data and the status from the server to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the

complied data varying from the threshold to become significant for one of the clients (paragraphs [0041], [0048], [0067], [0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a method comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041] , [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught by Metzler for the purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 2**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the server is accessed through a cloud network, and wherein an application executed by the plurality of communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 3**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

establishing goals for the clients, wherein the data indicates a status of the goals (paragraphs [0026], [0063], goals are established for the users, which can indicate a status of the goal).

Consider **claim 4**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

data mining the compiled data to automatically determine best practices for each of the clients (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 5**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

automatically recommending the best practices to the providers in response to the best practices being relevant to one or more of the clients assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 6**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 7**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices (paragraphs [0089], a visual representation of the other user's status can be displayed).

Consider **claim 8**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 9**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

tracking a time and occurrence number of client actions in response to input from the providers, and indicating a status of goals for the clients in response to the data (paragraphs [0003], [0026], [0042], [0058], the time of the actions is tracked, which can indicate the status of goals).

Consider **claim 10**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

reporting outcomes in response to the status, wherein the plurality of measurements of the complied data are compared against a minimum growth line

representing the threshold (paragraphs [0028], [0041], [0091], the outcomes of the data responses are tracked).

Consider **claim 11**, Metzler discloses a system for tracking goal achievement of individuals (abstract, paragraph [0006]), the system comprising:

receive input establishing accounts for providers serving clients, wherein the input includes rules for determining progress on the clients, wherein the accounts are stored in a database in a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assign each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers to generate a score utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to

determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicate an alert including the compiled data and the status from the server to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the complied data varying from the threshold to become significant (paragraphs [0041], [0048], [0067], [0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed);

a database configured to store the accounts, assignments of the individuals to the one or more providers, and the complied data (paragraphs [0030], [0068], [0118], a database is used to store the user's data, accounts, and associated information).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a system comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041] , [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught

by Metzler for the purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 12**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

data mining to analyze the complied data from the plurality of providers to associate best practices with each of the individuals (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 13**, and **as applied to claim 12 above**, Metzler discloses a system comprising:

automatically recommend the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 14**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold (paragraphs [0005], [0024], [0028], [0039], [0041], [0091], various types of networks are utilized to transmit input to the provider and user, and the outcomes of the data responses are tracked).

Consider **claim 15**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the communications devices represent wired or wireless communications and computing devices, and whereby the communications devices are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 16**, Metzler discloses a server (abstract, paragraph [0006]), comprising:

receive input establishing accounts for providers serving clients, wherein the input includes rules for determining progress on the clients (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server to generate a score utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicate an alert including the compiled data and the status from the server to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the complied data varying from the threshold to become significant for one of the clients (paragraphs [0041], [0048], [0067], [0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a server comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041] , [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught

by Metzler for the purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 17**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 18**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

recommending the best practices to the providers in response to historic success with the clients (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 19**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 20**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

the server is accessible by the plurality of communications devices inducing at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the complied data are compared against a minimum growth line representing the threshold (paragraphs [0025], [0028], [0041], [0091], [0111], a multitude of different devices can be used to access the system, and the outcomes of the data responses are tracked).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Kalaboukis, Chris et al. US PGPub 2008/0141138

11. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

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

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Sherief Badawi can be reached on (571) 272-9782. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Examiner, Art Unit 2156

January 08, 2017

Notice of References Cited	Application/Control No. 14/212,429	Applicant(s)/Patent Under Reexamination MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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-2008/0141138 A1	06-2008	Kalaboukis; Chris	H04L67/24	715/741
*	B	US-2011/0029521 A1	02-2011	Thayne; Preston	G06F17/30943	707/737
	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	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	
	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
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015	07/08/2016	01/08/2017						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	✓						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
	12	✓	✓	✓						
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	14	✓	✓	✓						
	15	✓	✓	✓						
	16	✓	✓	✓						
	17	✓	✓	✓						
	18	✓	✓	✓						
	19	✓	✓	✓						
	20	✓	✓	✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1110	(compile OR compiling OR compiled) WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
L2	27	(compile OR compiling OR compiled) WITH user input WITH (status OR score)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
L3	18	(compile OR compiling OR compiled) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:39
L4	126	(score OR status) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:41
L5	441	(status) WITH automatic$ WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:49
L6	352	status WITH automatic$ WITH (score OR compile OR compiling OR scoring)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 22:01
S1	2	("20110047404").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/12/01 13:24
S2	10	("20090112924" | "20090192825" | "8313433" | "8355925" | "RE42508").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:00
S3	3130	account WITH client WITH provider	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S4	77	data mining WITH goal WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S5	41	data mining WITH best practices	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S6	1	intensive trial teaching	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01

S7	1	reinforcement recorder	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:06
S8	864	goal WITH achiev$5 WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:24
S9	3158	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S10	1117	S9 AND goal	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S11	78	S9 AND (goal WITH status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S12	23	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S13	6	Macrosolve$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S14	84	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S15	1753	alert WITH automatic$6 WITH threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S16	540	alert NEAR5 automatic$6 NEAR5 threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34

EAST Search History (Interference)

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1/8/2017 10:37:05 PM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR
Updated Search	07/08/16	CJR
Updated Search	01/08/17	CJR

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

/CHRISTOPHER J RAAB/ Examiner.Art Unit 2156	

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 02/09/2017

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Suite 125, PMB #209
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EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
02/09/2017	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	14/212,429	MARSHALL ET AL.	
	Examiner	Art Unit	
	Christopher J. Raab	2156	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Christopher J. Raab*. (3)_____.

(2) *Brian D. Owens (Applicant's Representative)*. (4)_____.

Date of Interview: *26 January 2017*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☒101 ☐112 ☐102 ☒103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1*.

Identification of prior art discussed: *Metzler (US PGPub 2011/0047404), Thayne (US PGPub 2011/0029521)*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant's Representative discussed the 101 rejection and how to overcome it by way of amending. Examiner suggested incorporating the program that the user utilizes into the claims in order to overcome the 101 rejection. Applicant's Representative also discussed the rejection of the claims and argued that Thayne is not analogous art. Examiner suggested amending the claims to explain how the different components work in order to help overcome the prior art references. Specifically, it was pointed out that the cliams recite compiling data, generating a score, communicating an alert to a user, but that there is very little definition as to what these steps comprises, specifically how the score is calculated and used. No agreement was reached with respect to the claims.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/TAELOR KIM/ Primary Examiner, Art Unit 2156	/Christopher J Raab/ Examiner, Art Unit 2156

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

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

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

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

PATENT
Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

AMENDMENT

In reply to the non-Final Office Action mailed 01/12/2017, please accept this response and amend the above-identified application as follows:

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

Remarks follow the amendments section of this paper.

Electronic Acknowledgement Receipt

EFS ID:	28832135
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	ProEventa-P0001
Receipt Date:	04-APR-2017
Filing Date:	14-MAR-2014
Time Stamp:	17:42:38
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		ProEventa-P0001_14212429_NON-FINAL_RESPONSE_EFS_4-4-17.pdf	3179847 18bb040e30a65f99695c2b1f54c31f578737b961	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Applicant Arguments/Remarks Made in an Amendment	9	13
	Claims	2	8
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Warnings:			
Information:			
	Total Files Size (in bytes):	3179847	

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.

REMARKS

Applicant thanks Examiner Raab for the interview granted on January 18, 2017 and for the associated productive conversation. Applicant has strived to implement actions based on the discussion of the phone interview and hopes to work with the Examiner toward allowance of the claims.

In the Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

II. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler".

The Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Office Action now and in the future. For example, Applicants assert that the claims support sufficient structure, material or acts to preclude application of 35 U.S.C. 112, sixth paragraph.

Applicant amends claims 1-5, 9-16, 18-20. Specifically, independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1, claim 1 has been amended as suggested by the Examiner to incorporate specific language regarding the various embodiments and thus the previous rejections of claim 1 are no longer applicable in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. For example, Applicants note the method described utilizes a client management program in a framework that not a law of nature, a natural phenomenon, or abstract idea. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

CLAIM REJECTIONS – 35 USC. 102

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub2011/0047404), hereinafter "Metzler". This rejection is respectfully traversed.

With regard to claim 1, Metzler fails to teach, suggest, or disclose "compiling data associated with each of the clients received from the providers to generate a score utilizing the rules." The Office Action cites numerous paragraphs (Metzler, [0030, 0036, 0039, 0092]), none of which recite a "score." Metzler [0092] describes accumulating data through the back end 710 for "statistical analysis". Metzler [0030, 0036] teach that users

have profiles and accounts. Metzler does not disclose a "score" nor do the recited portions of Metzler. As previously noted, Metzler teaches that emoticons and other response to interactive content are received from the user being monitored. (Metzler, [0004-0007], claims 1-6) Thus, Metzler does not teach compiling data associated with each of the clients received from the providers without input from the clients. Thus, the rejection of claim 1, is improper and claim 1 should be allowed.

With regard to claim 1, Metzler and Thayne fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant." Metzler teaches a social network for a patient recovering from a heath issue. (Metzler, Abstract, [0028]) In Metzler, the user herself creates an account and selects a group for communications. (Metzler, [0036, 90]) Metzler teaches that a "clinical professional or administrator may look for patterns or parse the data received from the content module **40** to determine how a patient is performing in his recovery." (Metzler, [0066]) Metzler also teaches that emoticons are utilized for the user to set her status (Metzler, [0116]). The emoticons and previously selected emoticons are associated with the condition of the user (e.g., faintness, cravings, etc.). *id.* Metzler makes not mention of compiled data and a score as disclosed by Applicant. Similarly, Metzler does not disclose a threshold as claimed by Applicant. Thus, Metzler fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant."

Furthermore, Thayne is not in the "same field of endeavor" as asserted by the Office Action. (Office Action dated 1/12/17, p. 9) Thayne is improperly combined with Metzler as Thanye teaches a method for collaborating among genealogists (or those that study their family history). (Thayne, Title, Abstract, [0002-03]) In Thayne, there are no clients as claimed by Applicant. Rather the individuals being researched are deceased ancestors within a family tree. (Thayne, [0002, 0026], FIGs. 8-11) In Thayne, it does not make sense that the user (genealogist) performing research is both the client and provider. To reiterate, Applicants claim "compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules." The recited portions of Thayne [0040, 41,44, 63] do not refer to clients and providers as claimed and therefore cannot teach that "without input from the clients" language previously noted. Thus, the rejection of claim 1 is improper and claim 1 should be allowed.

Independent claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16, respectively.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 50681.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: April 4, 2017

By: / Brian Dean Owens /
Brian Dean Owens
Reg. No. 55517
(515) 218-7888

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices;

compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules;

analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the

clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

Claim 2 (Currently Amended): The method according to claim 1, wherein the data and the score relate to the well-being of the clients, wherein the server is accessed through a cloud network, and wherein ~~an application~~ the client management program is executed by the plurality of communications devices ~~is utilized~~ to receive user input from the providers.

Claim 3 (Current Amended): The method according to claim 1, further comprising: establishing goals for the clients within the client management program, wherein the data indicates a status of the goals in bettering the well-being of the clients.

Claim 4 (Currently Amended): The method according to claim 3, further comprising: data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients.

Claim 5 (Currently Amended): The method according to claim 3, further comprising: automatically recommending the best practices to the providers through the client management program in response to the best practices being relevant to one or more of the clients assigned to the providers.

Claim 6 (Previously Presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and

general notes.

Claim 7 (Previously Presented): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Currently Amended): The method according to claim 1, further comprising:

tracking a time and occurrence of a number of client actions in response to input from the providers; and

indicating a status of goals for the clients in response to the data.

Claim 10 (Currently Amended): The method according to claim 1, further comprising

reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals,

the system comprising:

communications devices in communication with a server through one or more networks;

the server executes a client management program configured to receive input establishing accounts for a plurality of providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules, analyze the compiled data and the score to automatically determine a status of the clients, the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert including the compiled data and the status from the server to the communications devices associated with the providers in response to the compiled data becoming significant; and

a database in communication with the server, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Currently Amended): The system according to claim 11, wherein the database is a relational database management system performing data mining required by the client management program to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Currently Amended): The system according to claim 12, wherein the client management program~~server~~ is configured to automatically recommend one or more best practices to the plurality of providers in response to the data of the individuals being associated with the best practices.

Claim 14 (Currently Amended): The system according to claim 11, wherein the data and the score relate to the well-being of the individuals, wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

Claim 15 (Currently Amended): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server comprising:

a processor for executing a set of instructions for client management; and

a memory for storing the set of instructions for client management, wherein the set of

instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from the clients to generate a score utilizing the rules;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients; and

communicate the compiled data in response to a user request.

Claim 17 (Currently Amended): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients.

Claim 18 (Currently Amended): The server according to claim 16, wherein the set of instructions for client management are further executed to:

recommend best practices to the providers in response to historic success with the clients.

Claim 19 (Currently Amended): The server according to claim 16, wherein the set of instructions for client management are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Currently Amended): The server according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, ~~and~~ wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

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 14/212,429	Filing Date 03/14/2014	☐ 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), (l), 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 $80 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $420 =	
☐ 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	04/04/2017	(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))	* 20	Minus	** 20	= 0		x $80 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

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 $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ 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.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	Ross W Brown
*** 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.	

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.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 07/20/2017

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EXAMINER
RAAB, CHRISTOPHER J

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
07/20/2017	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Office Action Summary	Application No. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	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 *04/04/17*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

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

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ 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: _____.

DETAILED ACTION

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

Response to Amendment

02. This action is in response to Applicant's amendment filed on **04/04/17**. **Claims 1 – 20** are pending in the present application.

Applicant's arguments and amendments are considered but are not persuasive.

This action is made final.

Response to Arguments

03. Applicant argues that the claims, as amended, should not be rejected under 35 USC 101 for being directed towards a judicial exception. Examiner respectfully disagrees. The independent claims recite a method for assigning clients to providers, which is based on compiled and analyzed data. The claimed concept of matching users up to other users is simply an abstract idea. The claims also does not amount to something significantly more than the abstract idea, as the claim limitations merely recite compiling and analyzing data to determine to communicate an alert based on a threshold. Applicant has amended the claims to recite a step of client management. However, independent claims 9 and 16 simply recite "client management" without providing an explanation as to what that is or how it adds something significantly more

to the identified abstract idea. Claim 1 is a little more specific in that a client management program is established, but there are no further steps that explain how a user interacts with the client management program or how the client management program provides a useful improvement for the user.

Applicant argues that Metzler does not disclose “compiling data associated with each of the clients received from the providers to generate a score utilizing the rules”. Examiner respectfully disagrees. Metzler teaches that users can set their status and that data can be obtained from the user. Metzler also teaches that user interactions can be used to determine the status of a user (paragraphs [0030], [0036], [0090], [0092]). Applicant argues that Metzler does not recite a score, but as previously pointed out by Examiner, there is no definition for what the score is and how it would be different than the status and associated data, as taught by Metzler. Furthermore, Applicant's specification generally explains that a score is a mastery score or a percentage of completion of something (paragraphs [0046], [0048]). Metzler teaches that the status of the user can be based on how a user is performing and how far along in the recovery a user is. This appears to be the same concept being claimed by the Applicant in that a score for the user’s status is determined. Examiner also points out that Thayne specifically teaches that a scores are calculated for various data, including interactions, thresholds, percentages, etc. This further reads on the Applicant's claimed limitation of generating a score for the client data.

Applicant argues that Metzler does not disclose “analyzing the compiled data and the score to automatically determine a status of the clients within the client management

program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant". Examiner respectfully disagrees. The main argument presented by Applicant is that Metzler teaches that a user selects an emoticon for their emotional state (status). Examiner does agree that this is one embodiment taught by Metzler, but Metzler also teaches that the user status can be determined by the system. For example, Metzler teaches that the system can analyze different metrics for the user, such as user interactions, in order to identify trends. Paragraphs [0070] and [0085] – [0088] disclose that the trends can be identified, such as the user behavior. This is specifically useful in order to predict future behavior, since the system analyzes past data and activities of the user, and determines when a trend is happening or when a user is acting differently. This reads on the Applicant's aforementioned claim limitations of determining a status of the clients and to determine when the data becomes significant.

Applicant argues that Thayne is improperly combined with Metzler because Thayne is in a different field of endeavor in that Thayne is concerned with genealogists performing research. Examiner respectfully disagrees. Thayne teaches that data and a status of a user is determined. This can be based on matching, similarity, and other types of comparing of the user data. Much like Metzler, the compiling and analyzing of data is performed based on the data that is obtained for the user. Although Thayne deals more with a user history of data and Metzler deals more with the status of a user, they both determine data and a status for the user. Therefore both Thayne and Metzler

are in the same field of endeavor, and the combination of these prior art references under 35 USC 103 is proper.

Remarks

04. Claims 11 – 15 have been interpreted under 35 U.S.C. 112, sixth paragraph. Claim 11 uses the non-structural terms of “communications devices”, “a server”, and “a database”. These non-structural terms are coupled with functional language, without reciting sufficient structure to achieve the function, and are not preceded by a structural modifier. Therefore claims 11 – 15 have been interpreted to invoke 35 U.S.C. 112, sixth paragraph, to cover the corresponding structure described in the specification that achieves the claimed function, and equivalents thereof.

If applicant wishes to provide further explanation or dispute the examiner's interpretation of the corresponding structure, applicant must identify the corresponding structure with reference to the specification by page and line number, and to the drawing, if any, by reference characters in response to this Office action. If applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant may amend the claim so that it will clearly not invoke 35 U.S.C. 112, sixth paragraph, or present a sufficient showing that the claim recites sufficient structure, material, or acts for performing the claimed function to preclude application of 35 U.S.C. 112, sixth paragraph

For more information, see *Supplementary Examination Guidelines for Determining Compliance with 35 U.S.C. § 112 and for Treatment of Related Issues in Patent Applications*, 76 FR 7162, 7167 (Feb. 9, 2011).

Claim Rejections - 35 USC § 101

05. 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.

06. **Claims 1 – 20** are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. Claims 1 – 20 are directed to human organized activities which are an abstract idea. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because:

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).

a) Regarding claims 1 – 20, the claims are directed to creating accounts for clients through providers. This is considered to be an abstract idea inasmuch as such activity is considered a method of organizing human activity.

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

c) The claims merely amount to the application or instructions to apply the abstract idea (i.e. using a computer and sever to generate accounts for clients) on a computer, and is considered to amount to nothing more than requiring a generic computer system (e.g. a computer system comprising a generic processor and a generic associated server) to merely carry out the abstract idea itself. As such, the claims, when considered as a whole, are nothing more than the instruction to implement the abstract idea (i.e. establish an account) in a particular, albeit well-understood, routine and conventional technological environment.

d) Accordingly, the Examiner concludes that there are no meaningful limitations in the claim that transform the judicial exception into a patent eligible application such that the claim amounts to significantly more than the judicial exception itself.

Claim Rejections - 35 USC § 103

07. 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.

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

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

09. **Claims 1 – 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Metzler et al. (US PGPub 2011/0047404)**, hereinafter "Metzler", in view of **Thayne et al. (US PGPub 2011/0029521)**, hereinafter “Thayne”.

Consider **claim 1**, Metzler discloses a method for tracking outcome specific data (abstract, paragraph [0006]), the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the input includes rules for determining progress on the clients, wherein the accounts are stored in a database in a server, and wherein the input is received from one of a plurality of communications devices in communication with the

server by one or more networks (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assigning each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compiling data associated with each of the clients received from the providers for the client management program to generate a score utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the complied data varying from the threshold to become significant for one of the clients (paragraphs [0041], [0048], [0067],

[0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a method comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041], [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught by Metzler for the purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 2**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the data and the score relate to the well-being of the clients (paragraphs [0026], [0037], the status and progress of the user is determined), wherein the server is accessed through a cloud network, and wherein the client management program is executed by the plurality of communications devices is utilized to receive user input from the providers (paragraphs [0005], [0024], [0039], various types of networks are utilized to transmit input to the provider and user).

Consider **claim 3**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

establishing goals for the clients within the client management program, wherein the data indicates a status of the goals in bettering the well-being of the clients (paragraphs [0026], [0063], goals are established for the users, which can indicate a status of the goal).

Consider **claim 4**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 5**, and **as applied to claim 3 above**, Metzler discloses a method comprising:

automatically recommending the best practices to the providers through the client management program in response to the best practices being relevant to one or more of the clients assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 6**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 7**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices (paragraphs [0089], a visual representation of the other user's status can be displayed).

Consider **claim 8**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 9**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

tracking a time and occurrence of a number of client actions in response to input from the providers, and indicating a status of goals for the clients in response to the data (paragraphs [0003], [0026], [0042], [0058], the time of the actions is tracked, which can indicate the status of goals).

Consider **claim 10**, and **as applied to claim 1 above**, Metzler discloses a method comprising:

reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the complied data are compared

against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for the one or more goals associated with each of the clients (paragraphs [0028], [0041], [0091], the outcomes of the data responses are tracked, including the status and progress of the user).

Consider **claim 11**, Metzler discloses a system for tracking goal achievement of individuals (abstract, paragraph [0006]), the system comprising:

receive input establishing accounts for providers serving clients, wherein the input includes rules for determining progress on the clients, wherein the accounts are stored in a database in a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assign each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers to generate a score utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to

become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicate an alert including the compiled data and the status from the server to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the complied data varying from the threshold to become significant (paragraphs [0041], [0048], [0067], [0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed);

a database configured to store the accounts, assignments of the individuals to the one or more providers, and the complied data (paragraphs [0030], [0068], [0118], a database is used to store the user's data, accounts, and associated information).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a system comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041], [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught by Metzler for the

purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 12**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

data mining required by the client management program to analyze the complied data from the plurality of providers to associate best practices with each of the individuals (paragraph [0071], an analysis of the data provides for the best practice to utilize the data for the user).

Consider **claim 13**, and **as applied to claim 12 above**, Metzler discloses a system comprising:

automatically recommend the best practices to the providers in response to the best practices being associated with a client assigned to the providers (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 14**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the clients (paragraphs [0005],

[0024], [0028], [0039], [0041], [0091], various types of networks are utilized to transmit input to the provider and user, and the outcomes of the data responses are tracked).

Consider **claim 15**, and **as applied to claim 11 above**, Metzler discloses a system comprising:

the communications devices represent wired or wireless communications and computing devices, and whereby the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 16**, Metzler discloses a server (abstract, paragraph [0006]), comprising:

receive input establishing accounts for providers serving clients, wherein the input includes rules for determining progress on the clients (paragraphs [0036], [0047], user accounts are established through providers, which can be stored on a server, by way of input data);

assign each of the clients to one or more of the providers in response to selections from an administrator (paragraphs [0030], [0036], [0039], [0092], the clients are assigned to a provider by an administrator);

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server to generate a score

utilizing the rules (paragraphs [0030], [0036], [0039], [0092], data is associated with the user accounts through the communications with the providers);

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous complied data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant (paragraphs [0048], [0070], [0085] – [0088], data is analyzed to determine the user's status, such that data can be compared to previous data in order to determine data about a user, such as a change in behavior or a trend);

automatically communicate an alert including the compiled data and the status from the server to the plurality of communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the complied data varying from the threshold to become significant for one of the clients (paragraphs [0041], [0048], [0067], [0089], alerts can be sent to the users based on certain requirements being met for the data that is being analyzed).

Although Metzler discloses that data can be retrieved based on user interactions, Metzler does not specifically teach that data can be received without input from the users.

In the same field of endeavor, Thayne discloses a server comprising:

data associated with each of the clients received from the providers without input from the clients (paragraphs [0040], [0041] , [0044], [0063], data is obtained automatically without user input).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic obtaining of user data taught by Thayne into the determining and matching of a user's status taught by Metzler for the purpose of allowing additional processing means to obtain the data and matches for the user.

Consider **claim 17**, and **as applied to claim 16 above**, Metzler discloses a controller comprising:

the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients (paragraphs [0026], [0037], [0048], the data includes intervention plans, goals, activities, and notes).

Consider **claim 18**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

recommend the best practices to the providers in response to historic success with the clients (paragraph [0071], the providers are able to utilize the best mode to supply the user with information).

Consider **claim 19**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder (paragraphs [0041], [0070], [0073], [0094], [0099], the data is obtained by utilizing certain means, including tasks, intervals, and frequencies).

Consider **claim 20**, and **as applied to claim 16 above**, Metzler discloses a server comprising:

the server is accessible by the plurality of communications devices inducing at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the complied data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients (paragraphs [0025], [0028], [0041], [0091], [0111], a multitude of different devices can be used to access the system, and the outcomes of the data responses are tracked, including the status and progress of the user).

Conclusion

10. 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.

11. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

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

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Examiner, Art Unit 2156

July 09, 2017

/TAELOR KIM/
Primary Examiner, Art Unit 2156

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015	07/08/2016	01/08/2017	07/09/2017					
	1	✓	✓	✓	✓					
	2	✓	✓	✓	✓					
	3	✓	✓	✓	✓					
	4	✓	✓	✓	✓					
	5	✓	✓	✓	✓					
	6	✓	✓	✓	✓					
	7	✓	✓	✓	✓					
	8	✓	✓	✓	✓					
	9	✓	✓	✓	✓					
	10	✓	✓	✓	✓					
	11	✓	✓	✓	✓					
	12	✓	✓	✓	✓					
	13	✓	✓	✓	✓					
	14	✓	✓	✓	✓					
	15	✓	✓	✓	✓					
	16	✓	✓	✓	✓					
	17	✓	✓	✓	✓					
	18	✓	✓	✓	✓					
	19	✓	✓	✓	✓					
	20	✓	✓	✓	✓					

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L4	1161	score WITH client WITH (threshold OR status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:20
L5	125	well-being WITH client	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:21
L6	385	well-being WITH score	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:21
L7	0	well-being WITH client WITH score	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:21
S1	2	("20110047404").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/12/01 13:24
S2	10	("20090112924" | "20090192825" | "8313433" | "8355925" | "RE42508").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:00
S3	3130	account WITH client WITH provider	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S4	77	data mining WITH goal WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S5	41	data mining WITH best practices	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S6	1	intensive trial teaching	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S7	1	reinforcement recorder	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:06
S8	864	goal WITH achiev$5 WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:24

S9	3158	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S10	1117	S9 AND goal	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S11	78	S9 AND (goal WITH status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S12	23	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S13	6	Macrosolve$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S14	84	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S15	1753	alert WITH automatic$6 WITH threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S16	540	alert NEAR5 automatic$6 NEAR5 threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S17	1110	(compile OR compiling OR compiled) WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
S18	27	(compile OR compiling OR compiled) WITH user input WITH (status OR score)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
S19	18	(compile OR compiling OR compiled) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:39
S20	126	(score OR status) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:41
S21	441	(status) WITH automatic$ WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:49
S22	352	status WITH automatic$ WITH (score OR compile OR compiling OR scoring)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 22:01

EAST Search History (Interference)

< This search history is empty>

7/ 9/ 2017 10:21:38 PM
C:\ Users\ craab\ Documents\ Critical Data\ OACS\ Applications\ 14212429\ 14212429.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR
Updated Search	07/08/16	CJR
Updated Search	01/08/17	CJR
Updated Search	07/09/17	CJR

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

/CHRISTOPHER J RAAB/ Examiner.Art Unit 2156	

Doc Code: A.NE.AFCP
Document Description: After Final Consideration Pilot Program Request

PTO/SB/434 (05-13)

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0

Practitioner Docket No.:	Application No.:	Filing Date:
ProEventa-P0001	14/212,429	March 14, 2014
First Named Inventor:	**Title:**	
Marshall et al	Platform for optimizing data driven outcomes	

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116.

1. The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (*e.g.*, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).
2. The above-identified application contains an outstanding final rejection.
3. Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect.
4. This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection.
5. Applicant is willing and available to participate in any interview requested by the examiner concerning the present response.
6. This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web).
7. Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.]
8. By filing this certification and request, applicant acknowledges the following:
    - Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0.
    - The examiner will verify that the AFCP 2.0 submission is compliant, *i.e.*, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions:
        - The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, by mailing an advisory action.
        - If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview.
            - The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate.
            - If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.

Signature	Date
/Brian D. Owens/	9-13-17
Name (Print/Typed) Brian Owens	**Practitioner Registration No.** 55517

***Note**: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

☐ * Total of _____ forms are submitted.

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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.

Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

RESPONSE TO FINAL OFFICE ACTION

In reply to the Final Office Action mailed July 20, 2017, please amend the above-identified application as follows in order to put the application in form for allowance or better form for appeal:

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

Remarks follow the amendments section of this paper.

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing account for providers serving clients in a client management program, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from an administrator utilizing one of the plurality of communications devices;

compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules;

analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the

clients for intervention by the administrator or one or more of the providers in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

Claim 2 (Currently Amended): The method according to claim 1, wherein the data and the score relate to a~~the~~ well-being of the clients, wherein the server is accessed through a cloud network, and wherein the client management program is executed by the plurality of communications device to receive user input from the providers.

Claim 3 (Currently Amended): The method according to claim 1, further comprising:

establishing goals for the clients, wherein the data indicates a status of the goals, wherein the data indicates a status of the goals in bettering a~~the~~ well-being of the clients.

Claim 4 (Previously presented): The method according to claim 3, further comprising:

data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients.

Claim 5 (Currently Amended): The method according to claim 3, further comprising:

automatically recommending the best practices to the providers or administrator for assisting one or more of the clients through the client management program in response to the best practices being relevant to the one or more of the clients assigned to the providers.

Claim 6 (Previously presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Currently Amended): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices for intervention.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Currently Amended): The method according to claim 1, further comprising:

tracking a time and occurrence of a number of client actions that are part of the data in response to input from the providers; and

indicating a status of goals for the clients in response to the data.

Claim 10 (Previously presented): The method according to claim 1, further comprising reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals, the system comprising:

~~communications devices in communication with a server through one or more networks;~~

a~~the~~ server is a computing device that communicates with communications devices through a transceiver utilizing one or more networks, the server includes a processor that executes a client management program stored in a memory ~~configured~~ to receive input establishing accounts for a plurality of providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules, analyze the compiled data and the score to automatically determine a status of the ~~clients~~individuals, the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert including the compiled data and the status from the server to the communications devices associated with the providers for intervention by the administrator or one of the providers in response to the compiled data becoming significant; and

a database that manages data in communication with the server, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Previously presented): The system according to claim 11, wherein the database is a relational database management system performing data mining required by the client management program to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Currently Amended): The system according to claim 12, wherein the client management program is configured to automatically recommend one or more best practices to the plurality of providers or the administrator in response to the data of the individuals being associated with the best practices.

Claim 14 (Currently Amended): The system according to claim 11, wherein the data and the score relate to the well-being of the individuals, wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the individuals~~clients~~.

Claim 15 (Previously presented): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval

recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server comprising:

a processor for executing a set of instructions or client management; and

a memory for storing the set of instructions for client management, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from the clients to generate a score utilizing the rules;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients, wherein the administrator or one of the providers intervenes with the one of the clients based on the alert; and

communicate the compiled data to specified parties in response to a ~~user~~ request from the providers or administrator.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients.

Client 18 (Currently Amended): The server according to claim 16, wherein the set of instructions for client management are further executed to:

automatically recommend best practices to the providers and the administrator in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of instructions for client management are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Previously presented): The according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

REMARKS

Applicants thank Examiner Raab for the Examiner interview of 9/12/2017 and for the useful and effective conversation. Amendments herein are based in part on that discussion with the hopes of reaching allowance of the claims.

In the Final Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

II. Claims 1-20 are rejected under 35 U.S.C. 103 as being unpatentable over Metzler et al. (US PGPUB 2011/0047404), hereinafter "Metzler", in view of Thayne et al. (US PGPub 2011/0029521), hereinafter "Thayne".

The Final Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Final Office Action.

Applicant amends claims 1-3, 5, 7, 9, 11, 13, 14, 16, and 18. Specifically, independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and allowance of the claims.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1, claim 1 has been amended as discussed with the Examiner to incorporate specific language regarding the various embodiments and thus the previous rejections of claim 1 are no longer applicable in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. For example, Applicants note the method described utilizes a client management program in a framework that not a law of nature, a natural phenomenon, or abstract idea. Further, alerts are automatically communicated "for intervention by the administrator or one or more of the providers" in response to "the compiled data varying from the threshold to become significant for one of the clients." (see for example claim 1) As noted by Applicants during the recent Examiner interview, the illustrative embodiment has been reduced to practice to help medical professionals facilitate or otherwise assist individuals/clients/patients using input that "includes rules for determining progress of the clients." (Claim 1) The illustrative embodiments are clearly not directed to an abstract idea as noted in the Office Action as the claims illustrate how the providers interact with the client management program as well as providing a useful improvement for the clients assigned to the providers. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

CLAIM INTERPRETATION – 35 USC. 112, Sixth Paragraph

Claims 11-15 have been amended to recite structure sufficient to achieve function. Applicants note the amendments of claim 11 to the server and database as well as corresponding description of FIG. 3, see for example paragraphs [0061-0065] regarding the server 200, processor 202, memory 204, and database 206. As a result, invocation of 35 U.S.C. 112, sixth paragraph is not appropriate.

CLAIM REJECTIONS – 35 USC. 102

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub 2011/0047404), hereinafter "Metzler". This rejection is respectfully traversed.

With regard to claim 1, Metzler fails to teach, suggest, or disclose "compiling data associated with each of the clients received from the providers to generate a score utilizing the rules." The Office Action cites numerous paragraphs (Metzler, [0030, 0036, 0039, 0092]), none of which recite a "score." Metzler [0092] describes accumulating data through the back end 710 for "statistical analysis". Metzler [0030, 0036] teach that users have profiles and accounts. Metzler does not disclose a "score" nor do the recited portions of Metzler. It is improper to claim that the status and score are the same as noted on p. 3 of the Final Office Action. As previously noted, Metzler teaches that emoticons [0085], frequency of users posts [0070], and other response to interactive content <u>are all received from the user being monitored</u>. (Metzler, [0004-0007, 0085, 0070], claims 1-6). The title of Metzler is "Analysis and prediction systems and methods for recovery based social networking" and the application is true to the title. The input in

Metzler is from the user utilizing a social network regardless of assertions to the contrary. Thus, Metzler does not teach compiling data associated with each of the clients received from the providers without input from the clients. Thus, the rejection of claim 1, is improper and claim 1 should be allowed.

With regard to claim 1, Metzler and Thayne fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant." Metzler teaches a social network for a patient recovering from a heath issue. (Metzler, Abstract, [0028]) In Metzler, the user herself creates an account and selects a group for communications. (Metzler, [0036, 90]) Metzler teaches that a "clinical professional or administrator may look for patterns or parse the data received from the content module **40** to determine how a patient is performing in his recovery." (Metzler, [0066]) Metzler also teaches that emoticons are utilized for the user to set her status (Metzler, [0116]). The emoticons and previously selected emoticons are associated with the condition of the user (e.g., faintness, cravings, etc.). *id.* Metzler makes not mention of compiled data and a score as disclosed by Applicant. Similarly, Metzler does not disclose a threshold as claimed by Applicant. Thus, Metzler fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant."

Furthermore, Thayne is not in the "same field of endeavor" as asserted by the Office Action. (Office Action dated 1/12/17, p. 9) Thayne is improperly combined with

Metzler as Thayne teaches a method for collaborating among genealogists (or those that study their family history). (Thayne, Title, Abstract, [0002-03]) In Thayne, there are no clients as claimed by Applicant. Rather the individuals being researched are deceased ancestors within a family tree. (Thayne, [0002, 0026], FIGs. 8-11) For example, there is no "determining progress of the clients" because the recited user in Thayne is dead and such determinations are not applicable or relevant. There is no progress for a deceased individual. In addition, in Thayne, it does not make sense that the user (genealogist) performing research is both the client and provider. To reiterate, Applicants claim "compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules." The recited portions of Thayne [0040, 41,44, 63] do not refer to clients and providers as claimed and therefore cannot teach that "without input from the clients" language previously noted. Thus, the rejection of claim 1 is improper and claim 1 should be allowed.

Independent claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16, respectively.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 506801.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: September 13, 2017

By: / Brian Dean Owens /
Brian Dean Owens
Reg. No. 55517
(515) 218-7888

Electronic Acknowledgement Receipt

EFS ID:	30357468
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	ProEventa-P0001
Receipt Date:	13-SEP-2017
Filing Date:	14-MAR-2014
Time Stamp:	19:11:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	After Final Consideration Program Request	After_Final_Pilot_Program_Request_9-12-17.pdf	226077 21d0a3190e1399d3525112a421477e0f51702c5c	no	2

Warnings:

Information:					
2		ProEventa-P0001_14212429_FINAL-RESPONSE.pdf	164920 d4c60725ee1a35fd51e31c3d6abe52a7e4a3c4d7	yes	14

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Response After Final Action	1	1
	Claims	2	8
	Applicant Arguments/Remarks Made in an Amendment	9	14

Warnings:	
Information:	
Total Files Size (in bytes):	390997

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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 14/212,429	Filing Date 03/14/2014	☐ 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 **09/13/2017**

	(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))	* 20	Minus	** 20	= 0	X $80 =	0
Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $420 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

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
CAROL BARNES

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.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 09/20/2017

Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	14/212,429	MARSHALL ET AL.	
	Examiner	Art Unit	
	Christopher J. Raab	2156	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Christopher J. Raab*.

(2) *Brian D. Owens (Applicant's Representative)*.

(3) *Lisa Marshall (Applicant)*.

(4) *Josh Paugh (Applicant's Representative)*.

Date of Interview: *12 September 2017*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☒101 ☒112 ☐102 ☒103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1-20*.

Identification of prior art discussed: *Metzler (US PGPub 2011/0047404), Thayne (US PGPub 2011/0029521)*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner discussed that claims 11-15 are invoking 112 6th, and that if Applicant wishes for the claims to not do so, that the hardware/components of the system should be recited in the claims. Applicant's Representative discussed the 101 rejections under Alice and argued that the invention is more than just an abstract idea. Examiner argued that the claims only appear to claim the abstract steps of assigning providers to clients, compiling and analyzing data, and communicating alerts. Examiner explained that the claims should recite the improvement in the technology and/or how the invention is implemented and utilized by users. No specific agreement was reached with respect to the claims..

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/Christopher J Raab/ Examiner, Art Unit 2156	

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

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

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

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

APPLICANT	:	**Marshall et al**
SERIAL NO	:	14/212,429
FILED	:	March 14, 2014
TITLE	:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
Grp./A.U.	:	2156
Examiner	:	Christopher Raab

REQUEST FOR EXAMINER INTERVIEW AND PROPOSED AGENDA

Dear Examiner Raab,

Applicant has previously scheduled an Examiner's interview between Applicants' representative, Brian Owens along with inventors Jim Gaynor, Lisa Marshall, and IP managers Nate Bradley and Josh Paugh, for Tuesday, September 12, 2017 at 2:00 (EST) to discuss the above identified application. Applicant would like to discuss the below referenced information.

The present application has been previously amended. Applicant would like to accomplish a number of things:

1. The Applicant would like to introduce the inventors, why they invited the claimed embodiments, explain how it is used, and detail why it is so novel and beneficial.
2. The Applicant would like to discuss the rejections under 35 USC 101 and 112. Applicants are open to amended language (Examiner suggested or otherwise) to overcome these rejections. Applicants are happy to provide more information regarding the structure and applicability of the claims that may facilitate positive discourse and prosecution.
3. The Applicant would like to discuss differences between the cited art and the current claims. In particular, the Applicant would like to discuss the inapplicability of the combination of Metzler in view of Thayne in light of the claimed embodiments.
4. The Applicant would like to discuss strategies for moving the application forward as effectively as possible.

Applicant would like to discuss the current claims as well as the art cited against these references. Applicant would be willing to discuss amendments to reach allowable subject matter or advancing prosecution.

In addition, Applicants welcome the opportunity for the Examiner to present suggested claim amendments that the Examiner would consider as containing allowable subject matter. Applicants look forward to speaking with the Examiner.

Dated: September 11, 2017

Respectfully submitted,

By: /Brian D. Owens/
Brian D. Owens
Registration No.: 55,517

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	ProEventa-P0001	9747

133690 7590 09/26/2017

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Clive, IA 50325

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
09/26/2017	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 14/212,429	**Applicant(s)** MARSHALL ET AL.	
	Examiner Christopher J. Raab	**Art Unit** 2156	**AIA (First Inventor to File) Status** No

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

THE REPLY FILED 13 September 2017 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance;

   (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☒ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☒ Other: PTO-2323.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: .
Claim(s) objected to: .
Claim(s) rejected: 1-20.
Claim(s) withdrawn from consideration: .

/Christopher J Raab/
Examiner, Art Unit 2156

Continuation of 3. NOTE: The amendments to the claims will require further search and consideration .

Continuation of 12. does NOT place the application in condition for allowance because: Applicant argues that the claims, as amended, overcome the 35 USC 101 rejections. Examiner respectfully disagrees. The claims have been amended to recite that alerts are automatically communicated "for intervention by the administrator or one or more of the providers", which is in response to compiled data varying from a threshold. However, the claim amendment only recites that the alert is "for intervention", and does not claim an actual intervention step by the administrator or provider. The claims do not appear to recite the actual intervention, but rather just recite that the data is there for intervening. As discussed during the interview on September 12, 2017, an amendment to the claims that recites that the administrator or provider specifically intervenes (by way of interacting with the data or performing an action in response to the alert) would probably overcome the 101 rejection and may help to place the application in condition for allowance. Examiner notes that Metzler also discloses embodiments that deal with allowing other users, such as administrators, to intervene, specifically based on the compiled data (paragraphs [0048], [0112]).

Applicant argues that claims 11 - 15, as amended, should not be interpreted under 112 6th paragraph. Examiner agrees that the amendment to the claims would preclude the claims from being interpreted as such, since they recite the specific structure of the invention, namely a server in a computing device that has a processor.

Applicant argues that Metzler does not teach the Applicant's claimed embodiment of a score. Examiner respectfully disagrees. The claims recite that score is generated which is based on utilizing the rules. However, there is no specific claimed definition for what the rules, compiled data, or the score is. Metzler teaches that a status of a user can be determined, which can be based on various factors, such as user data and user interactions (paragraphs [0030], [0036], [0090], [0092]). This status, as taught by Metzler, reads on the Applicant's claimed score, as there is no definition of the score that would differentiate it over a status. Examiner does agree that one substantial difference with Metzler is that Metzler generally teaches that the data is received from the user, either explicitly or implicitly. However, Thayne has been relied upon to teach that the data can be input through means other than by the user, such as by an administrator.

Applicant argues that Metzler does not teach "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compile data vary from a threshold to become significant". Examiner respectfully disagrees. The argument presented by Applicant is generally the same argument previously presented, in that Metzler does not use compiled data and a score. However, and as explained above, Metzler does teach that a status of the user is determined. This can additionally be based on the user behavior (paragraphs [0070], [0085] - [0088]). Therefore Metzler makes it clear that user data, including both explicit and implicit inputs, are used to determine a status of the user, and that this is used to determine if a user behavior has deviated away from the normal a certain amount (paragraphs [0048], [0070], [0071]). Therefore Metzler teaches that the analyzing of the user data/behavior is used to determine when a certain amount of change (threshold) is present in the user.

Applicant argues that Thayne is not in the same field of endeavor as Metzler and that the combination of these two prior art reference is improper. Examiner respectfully disagrees. The main argument presented by Applicant is that Thayne deals with data for users who no longer are alive, and that this can't be combined with the teachings of Metzler. First off, the Applicant's claims do not appear to recite anything that would preclude them from dealing with user data for users that are deceased. The claimed system assigns clients to providers, which is based only on actions performed by the administrators. There are no actions that are taken by the users in the Applicant's claims. Second, the teachings of Thayne are not limited to only being able to be performed on deceased ancestors within a family tree. The genealogists performing the research and compiling of ancestry information can be based on the user's relatives that are living. Examiner does agree that the embodiments taught by Thayne involve researching a user's ancestral tree, but that does not mean that the obtained data is only for deceased clients. Regardless, Thayne has only been relied upon to teach that the data for the user is not directly supplied by the user, and that is can come from another source. Therefore the combination of Metzler and Thayne is proper, as they both determine data for a user based on user characteristics.

Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

RESPONSE TO FINAL OFFICE ACTION

In reply to the Final Office Action mailed July 20, 2017, please amend the above-identified application as follows in order to put the application in form for allowance or better form for appeal:

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

Remarks follow the amendments section of this paper.

AFCP 2.0 Decision	Application No.	Applicant(s)
	14/212,429	MARSHALL ET AL.
	Examiner	Art Unit
	Christopher J. Raab	2156

This is in response to the After Final Consideration Pilot request filed 13 September 2017.

1. **Improper Request** – The AFCP 2.0 request is improper for the following reason(s) and the after final amendment submitted with the request will be treated under pre-pilot procedure.

   ☐ An AFCP 2.0 request form PTO/SB/434 (or equivalent document) was not submitted.

   ☐ A non-broadening amendment to at least one independent claim was not submitted.

   ☐ A proper AFCP 2.0 request was submitted in response to the most recent final rejection.

   ☐ Other:

2. **Proper Request**

   A. After final amendment submitted with the request will not be treated under AFCP 2.0.
   The after final amendment cannot be reviewed and a search conducted within the guidelines of the pilot program.

   ☐ The after final amendment will be treated under pre-pilot procedure.

   B. Updated search and/or completed additional consideration.
   The examiner performed an updated search and/or completed additional consideration of the after final amendment within the time authorized for the pilot program. The result(s) of the updated search and/or completed additional consideration are:

   ☐ 1. All of the rejections in the most recent final Office action are overcome and a Notice of Allowance is issued herewith.

   ☒ 2. The after final amendment would not overcome all of the rejections in the most recent final Office action. See attached interview summary for further details.

   ☐ 3. The after final amendment was reviewed, and it raises a new issue(s). See attached interview summary for further details.

   ☐ 4. The after final amendment raises new issues, but would overcome all of the rejections in the most recent final Office action. A decision on determining allowability could not be made within the guidelines of the pilot. See attached interview summary for further details, including any newly discovered prior art.

   ☐ 5. Other:

   Examiner Note: Please attach an interview summary when necessary as described above.

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	14/212,429	Filing Date	2014-03-14	Docket Number (if applicable)	ProEventa-P0001	Art Unit	2156
First Named Inventor	Lisa A. Marshall			Examiner Name	Christopher J RAAB		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 506801

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Brian D. Owens/	Date (YYYY-MM-DD)	2017-11-30
Name	Brian Dean Owens	Registration Number	55517

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

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

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

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

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

REMARKS

Applicants thank Examiner Raab for the Examiner interview of 9/12/2017 and for the useful and effective conversation. Amendments herein are based in part on that discussion with the hopes of reaching allowance of the claims.

In the Final Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

II. Claims 1-20 are rejected under 35 U.S.C. 103 as being unpatentable over Metzler et al. (US PGPUB 2011/0047404), hereinafter "Metzler", in view of Thayne et al. (US PGPub 2011/0029521), hereinafter "Thayne".

The Final Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Final Office Action.

Applicant amends claims 1-3, 5, 7, 9-11, 13, 14, 16, and 18. Specifically, independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and allowance of the claims.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1, claim 1 has been amended as discussed with the Examiner to incorporate specific language regarding the various embodiments and thus the previous rejections of claim 1 are no longer applicable in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. For example, Applicants note the method described utilizes a client management program in a framework that not a law of nature, a natural phenomenon, or abstract idea. Further, alerts are automatically communicated "utilized by the administrator or one or more of the providers to intervene with the client" in response to "the compiled data varying from the threshold to become significant for one of the clients." (see for example claim 1) As noted by Applicants during the recent Examiner interview, the illustrative embodiment has been reduced to practice to help medical professionals facilitate or otherwise assist individuals/clients/patients using input that "includes rules for determining progress of the clients." (Claim 1) The illustrative embodiments are clearly not directed to an abstract idea as noted in the Office Action as the claims illustrate how the providers interact with the client management program as well as providing a useful improvement for the clients assigned to the providers. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

CLAIM INTERPRETATION – 35 USC. 112, Sixth Paragraph

Claims 11-15 have been amended to recite structure sufficient to achieve function. Applicants note the amendments of claim 11 to the server and database as well as corresponding description of FIG. 3, see for example paragraphs [0061-0065] regarding the server 200, processor 202, memory 204, and database 206. As a result, invocation of 35 U.S.C. 112, sixth paragraph is not appropriate.

CLAIM REJECTIONS – 35 USC. 102

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being unpatentable over Metzler et al. (USPGPub 2011/0047404), hereinafter "Metzler". This rejection is respectfully traversed.

With regard to claim 1, Metzler fails to teach, suggest, or disclose "prompting the providers to provide data associated with each of the clients that is required and not already received through the client management program." (see FIG. 5 for support) Metzler fails to teach this claim language. The recited portion of Metzler teaches receiving user input for indicating the user's status (e.g., emoticons, meal status, etc.). (Metzler, [0041, 0045, 0027]) Thayne is similarly silent with regard to the recited claim language. (Thayne, [0035, 0052]

With regard to claim 1, Metzler fails to teach, suggest, or disclose "compiling data associated with each of the clients received from the providers to generate a score utilizing the rules...wherein the score is associated with progress toward mastery of one or more goals." The Office Action cites numerous paragraphs (Metzler, [0030, 0036, 0039, 0092]), none of which recite a "score." Metzler [0092] describes accumulating data

through the back end 710 for "statistical analysis". Metzler [0030, 0036] teach that users have profiles and accounts. Metzler does not disclose a "score…associated with progress toward mastery of one or more goals" nor do the recited portions of Metzler. It is improper to claim that the status and score are the same as noted on p. 3 of the Final Office Action. As previously noted, Metzler teaches that emoticons [0085], frequency of users posts [0070], and other response to interactive content are all received from the user being monitored. (Metzler, [0004-0007, 0085, 0070], claims 1-6). The title of Metzler is "Analysis and prediction systems and methods for recovery based social networking" and the application is true to the title. The input in Metzler is from the user utilizing a social network regardless of assertions to the contrary. Thus, Metzler does not teach compiling data associated with each of the clients received from the providers without input from the clients. Thus, the rejection of claim 1, is improper and claim 1 should be allowed.

With regard to claim 1, Metzler and Thayne fail to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant." Metzler teaches a social network for a patient recovering from a heath issue. (Metzler, Abstract, [0028]) In Metzler, the user herself creates an account and selects a group for communications. (Metzler, [0036, 90]) Metzler teaches that a "clinical professional or administrator may look for patterns or parse the data received from the content module 40 to determine how a patient is performing in his recovery." (Metzler, [0066]) Metzler also teaches that emoticons are utilized for the user to set her status (Metzler, [0116]). The emoticons and previously selected emoticons are associated with the condition of the user (e.g., faintness, cravings, etc.). *id.* Metzler

makes not mention of compiled data and a score as disclosed by Applicant. Similarly, Metzler does not disclose a threshold as claimed by Applicant. Thus, Metzler fails to teach, suggest, or disclose "analyzing the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant."

Furthermore, Thayne is not in the "same field of endeavor" as asserted by the Office Action. (Office Action dated 1/12/17, p. 9) Thayne is improperly combined with Metzler as Thayne teaches a method for collaborating among genealogists (or those that study their family history). (Thayne, Title, Abstract, [0002-03]) In Thayne, there are no clients as claimed by Applicant. Rather the individuals being researched are deceased ancestors within a family tree. (Thayne, [0002, 0026], FIGs. 8-11) For example, there is no "determining progress of the clients" because the recited user in Thayne is dead and such determinations are not applicable or relevant. There is no progress for a deceased individual. In addition, in Thayne, it does not make sense that the user (genealogist) performing research is both the client and provider. To reiterate, Applicants claim "compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules." The recited portions of Thayne [0040, 41,44, 63] do not refer to clients and providers as claimed and therefore cannot teach that "without input from the clients" language previously noted. Thus, the rejection of claim 1 is improper and claim 1 should be allowed.

Independent claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16,

respectively.

Data Health Partners, Inc. Exhibit 2005, Page 308 of 506

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

The present response accompanies the filing of a request for continued examination (RCE) the fee for which is being paid at the time of filing. Please grant a one month extension (which is being paid at the time of filing) and any extensions of time required to enter this response and charge any additional required fees to Deposit Account 506801.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: November 30, 2017

By: / Brian Dean Owens /
Brian Dean Owens
Reg. No. 55517
(515) 218-7888

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from an administrator utilizing one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from ~~an~~the administrator utilizing one of the plurality of communications devices;

prompting the providers to provide data associated with each of the clients that is required and not already received through the client management program;

compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals;

analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements

of the compiled data vary from a threshold to become significant; and automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the clients that is utilized by the administrator or one or more of the providers to intervene with the client in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

Claim 2 (Currently Amended): The method according to claim 1, wherein the data and the score relate to a ~~the~~ well-being of the clients based on progress toward mastery of the one or more goals, wherein the server is accessed through a cloud network, and wherein the client management program is executed by the plurality of communications device to receive user input from the providers.

Claim 3 (Currently Amended): The method according to claim 1, further comprising: establishing goals for the clients, wherein the data indicates a status of the one or more goals, wherein the data is associated with tasks performed by the client to master the one or more goals ~~indicates a status of the goals in bettering the well-being of the clients~~.

Claim 4 (Previously presented): The method according to claim 3, further comprising: data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients.

Claim 5 (Currently Amended): The method according to claim 4~~3~~, further comprising:

automatically recommending the best practices to the providers or administrator through the client management program for assisting one or more of the clients in response to the best practices being relevant to the one or more of the clients assigned to the providers.

Claim 6 (Previously presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Currently Amended): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices for intervention.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Currently Amended): The method according to claim 1, further comprising:

tracking a time and occurrence of a number of client actions that are part of the data in response to input from the providers; and

indicating a status of the one or more goals for the clients in response to the data.

Claim 10 (Currently Amended): The method according to claim 1, further comprising reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for the one or more goals associated with each of the clients.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals, the system comprising:

~~communications devices in communication with a server through one or more networks;~~

a~~the~~ server is a computing device that communicates with communications devices through a transceiver utilizing one or more networks, the server includes a processor that executes a client management program stored in a memory ~~configured~~ to receive input establishing accounts for a plurality of providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, prompt the providers to provide data associated with each of the individuals that is required and not already received through the client management program, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules, analyze the compiled data and the score to automatically determine a status of the ~~clients~~individuals, the score is

compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert to the administrator or the one or more providers to intervene with the assigned individuals, the alert including the compiled data and the status from the server to the communications devices associated with the providers in response to the compiled data becoming significant; and

a database in communication with the server that manages the data, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Previously presented): The system according to claim 11, wherein the database is a relational database management system performing data mining required by the client management program to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Currently Amended): The system according to claim 12, wherein the client management program is configured to automatically recommend one or more best practices to the plurality of providers or the administrator in response to the data of the individuals being associated with the best practices.

Claim 14 (Currently Amended): The system according to claim 11, ~~wherein the data and the score relate to the well-being of the individuals,~~ wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and

wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the individuals~~clients~~.

Claim 15 (Previously presented): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server comprising:

a processor for executing a set of instructions or client management; and

a memory for storing the set of instructions for client management, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

prompt the providers to provide data associated with each of the clients that is required and not already received through the client management program;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from

the clients to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients, wherein the administrator or one of the providers intervenes with the one of the clients based on the alert; and

communicate the compiled data to specified parties in response to a ~~user~~ request from the providers or administrator.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients.

Client 18 (Currently Amended): The server according to claim 16, wherein the set of instructions for client management are further executed to:

automatically recommend best practices to the providers and the administrator in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of

instructions for client management are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Previously presented): The according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION (RCE)

In reply to the Final Office Action mailed July 20, 2017 and the Advisory Action on September 26, 2017, please amend the above-identified application as follows in order to put the application in form for allowance or better form for appeal:

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

Remarks follow the amendments section of this paper.

Electronic Patent Application Fee Transmittal

Application Number:	14212429
Filing Date:	14-Mar-2014
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Filer:	Brian Dean Owens/Ashlyn Nguyen
Attorney Docket Number:	PHS-P0001

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	1251	1	200	200
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	1820	1	1700	1700
		Total in USD ($)		**1900**

Electronic Acknowledgement Receipt

EFS ID:	31096637
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	PHS-P0001
Receipt Date:	30-NOV-2017
Filing Date:	14-MAR-2014
Time Stamp:	18:34:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$1900
RAM confirmation Number	120117INTEFSW00006424506801
Deposit Account	506801
Authorized User	Ashlyn Nguyen

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

37 CFR 1.17 (Patent application and reexamination processing 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	Request for Continued Examination (RCE)	ProEventa-P0001_14212429_USPTO_SB30.pdf	1364497 391761a65c56cea47f1dbb3a9dcdbaf815054388	no	3
Warnings:					
Information:					
2		ProEventa-P0001_14212429_RCE.pdf	170533 0970a1d39bd0cf728ade1560943ebef2825ab3bb	yes	16

Multipart Description/PDF files in .zip description

Document Description	Start	End
Applicant Arguments/Remarks Made in an Amendment	10	16
Claims	2	9
Amendment Submitted/Entered with Filing of CPA/RCE	1	1

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32383 cc4572bcc425ffa41be077cb172c028dfe4f4f84	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1567413		

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 14/212,429	Filing Date 03/14/2014	☐ To be Mailed

ENTITY: ☑ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

	(Column 1)	(Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), 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 $80 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $420 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	11/30/2017	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x $80 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $420 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ 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.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	Ross W Brown
*** 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.	

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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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

133690 7590 03/28/2018

Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
03/28/2018	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Office Action Summary	Application No. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *11/30/17*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

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

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ 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: _____.

DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

02. 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 **11/30/17** has been entered.

Response to Arguments

03. Applicant argues that the claims, as amended, are not directed towards an abstract idea. Examiner respectfully disagrees. Applicant argues that the claimed invention utilizes a client management program and that the invention is reduced to practice in the medical/hospital environment. However, the client management program is claimed at a high level of abstraction, and it is unclear how it is anything more than software operating on generic computing devices. Examiner does agree that the claims have been amended to recite that providers serve clients, and Applicant has generally explained that this is in the medical field where medical professionals can assist clients

or patients. The claims recite providers and clients, but there is no specific definition as to what a provider or a client is. Applicant's specification explains that the providers and clients can be various different embodiments, and provides broad definitions including that the providers can be a group or a business and that a client can be a program or subject (paragraphs [0034], [0036], [0043]). Therefore the claims do not appear to be limited to medical professionals helping patients, but that the providers and clients could be one of various different types of embodiments, including software components or generic human implementations. Therefore the recitation in the claims of the client management program, which includes the assigning of clients to providers, is an abstract idea in that one type of component is matched up to another type of component. Additionally, the claims recite that data is received, compiled, analyzed, and communicated. As explained in the 35 USC 101 rejections below, this amounts to an abstract idea that is similar to that which was identified in *Electric Power Group*. Therefore the claims recite the abstract idea of tracking data, which includes the steps of receiving data, analyzing it, which includes assigning clients to providers and compiling and analyzing the data and score, and reporting data based on a threshold.

Applicant argues that the claims, as amended, are patentable over Metzler and Thayne, and that the 35 USC 103(a) rejection is overcome. Examiner agrees that the amendment to the claims further defines the invention and has provided distinction over the combination of Metzler and Thayne. The remaining rejection of the claims is with regard to 35 USC 101, as set forth below.

Claim Rejections - 35 USC § 101

04 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.

05. **Claims 1 – 20** are rejected under 35 U.S.C. 101 because the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. The claims are directed to compiling and analyzing data, which amounts to an abstract idea, as explained in detail below. The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional computer elements, which are recited at a high level of generality, provide conventional computer functions that do not add meaningful limits to practicing the abstract idea.

Step 1: The claim recites a method which recites a series of acts for tracking the outcome of data. Thus, the claim is directed to a process, which is one of the statutory categories of invention.

Step (2A): Abstract ideas have been identified by the courts by way of example, including fundamental economic practices, certain methods of organizing human activities, an idea 'of itself,' and mathematical relationships/formulas. Alice Corp., 134 S. Ct. at 2355-56. Exemplary claim 1 is directed to the abstract idea of compiling and analyzing data. This is similar to other ideas found to be abstract by various courts, such as Collecting information, analyzing it, and displaying certain results of the collection and analysis (*Electric Power Group*). As in *Electric Power Group*, the claimed invention is directed towards collecting information (the receiving and prompting steps),

analyzing it (the assigning, compiling, and analyzing steps), and displaying certain results of the collection and analysis (the communicating step). Specifying what type of data is analyzing and displayed, which in this case is client data, does not render the idea of compiling and analyzing data any less abstract. Also, the claimed invention requires no more than a generic computer to perform conventional functions that are well-understood, routine, and conventional activities previously known to the industry and therefore, falls under the judicial exception.

Step (2B): The claims do not include additional elements that are sufficient to amount to significantly more than the abstract idea. The claims do not provide enough to qualify as significantly more, but are instead limited to appending well-understood, routine, and conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception (abstract idea). In this instance, the claims include establishing accounts and generating a score and alert. Establishing accounts and generating scores and alerts are well-understood, routine, and conventional activity, which can be performed by generic computing components. The claims also include a threshold for determining when to transmit the data or an alert. This is also well-understood, routine, and conventional activity, and most computing systems and databases have the ability to utilize thresholds for data reporting. This is merely extra-solution activity and does not meaningfully limit the claims. The claims also recite that the method includes a client management program, as well as a database, and a server. However, these are merely generic computer components, and do not impose any meaningful limit on the computer implementation of the abstract idea. Thus, the

additional elements do not amount to significantly more than the above-identified abstract idea. Looking at the limitation as an ordered combination ads nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of a computer or improves any other technology.

Regarding claim 2, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of the score being based on the client's progress toward a goal. This amounts to mere extra-solution activity, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claim 3, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of establishing goals for the clients, which is based on tasks. This amounts to mere extra-solution activity, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claims 4, 12, and 18, the claims include all of the limitations of the base claim and additionally includes the claim limitation of data mining to determine best practices. This amounts to mere extra-solution activity, and does not provide significantly more than the abstract idea. Thus the claims are not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claims 5 and 13, the claims includes all of the limitations of the base claim and additionally includes the claim limitation of recommending the best practices to a provider or administrator. This amounts to mere extra-solution activity, and does not provide significantly more than the abstract idea. Thus the claims are not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claims 6 and 17, the claims include all of the limitations of the base claim and additionally includes the claim limitation of specific kinds of data. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claims are not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claim 7, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of displaying the alert to the providers. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claims 8 and 19, the claims include all of the limitations of the base claim and additionally includes the claim limitation of additional data collection methods. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claims are not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claim 9, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of tracking time and occurrence of data. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claims 10 and 20, the claims include all of the limitations of the base claim and additionally includes the claim limitation of reporting data through the client management program based on the status. This amounts to mere extra-solution activity, and does not provide significantly more than the abstract idea. Thus the claims are not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claim 14, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of utilizing a cloud network. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Regarding claim 15, the claim includes all of the limitations of the base claim and additionally includes the claim limitation of wired and wireless communications, and executing a version of the client management program. This amounts to generic computer implementation, and does not provide significantly more than the abstract idea. Thus the claim is not drawn to patent eligible subject matter as they are directed to the same abstract idea without significantly more.

Conclusion

06. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

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

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

07. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Examiner, Art Unit 2156

March 19, 2018

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

* 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
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR
Updated Search	07/08/16	CJR
Updated Search	01/08/17	CJR
Updated Search	07/09/17	CJR
Updated Search	03/19/18	CJR

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

/CHRISTOPHER J RAAB/ Examiner.Art Unit 2156	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	55	client management program	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2018/03/19 10:14
L3	2008	administrator SAME (client WITH provider)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2018/03/19 10:14
L4	6	(administrator SAME (client WITH provider)) AND ((score OR mastery) NEAR5 goal)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2018/03/19 10:15
S1	2	("20110047404").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/12/01 13:24
S2	10	("20090112924" | "20090192825" | "8313433" | "8355925" | "RE42508").PN.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:00
S3	3130	account WITH client WITH provider	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S4	77	data mining WITH goal WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S5	41	data mining WITH best practices	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S6	1	intensive trial teaching	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:01
S7	1	reinforcement recorder	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:06
S8	864	goal WITH achiev$5 WITH status	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:24
S9	3158	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25

S10	1117	S9 AND goal	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S11	78	S9 AND (goal WITH status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S12	23	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:25
S13	6	Macrosolve$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S14	84	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2015/12/01 14:30
S15	1753	alert WITH automatic$6 WITH threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S16	540	alert NEAR5 automatic$6 NEAR5 threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2016/07/08 16:34
S17	1110	(compile OR compiling OR compiled) WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
S18	27	(compile OR compiling OR compiled) WITH user input WITH (status OR score)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:37
S19	18	(compile OR compiling OR compiled) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:39
S20	126	(score OR status) WITH "without user input"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:41
S21	441	(status) WITH automatic$ WITH user input	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 21:49
S22	352	status WITH automatic$ WITH (score OR compile OR compiling OR scoring)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/01/08 22:01
S23	1161	score WITH client WITH (threshold OR status)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:20
S24	125	well-being WITH client	US-PGPUB; USPAT; EPO; JPO; DERWENT;	ADJ	ON	2017/07/09 22:21

			IBM_TDB			
S25	385	well-being WITH score	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:21
S26	0	well-being WITH client WITH score	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2017/07/09 22:21
S27	90	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/02/27 11:11
S28	1	"61791218"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/02/27 11:24
S29	1	"15301419"	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/02/27 13:30

3/19/2018 10:15:57 AM
C:\Users\craab\Documents\Critical Data\OACS\Applications\14212429\14212429.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015	07/08/2016	01/08/2017	07/09/2017	03/19/2018				
	1	✓	✓	✓	✓	✓				
	2	✓	✓	✓	✓	✓				
	3	✓	✓	✓	✓	✓				
	4	✓	✓	✓	✓	✓				
	5	✓	✓	✓	✓	✓				
	6	✓	✓	✓	✓	✓				
	7	✓	✓	✓	✓	✓				
	8	✓	✓	✓	✓	✓				
	9	✓	✓	✓	✓	✓				
	10	✓	✓	✓	✓	✓				
	11	✓	✓	✓	✓	✓				
	12	✓	✓	✓	✓	✓				
	13	✓	✓	✓	✓	✓				
	14	✓	✓	✓	✓	✓				
	15	✓	✓	✓	✓	✓				
	16	✓	✓	✓	✓	✓				
	17	✓	✓	✓	✓	✓				
	18	✓	✓	✓	✓	✓				
	19	✓	✓	✓	✓	✓				
	20	✓	✓	✓	✓	✓				

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

133690 7590 04/18/2018

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12951 University Ave
Suite 201
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EXAMINER
RAAB, CHRISTOPHER J

ART UNIT	PAPER NUMBER
2156	

NOTIFICATION DATE	DELIVERY MODE
04/18/2018	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):

docketing@goodhue.com
eofficeaction@appcoll.com
USPTO@dockettrak.com

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	14/212,429	MARSHALL ET AL.	
	Examiner	Art Unit	
	Christopher J. Raab	2156	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Christopher J. Raab*.

(2) *Brian D. Owens (Applicant's Representative)*.

(3) *Nate Bradley (Applicant)*.

(4) _____.

Date of Interview: *12 April 2018*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☒101 ☐112 ☐102 ☐103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *1*.

Identification of prior art discussed: _____.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant's Representative discussed the claims and argued that they should not be rejected under 35 USC 101 for being directed towards an abstract idea. Examiner explained that the claims are directed towards compiling and analyzing data, which is deemed to be an abstract idea without significantly more. A proposed amendment to the claims was discussed which would recite that the clients are individuals receiving treatment or assistance and that the providers are individuals available to treat or assist the clients. Examiner agreed that this makes the claims more clear, as it was previously pointed out by Examiner that the specification provides a very braod definition for providers and clients. However, no specific agreement was reached with respect to the claims.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☒ Attachment

/Christopher J Raab/ Primary Examiner, Art Unit 2156	

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

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

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

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

Attorney Docket No.
ProEventa-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. Application No. **14/212,429** **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	Confirmation No. **9747** **Group Art Unit:** 2156 Examiner: **Christopher J RAAB**

REQUEST FOR EXAMINER INTERVIEW AND PROPOSED AGENDA

Dear Examiner Raab,

Applicants have previously scheduled an Examiner's interview between Applicant's representative, Brian Owens, for Thursday, April 12, 2018 at 2:00 (EST) to discuss the above identified application. Applicants would like to discuss the below referenced information.

The present application has been previously amended. Applicants would like to accomplish a number of things:

1. The Applicants would like to introduce Nate Bradley, the Assignee/company representative associated with the Application.
2. The Applicants would like to discuss the 101 rejection of the claims as outlined below:

With regard to claim 1, claim 1 has been amended as discussed with the Examiner to incorporate specific language regarding the various embodiments. In addition, Applicants note that

the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. Section 101 provides that "[w]hoever 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." 35 U.S.C. § 101. Applicants also note that claim 1 is not tied to a law of nature, a natural phenomenon, or an abstract idea. The most recent Office Action reiterates that the Examiner believes the independent claims represent abstract ideas.

First, Applicants note that when subject matter has been reduced to a particular practical application having a real-world use, the claimed practical application is evidence that the subject matter is not abstract (e.g., not purely mental) and does not encompass substantially all uses (preemption) of a law of nature or a physical phenomenon. See, e.g., *Ultramercial v. Hulu, 657 F.3d 1323, 1329, 100 USPQ2d 1140, 1145 (Fed. Cir. 2011) (emphasis added)* The Supreme Court in *Bilski v. Kappos, 561 U.S. 130 S. Ct. 3218, 95 USPQ2d 1001 (2010),* clarified the requirements for a claim to be a statutory process. Not every claimed method qualifies as a statutory process. A process claim, to be statutory under 35 U.S.C. 101, must be limited to a particular practical application. The recitation of some structure, such as a machine, or the recitation of some transformative component will in most cases limit the claim to such an application. As noted by Applicants during the recent Examiner interview, an illustrative embodiment has been reduced to practice to help medical professionals facilitate or otherwise assist individuals/clients/patients using input that "includes rules for determining progress of the clients." (Claim 1). The illustrative embodiments are clearly not directed to an abstract idea as noted in the Office Action as the claims illustrate how the providers interact with the client management program as well as providing a useful improvement for the clients assigned to the providers. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

Second, the MPEP requires that "examiners should consider the claim as a whole when performing the Step 2A analysis." MPEP § 2106.04. Specifically, the MPEP identifies that "[w]hen evaluating a claimed invention for compliance with the substantive law on eligibility, examiners should review the record as a whole (e.g., the specification, claims, the prosecution history, and any relevant case law precedent or prior art) before reaching a conclusion with regard to whether the claimed invention sets forth patent eligible subject matter." MPEP § 2106.07 Further, the MPEP specifies that, "IF A CLAIM RECITES AN ABSTRACT IDEA, BUT THE CLAIM AS A WHOLE IS DIRECTED TO AN IMPROVEMENT OR OTHERWISE CLEARLY DOES NOT SEEK TO TIE UP THE ABSTRACT IDEA, THEN THE CLAIM IS NOT DIRECTED TO AN ABSTRACT IDEA." MPEP 2106.04(a)(1)(II). Here, clearly each of the independent claims as a whole does not seek to tie up the abstract idea of compiling and analyzing data. To the extent the claims are considered to recite the abstract idea compiling and analyzing data, it is clear from the claim language that Applicants do not seek to tie up the abstract idea of compiling and analyzing data. For example, Applicants note the method described utilizes a client management program in a framework that is not a law of nature, a natural phenomenon, or abstract idea. In addition, as previously discussed, alerts are automatically communicated "utilized by the administrator or one or more of the providers to intervene with the client" in response to "the compiled data varying from the threshold to become significant for one of the clients." (see for example claim 1). Thus, the rejection under 35 U.S.C. 101 is inappropriate for Applicant's claims.

3. The Applicants would like to discuss strategies for moving the application forward as effectively as possible. A potential amendment is included below the claims that could be added to the independent claims to overcome the 101 rejection.

Applicants would like to discuss the current claims as well as the current rejection. As previously acknowledged, Applicants would be willing to discuss amendments to reach allowable subject matter. The claims are included below for your reference.

In addition, Applicants welcome the opportunity for the Examiner to present suggested claim amendments that the Examiner would consider as containing allowable subject matter. Applicants look forward to speaking with the Examiner.

Dated: April 11, 2018

Respectfully submitted,

By: /Brian D. Owens/
Brian D. Owens
Registration No.: 55,517

Claim 1 (Previously Presented): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from an administrator utilizing one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from the administrator utilizing one of the plurality of communications devices;

prompting the providers to provide data associated with each of the clients that is required and not already received through the client management program;

compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals; analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the clients that is utilized by the administrator or one or more of the providers to intervene with the client in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

Claim 2 (Previously Presented): The method according to claim 1, wherein the data and the score relate to a well-being of the clients based on progress toward mastery of the one or more goals, wherein the server is accessed through a cloud network, and wherein the client management program is executed by the plurality of communications device to receive user input from the providers.

Claim 3 (Previously Presented): The method according to claim 1, further comprising:

establishing goals for the clients, wherein the data indicates a status of the one or more goals, wherein the data is associated with tasks performed by the client to master the one or more goals.

Claim 4 (Previously presented): The method according to claim 3, further comprising:

data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients.

Claim 5 (Previously Presented): The method according to claim 4, further comprising:

automatically recommending the best practices to the providers or administrator through the client management program for assisting one or more of the clients in response to the best practices being relevant to the one or more of the clients assigned to the providers.

Claim 6 (Previously presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Previously Presented): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices for intervention.

Claim 8 (Previously presented): The method according to claim 1, further comprising:
receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Previously Presented): The method according to claim 1, further comprising:
tracking a time and occurrence of a number of client actions that are part of the data in response to input from the providers; and
indicating a status of the one or more goals for the clients in response to the data.

Claim 10 (Previously Presented): The method according to claim 1, further comprising reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for the one or more goals associated with each of the clients.

Claim 11 (Previously Presented): A system for tracking goal achievement of individuals, the system comprising:
a server is a computing device that communicates with communications devices through a transceiver utilizing one or more networks, the server includes a processor that executes a client management program stored in a memory to receive input establishing accounts for a plurality of providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, prompt the providers to provide data associated with each of the individuals that is required and not already received through the client management program, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules, analyze the compiled data and the score to automatically determine a status of the individuals, the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert to the administrator or the one or more providers to intervene with the assigned individuals, the alert including the compiled data and the status from the server to the communications devices associated with the providers in response to the compiled data becoming significant; and
a database in communication with the server that manages the data, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Previously presented): The system according to claim 11, wherein the database is a relational database management system performing data mining required by the client management program to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Previously Presented): The system according to claim 12, wherein the client

management program is configured to automatically recommend one or more best practices to the plurality of providers or the administrator in response to the data of the individuals being associated with the best practices.

Claim 14 (Previously Presented): The system according to claim 11, wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the individuals.

Claim 15 (Previously presented): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Previously Presented): A server comprising:

a processor for executing a set of instructions or client management; and

a memory for storing the set of instructions for client management, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients;

assign each of the clients to one or more of the providers in response to selections from an administrator;

prompt the providers to provide data associated with each of the clients that is required and not already received through the client management program;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from the clients to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients, wherein the administrator or one of the providers intervenes with the one of the clients based on the alert; and

communicate the compiled data to specified parties in response to a request from the providers or administrator.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients.

Client 18 (Previously Presented): The server according to claim 16, wherein the set of instructions for client management are further executed to:
automatically recommend best practices to the providers and the administrator in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of instructions for client management are further executed to:
receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Previously presented): The according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

Page 3 of the most recent Office Action specifies that "a client can be a program or subject (paragraphs [0034], [0036], [0043])." This is an incorrect characterization as the references in [0043] refer to client-related outcome data and data collected at the client level, service level, program level, and organization level where client is being used as an adjective/descriptor of data and levels. Would the following claim amendment made by Examiner amendment be helpful?

Claim 1 (Potential Amendment): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the clients are individuals receiving treatment or assistance, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from an administrator utilizing one of a plurality of communications devices in communication

with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from the administrator utilizing one of the plurality of communications devices, wherein the one or more providers are individuals available to treat or assist the clients;

prompting the providers to provide data associated with each of the clients that is required and not already received through the client management program;

compiling data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals; analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the clients that is utilized by the administrator or one or more of the providers to intervene with the client in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

The independent claims are allowable under analysis already provided by the USPTO, such as the following example:

https://www.uspto.gov/sites/default/files/documents/abstract_idea_examples.pdf

2. A method for calculating an absolute position of a GPS receiver and an absolute time of

reception of satellite signals comprising: calculating pseudo-ranges, at a mobile device comprising a GPS receiver, a microprocessor, a display, and a wireless communication transceiver, by averaging PN codes received by the GPS receiver from a plurality of GPS satellites; 11 Examples: Abstract Ideas wirelessly transmitting the calculated pseudo-ranges from the mobile device to a server, wherein the server comprises a central processing unit (CPU); calculating, by the server CPU, absolute time that the PN codes were sent from the GPS satellites to the GPS receiver using the pseudo-ranges and an estimated position of the GPS receiver; using a mathematical model to calculate, by the server CPU, absolute position of the GPS receiver based on the pseudo-ranges and calculated absolute time; transmitting the absolute position from the server to the mobile device; and displaying a visual representation of the absolute position on the display of the mobile device.

Claim 2: Eligible.

The claim is directed to a statutory category, because a series of steps including calculating pseudo-ranges and wirelessly transmitting those pseudo-ranges satisfies the requirements of a process (a series of acts) (Step 1: YES).

The claim recites the same abstract ideas identified with regard to claim 1, which are the mathematical operations of, e.g., calculating pseudo-ranges and absolute times, and the mathematical model. Thus, this claim is also directed to a judicial exception (Step 2A: YES). Similarly, the claim recites the same additional elements of a server CPU estimating position, calculating absolute time, and calculating absolute position using a mathematical model, and a mobile device comprising a GPS receiver, microprocessor, wireless communication transceiver and a display receiving satellite data, calculating pseudo-ranges, wirelessly transmitting the calculated pseudo-ranges to the server, receiving a calculated absolute position from the server, and then displaying a visual representation of the received position. For the same reasons set forth above, taking all the additional claim elements individually, and in combination, the claim as a whole amounts to significantly more than the mathematical operations by themselves (Step 2B: YES). The claim is eligible.

Are the independent claims more than an abstract idea? Yes! They solve real world problems for compiling and communicating data for clients in a new and unique way that by court held definitions makes them "not abstract." The fact that the claims can be implemented by a computer does not make them abstract as outline by the case law below:

In Enfish v. Microsoft Corporation (Fed. Cir., May 12, 2016), the
Federal Circuit found that the claims were not directed to an abstract idea, and thus, under the first step of the two-step Alice/Mayo inquiry, the claims passed muster as reciting patent eligible subject matter. In making this determination, the Federal Circuit noted that "the claims are directed to an improvement of an existing technology [that] is bolstered by the specification's teachings that the claimed invention achieves other benefits over conventional databases, such as increased flexibility, faster search times, and smaller memory requirements."

The court, after comparing claims of asserted patents with that of *Enfish LLC v. Microsoft*

Corp, concluded that patents of Audio MPEG solve a problem identified and is patent eligible.

"Here, as in Enfish. 2016 WL 2756255, at *7, the invention's ability to run on a general- purpose computer does not doom the claims. Indeed, the claims at issue here undoubtedly make computers more efficient. See Doc. 144 at 7. They solve a problem …The claims thus resemble those at issue in Enfish. 2016 WL 276255. Plaintiffs are not seeking to patent a mathematical formula or the general idea of receiving and outputting information. Thus. the Asserted Patents do not claim an abstract idea. Hence, the patents claim eligible subject matter under 35 U.S.C. § 101. Because the Asserted Patents are directed to patent-eligible concepts, there is no need for the Court to address the second step of Alice. 134 S.Ct. at 2355. See, e.g.. Enfish, 2016 WL 2756255." Audio MPEG, Inc. et al v. Dell, Inc., et al, No. 2:2015cv00073 - Document 311 (E.D. Va. 2016)

Court addressed whether it was a generic computer performing generic functions.

The court said that the claim 24 is not directed to an abstract idea as it recites a "particular approach" to solving problems that could only exist in a post -internet world. Examined as a whole, the specific features, steps, and limitations of claim-24 provide a specific solution to remote access problems that is necessarily rooted in computer technology and thus constitute an inventive concept —— something more than an abstract idea merely implemented on a generic computer. 01 Communique Laboratory, Inc. vs. Citrix Systems, Inc., (N.D. Ohio 2015)

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/212,429	Filing Date 03/14/2014	☐ 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 **05/02/2018**

	(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))	* 20	Minus	** 20	= 0	X $100 =	0
Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $460 =	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
LAVINIA JOHNSON

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.

Attorney Docket No.
PHS-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Marshall et al. **Application No.** 14/212,429 **Filed:** March 14, 2014 **For:** Platform for optimizing data driven outcomes	**Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

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

VIA EFS-WEB

Commissioner:

AMENDMENT

In reply to the Non-Final Office Action mailed March 28, 2018, please amend the above-identified application as follows in order to put the application in form for allowance:

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

Remarks follow the amendments section of this paper.

AMENDMENTS TO THE CLAIMS:

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

Claim 1 (Currently Amended): A method for tracking outcome specific data, the method comprising:

receiving input establishing accounts for providers serving clients in a client management program, wherein the clients are individuals receiving treatment or assistance, wherein the input includes rules for determining progress of the clients, wherein the accounts are stored in a database of a server, and wherein the input is received from an administrator utilizing one of a plurality of communications devices in communication with the server by one or more networks;

assigning each of the clients to one or more of the providers in response to selections from the administrator utilizing one of the plurality of communications devices, wherein the one or more providers are individuals available to treat or assist the clients;

prompting the providers to provide data associated with each of the clients that is required and not already received through the client management program, wherein the one or more providers periodically provide/update the data, and wherein the data relates to the well-being of the clients;

compiling the data associated with each of the clients received from the providers without input from the clients for the client management program to generate a score utilizing the rules, wherein the score is associated with progress toward

mastery of one or more goals;

analyzing the compiled data and the score to automatically determine a status of the clients within the client management program, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicating an alert including the compiled data and the status from the server executing the client management program to the plurality of communications devices associated with the providers assigned to one of the clients that is utilized by the administrator or one or more of the providers to intervene with the client in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients.

Claim 2 (Previously Presented): The method according to claim 1, wherein the data and the score relate to a well-being of the clients based on progress toward mastery of the one or more goals, wherein the server is accessed through a cloud network, and wherein the client management program is executed by the plurality of communications device to receive user input from the providers.

Claim 3 (Previously Presented): The method according to claim 1, further comprising:

establishing goals for the clients, wherein the data indicates a status of the one or more goals, wherein the data is associated with tasks performed by the client to master the one or more goals.

Claim 4 (Previously presented): The method according to claim 3, further comprising:

data mining the compiled data utilizing the client management program to automatically determine best practices for each of the clients.

Claim 5 (Previously Presented): The method according to claim 4, further comprising:

automatically recommending the best practices to the providers or administrator through the client management program for assisting one or more of the clients in response to the best practices being relevant to the one or more of the clients assigned to the providers.

Claim 6 (Previously presented): The method according to claim 1, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes.

Claim 7 (Previously Presented): The method according to claim 1, wherein the compiled data and the alert are presented visually to each of the providers utilizing the plurality of communications devices for intervention.

Claim 8 (Previously presented): The method according to claim 1, further comprising:

receiving the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 9 (Previously Presented): The method according to claim 1, further comprising:

tracking a time and occurrence of a number of client actions that are part of the data in response to input from the providers; and

indicating a status of the one or more goals for the clients in response to the data.

Claim 10 (Previously Presented): The method according to claim 1, further comprising reporting outcomes through the client management program in response to the status, wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold to generate the score, and wherein the score includes a mastery level for the one or more goals associated with each of the clients.

Claim 11 (Currently Amended): A system for tracking goal achievement of individuals, the system comprising:

a server is a computing device that communicates with communications devices through a transceiver utilizing one or more networks, the server includes a processor that executes a client management program stored in a memory to receive input establishing accounts for ~~a plurality of~~ providers serving the individuals and rules for determining progress of individuals, assign each of the individuals to one or more of the providers in response to selections from an administrator, prompt the providers to provide data associated with each of the individuals that is required and not already received through the client management program, compile data associated with each of the individuals received from the providers without input from the individuals to generate a score utilizing the rules, analyze the compiled data and the score to

automatically determine a status of the individuals, the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant, and automatically communicate an alert to the administrator or the one or more providers to intervene with the assigned individuals, the alert including the compiled data and the status from the server to the communications devices associated with the providers in response to the compiled data becoming significant, the clients are individuals receiving treatment or assistance, the one or more providers are individuals available to treat or assist the clients, the providers periodically provide/update the data, and the data relates to the well-being of the clients; and

a database in communication with the server that manages the data, the database configured to store the accounts, assignments of the individuals to the one or more providers, and the compiled data.

Claim 12 (Previously presented): The system according to claim 11, wherein the database is a relational database management system performing data mining required by the client management program to analyze the compiled data from the plurality of providers to associate best practices with each of the individuals.

Claim 13 (Previously Presented): The system according to claim 12, wherein the client management program is configured to automatically recommend one or more best practices to the plurality of providers or the administrator in response to the data of the individuals being associated with the best practices.

Claim 14 (Previously Presented): The system according to claim 11, wherein the one or more networks are a cloud network, wherein the cloud network reports outcomes, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold by the client management program to generate the score, and wherein the score includes a mastery level for one or more goals associated with each of the individuals.

Claim 15 (Previously presented): The system according to claim 11, wherein the communications devices represent wired or wireless communications and computing devices, and wherein the communications devices execute a version of the client management program and are utilized by the providers to receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, duration recording, frequency, recording, and percentage recording.

Claim 16 (Currently Amended): A server comprising:

a processor for executing a set of instructions or client management; and

a memory for storing the set of instructions for client management, wherein the set of instructions are executed by the processor to:

receive input establishing user accounts for providers serving clients, wherein the input includes rules for determining the progress of clients, wherein the clients are individuals receiving treatment or assistance;

assign each of the clients to one or more of the providers in response to selections from an administrator, wherein the one or more providers are individuals

available to treat or assist the clients;

prompt the providers to provide data associated with each of the clients that is required and not already received through the client management program, wherein the providers periodically provide/update the data, and wherein the data relates to the well-being of the clients;

compile data associated with each of the clients received from the providers utilizing communications devices in communication with the server without input from the clients to generate a score utilizing the rules, wherein the score is associated with progress toward mastery of one or more goals;

analyze the compiled data and the score to automatically determine a status of the clients, wherein the score is compared with previous compiled data to determine whether a plurality of measurements of the compiled data vary from a threshold to become significant; and

automatically communicate an alert from the server to the communications devices associated with the providers assigned to one of the clients in response to the plurality of measurements of the compiled data varying from the threshold to become significant for one of the clients, wherein the administrator or one of the providers intervenes with the one of the clients based on the alert; and

communicate the compiled data to specified parties in response to a request from the providers or administrator.

Claim 17 (Previously presented): The server according to claim 16, wherein the data includes at least intervention plans, goals and objectives, recorded activities, and general notes related to the well-being of the clients.

Client 18 (Previously presented): The server according to claim 16, wherein the set of instructions for client management are further executed to:

automatically recommend best practices to the providers and the administrator in response to historic success with the clients.

Claim 19 (Previously presented): The server according to claim 16, wherein the set of instructions for client management are further executed to:

receive the data through a plurality of collection methods including task analysis, intensive trial teaching, interval recording, time recording, frequency, percentage data, and a reinforcement recorder.

Claim 20 (Previously presented): The according to claim 16, wherein the server is accessible by the plurality of communications devices including at least a plurality of mobile devices, a plurality of computing devices, and a web interface, and wherein the plurality of measurements of the compiled data are compared against a minimum growth line representing the threshold, and wherein the score includes a mastery level for one or more goals associated with each of the clients.

REMARKS

Applicants thank Examiner Raab for the Examiner interview of 4/17/2018 and for the useful and effective conversation. Amendments herein are based on that discussion to reach allowance of the claims.

In the Non-Final Office Action, the Examiner took the following actions:

I. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more; and

The Non-Final Office Action may contain statements characterizing the related art and/or the claims. Regardless of whether any such statement is expressly identified and/or discussed herein, Applicant reserves the right to disagree with any such statement or characterization in the Non-Final Office Action.

Applicant amend independent claims 1, 11, and 16 are amended. Claims 1-20 remain pending and under examination. For at least the following reasons, Applicant respectfully requests reconsideration and allowance of the claims.

CLAIM REJECTIONS – 35 USC. 101

Claims 1-20 are rejected under 35 U.S.C. 101 because the Office Action asserts the claims are directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. This rejection is respectfully traversed.

With regard to claim 1 (and the independent claims), these claims have been amended as discussed with the Examiner to incorporate specific language regarding the

various embodiments and thus the previous rejections of claim 1 under 35 U.S.C. 101 are no longer applicable in light of the current amendments. In addition, Applicants note that the claim is directed toward at least a process or a machine as required by 35 U.S.C. 101. The independent claims are not tied to a law of nature, a natural phenomenon, or an abstract idea. As noted by Applicants during the recent Examiner interview, the illustrative embodiment has been reduced to practice to help medical professionals facilitate or otherwise assist individuals/clients/patients. (Claim 1) The illustrative embodiments are clearly not directed to an abstract idea as noted in the Office Action as the claims illustrate how the providers interact with the client management program as well as providing a useful improvement for the clients assigned to the providers. Thus, the rejection of claim 1 as well as claims 1-20 under 35 U.S.C. 101 is inappropriate.

Independent claims 11 and 16 are allowable for similar reasons. Claims 2-10, 12-15, and 17-20 are allowable at least based on their dependence on claims 1, 11, and 16, respectively.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 506801.

Respectfully submitted,

Goodhue, Coleman & Owens, P.C.

Dated: May 2, 2018

By: / Brian Dean Owens /
Brian Dean Owens
Reg. No. 55517
(515) 218-7888

Electronic Acknowledgement Receipt

EFS ID:	32516964
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	PHS-P0001
Receipt Date:	02-MAY-2018
Filing Date:	14-MAR-2014
Time Stamp:	18:24:53
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		PHS-P0001_14212429_Response_to_Office_Action_5-2-18.pdf	116098 0d8f449997a1fe55e6cc7dabdc5a112752b0c706	yes	12

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	9
	Applicant Arguments/Remarks Made in an Amendment	10	12
Warnings:			
Information:			
	Total Files Size (in bytes):	116098	

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.

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NOTICE OF ALLOWANCE AND FEE(S) DUE

133690 7590 06/29/2018
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

EXAMINER
RAAB, CHRISTOPHER J

ART UNIT	PAPER NUMBER
2156	

DATE MAILED: 06/29/2018

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

TITLE OF INVENTION: PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1000	$0	$0	$1000	10/01/2018

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: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

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)

133690 7590 06/29/2018
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

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

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

TITLE OF INVENTION: PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1000	$0	$0	$1000	10/01/2018

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAAB, CHRISTOPHER J	2156	707-736000

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 _____
2 _____
3 _____

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

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

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:
- ❑ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29 — 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.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27 — 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.
- ❑ Applicant changing to regular undiscounted fee status. — NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

133690 7590 06/29/2018

Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

EXAMINER	
RAAB, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
2156	

DATE MAILED: 06/29/2018

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. 14/212,429	Applicant(s) MARSHALL ET AL.	
	Examiner Christopher J. Raab	Art Unit 2156	AIA (First Inventor to File) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *05/02/18*.
   ☐ 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 *1-20*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

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

   * Certified copies not received: _____.

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

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

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
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 _____.

/Christopher J Raab/
Primary Examiner, Art Unit 2156

DETAILED ACTION

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

Reasons For Allowance

02. Claims 1 – 20 have been considered and deemed allowable. The following is an examiner's statement of reasons for allowance:

It is the examiner's opinion that the art of record considered as a whole, alone or in combination, neither anticipates nor rendered obvious the specific platform for optimizing data driven outcomes taught by the Applicant. The Examiner finds no single prior art reference teaching of establishing accounts for providers serving clients, assigning the clients to the providers by an administrator, the providers treating the clients and adding data to a client management program, such that the providers periodically update the data for the well-being of the clients, compiling the data to generate a score associated with progress towards mastery of goals, determining a status of the clients based on data varying from a threshold, and alerting the providers based on the measurements of the compiled data varying from the threshold, as recited in independent claims 1, 11, and 16. A thorough search of the prior art reveals the primary references Metzler (US PGPub 2011/0047404) and Thayne (US PGPub 2011/0029521), which were previously used to reject the claims. Metzler discloses a similar method in that user accounts are established through providers, such that data is

associated with the user accounts and analyzed to determine data about the user, such as a change in user behavior. However, Metzler is generally limited to the users providing the input data. Thayne discloses a similar method in that data about clients is input with the user specifically inputting the data. However, Thayne does not teach that providers intervene with clients and that the alerts are automatically generated based on provider input and compilation of the data.

The claims have been amended to further recite that the clients are individuals receiving treatment or assistance, that the providers are individuals that treat or assist the clients, and that the providers periodically provide and update the data, which relates to the well-being of the clients. This further defines the claims so that they are less abstract and have useful improvement to the technology. Specifically, the claims are deemed to be statutory under 35 101 under Alice, as they recite a way for clients to receive assistance from providers in a specific way that requires the continuous adding and compiling of data for the clients in order to determine changes in the client behavior that may be vital to the well-being of the client. This is therefore rooted in a specific technology, and requires the processing of specifically equipped computer in order to perform the methodology. This specifically recites an improvement to the technology, in that clients can better receive the treatment that they need and providers can better give the treatment the clients need. Therefore the Examiner believes that the independent claims, as amended, stand in condition for allowance. Dependent claims 2 – 10, 12 – 15, and 17 – 20 are also believed to be in condition for allowance for at least the reason listed above.

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

03. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Christopher Raab whose telephone number is (571) 270-1090. The Examiner can normally be reached on Monday-Friday from 9:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. 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) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/CHRISTOPHER J. RAAB/

Primary Examiner, Art Unit 2156

June 22, 2018

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

✓	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	12/01/2015	07/08/2016	01/08/2017	07/09/2017	03/19/2018	06/22/2018			
1	1	✓	✓	✓	✓	✓	=			
2	2	✓	✓	✓	✓	✓	=			
3	3	✓	✓	✓	✓	✓	=			
4	4	✓	✓	✓	✓	✓	=			
5	5	✓	✓	✓	✓	✓	=			
6	6	✓	✓	✓	✓	✓	=			
7	7	✓	✓	✓	✓	✓	=			
8	8	✓	✓	✓	✓	✓	=			
9	9	✓	✓	✓	✓	✓	=			
10	10	✓	✓	✓	✓	✓	=			
11	11	✓	✓	✓	✓	✓	=			
12	12	✓	✓	✓	✓	✓	=			
13	13	✓	✓	✓	✓	✓	=			
14	14	✓	✓	✓	✓	✓	=			
15	15	✓	✓	✓	✓	✓	=			
16	16	✓	✓	✓	✓	✓	=			
17	17	✓	✓	✓	✓	✓	=			
18	18	✓	✓	✓	✓	✓	=			
19	19	✓	✓	✓	✓	✓	=			
20	20	✓	✓	✓	✓	✓	=			

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BIB DATA SHEET

CONFIRMATION NO. 9747

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
14/212,429	03/14/2014 RULE	707	2156	PHS-P0001

APPLICANTS
Grafton School, Inc., Winchester, VA;

INVENTORS
Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

**** CONTINUING DATA ***************************
This appln claims benefit of 61/791,218 03/15/2013 okay - CJR

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ****
04/04/2014

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /CHRISTOPHER J RAAB/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		VA	6	20	3

ADDRESS

Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325
UNITED STATES

TITLE

PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

FILING FEE RECEIVED		
1600	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L5	90	Grafton$.AS.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/06/22 16:37
L6	4499	G06Q10/0637.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/06/22 16:37
L7	6	(administrator SAME (client WITH provider)) AND ((score OR mastery) NEAR5 goal)	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2018/06/22 16:40
L8	24	Marshall, Lisa.INV.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/06/22 16:40
L9	714	score WITH measurement WITH threshold	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/06/22 16:40
L11	39585	G06Q10/06.CPC.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2018/06/22 16:44

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	5	client management program.CLM.	US-PGPUB; USPAT	ADJ	OFF	2018/06/22 16:37
L2	0	(administrator SAME (client WITH provider)) AND ((score OR mastery) NEAR5 goal).CLM.	US-PGPUB; USPAT	ADJ	OFF	2018/06/22 16:37
L3	1	((track OR tracked OR tracking) NEAR2 goal) SAME (behavioral OR hospital).CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 16:37
L4	14	data mining WITH best practices.CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 16:37
L10	108	score WITH measurement WITH threshold.CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 16:40
L12	3	score WITH measurement WITH threshold WITH (well-being OR health).CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 17:04
L13	0	periodically (provide OR update) WITH well-	US-	ADJ	ON	2018/06/22

		being.CLM.	PGPUB; USPAT			17:04
L14	0	mastery WITH goal WITH compile.CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 17:04
L15	2	mastery WITH goal WITH status.CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 17:04
L16	79	score WITH threshold WITH (very OR significant).CLM.	US-PGPUB; USPAT	ADJ	ON	2018/06/22 17:05

6/22/2018 5:05:55 PM
C:\Users\craab\Documents\Critical Data\OACS\Applications\14212429\14212429.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	Art Unit
	CHRISTOPHER J RAAB	2156

CPC- SEARCHED		
Symbol	Date	Examiner
G06Q10/0637, limited keyword search	12/01/15	CJR
G06F17/30522, limited keyword search	06/22/18	CJR

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

* 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
EAST image and keyword search in USPAT, US-PGPub, DERWENT, EPO, JPO, IBM_TDB (see attached search strategy)	12/01/15	CJR
Inventor Name Search: PALM and EAST	12/01/15	CJR
NPL Search: Google Scholar	12/01/15	CJR
Updated Search	07/08/16	CJR
Updated Search	01/08/17	CJR
Updated Search	07/09/17	CJR
Updated Search	03/19/18	CJR
Updated Search	06/22/18	CJR

INTERFERENCE SEARCH

	/CHRISTOPHER J RAAB/ Primary Examiner.Art Unit 2156

US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	EAST keyword interference search	06/22/18	CJR

	/CHRISTOPHER J RAAB/ Primary Examiner.Art Unit 2156

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

CPC						
Symbol					**Type**	**Version**
G06F		17	/	30522	F	2013-01-01
G06Q		10	/	06	A	2013-01-01
G06Q		10	/	0637	I	2013-01-01
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CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
			/					
			/					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	20	
/CHRISTOPHER J RAAB/ Primary Examiner.Art Unit 2156	06/22/2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
		G	0	6	F	17 / 30 (2006.01.01)						
CROSS REFERENCE(S)												
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	20	
/CHRISTOPHER J RAAB/ Primary Examiner.Art Unit 2156	06/22/2018	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	5

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	14212429	MARSHALL ET AL.
	Examiner	**Art Unit**
	CHRISTOPHER J RAAB	2156

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	17												
2	2	18	18												
3	3	19	19												
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13	13														
14	14														
15	15														
16	16														

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 20	
/CHRISTOPHER J RAAB/ Primary Examiner.Art Unit 2156 (Primary Examiner)	06/22/2018 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 5

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
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Application Number	14/212,429
Filing Date	2014-03-14
First Named Inventor	Lisa A. Marshall
Title	Platform for Optimizing Data Driven Outcomes
Art Unit	2156
Examiner Name	Christopher J RAAB
Attorney Docket Number	PHS-P0001

SIGNATURE of Applicant or Patent Practitioner

Signature	/BRIAN D. OWENS/	Date (Optional)	2018-07-03
Name	Brian D. Owens	Registration Number	55517
Title (if Applicant is a juristic entity)			
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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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Document Description: Power of Attorney

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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 133690

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Parallax Behavioral Health, Inc.

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	/Alex/	Date (Optional)	
Name	Nathan Bradley		
Title	Chief Technology Officer, Parallax Behavioral Health, Inc.		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 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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STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: Parallax Behavioral Health, Inc.

Application No./Patent No.: 14/212,429 Filed/Issue Date: 2014-03-14

Titled: Platform for Optimizing Data Driven Outcomes

Parallax Behavioral Health, Inc., a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

B. ☑ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Lisa A. Marshall, James Gaynor To: Grafton School, Inc.

   The document was recorded in the United States Patent and Trademark Office at
   Reel 03244/0772, Frame _____, or for which a copy thereof is attached.

2. From: Grafton School, Inc. To: Parallax Behavioral Health, Inc.

   The document was recorded in the United States Patent and Trademark Office at
   Reel 043580, Frame 0332, or for which a copy thereof is attached.

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

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5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

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6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Brian D. Owens/	July 3, 2018
Signature	Date
BRIAN D. OWENS	55517
Printed or Typed Name	Title or Registration 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.

PTO/AIA/14 (02-18)
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	14/212,429
Title of Invention	Platform for Optimizing Data Driven Outcomes	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

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

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Lisa	A.	Marshall	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Richmond	State/Province	VA	Country of Residence	US

Mailing Address of Inventor:

Address 1	4016 Northrop St.		
Address 2			
City	Richmond	State/Province	VA
Postal Code	23225	Country	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	James		Gaynor	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Winchester	State/Province	VA	Country of Residence	US

Mailing Address of Inventor:

Address 1	216 Cotton Ridge Road		
Address 2			
City	Winchester	State/Province	VA
Postal Code	22603	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	133690		
Email Address	docketing@goodhue.com	Add Email	Remove Email

Application Information:

Title of the Invention	Platform for Optimizing Data Driven Outcomes		
Attorney Docket Number	PHS-P0001	**Small Entity Status Claimed**	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		**Suggested Figure for Publication (if any)**	

Filing By Reference:

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

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

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

Publication Information:

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

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

Representative Information:

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

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	133690		

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
14212429	Claims benefit of provisional	61791218	2013-03-15

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

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

			Remove
Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

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

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

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

Applicant Information:

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

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	~~Grafton School, Inc.~~ Parallax Behavioral Health, Inc		
Mailing Address Information For Applicant:			
Address 1	~~120 Bellview Avenue~~ 1327 Ocean Avenue		
Address 2	Suite B		
City	~~Winchester~~ Santa Monica	**State/Province**	CA
Country US		Postal Code	~~22601~~ 90401
Phone Number	~~540-542-0200 ext 6412~~	Fax Number	
Email Address	~~ksanders@grafton.org~~		

Additional Applicant Data may be generated within this form by selecting the Add button.

Assignee Information including Non-Applicant Assignee Information:

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

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

If the Assignee or Non-Applicant Assignee is an Organization check here. ☒

Organization Name	Parallax Behavioral Health, Inc.,

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1	1327 Ocean Avenue		
Address 2	Suite B		
City	Santa Monica	**State/Province**	CA
Country i	US	Postal Code	90401
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Brian D. Owens/			Date (YYYY-MM-DD)	2018-07-03
First Name	Brian	Last Name	Owens	Registration Number	55517

Additional Signature may be generated within this form by selecting the Add button.

PTO/AIA/14 (02-18)
Approved for use through 11/30/2020. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PHS-P0001
	Application Number	
Title of Invention	Platform for Optimizing Data Driven Outcomes	

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

Privacy Act Statement

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

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

1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3 A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent CooperationTreaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

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

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	33080699
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	PHS-P0001
Receipt Date:	03-JUL-2018
Filing Date:	14-MAR-2014
Time Stamp:	13:58:17
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	Power of Attorney	PHS-P0001_14212429_USPTO_AIA82AB.pdf	559801 0a76dd67e43f4c1f430184a3abf2d47a7c6501cc	no	2

Warnings:

Information:					
2	Assignee showing of ownership per 37 CFR 3.73	PHS-P0001_14212429_373-Statement.pdf	120725 1bcfe0b3dcc97c780ea438f54b3ec2d76a747efc	no	3
Warnings:					
Information:					
3	Application Data Sheet	PHS-P0001_14212429_Corrected-ADS.pdf	163573 32b8f9f54e84753915c5166ddf6d230edef9c864	no	8
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
			Total Files Size (in bytes):	844099	

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	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001

CONFIRMATION NO. 9747

133690
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

POA ACCEPTANCE LETTER

OC000000100780857

Date Mailed: 07/06/2018

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/03/2018.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/vnguyen/

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
14/212,429	03/14/2014	2156	1600	PHS-P0001	20	3

CONFIRMATION NO. 9747

REPLACEMENT FILING RECEIPT

133690
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

OC000000100780959

Date Mailed: 07/06/2018

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

Inventor(s)

Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

Applicant(s)

Parallax Behavioral Health, Inc., Santa Monica, CA;

Assignment For Published Patent Application

Parallax Behavioral Health, Inc., Santa Monica, CA

Power of Attorney: The patent practitioners associated with Customer Number 133690

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/791,218 03/15/2013

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

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

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/212,429**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

Preliminary Class

707

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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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).

SelectUSA

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

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
14/212,429	03/14/2014	2156	1600	PHS-P0001	20	3

CONFIRMATION NO. 9747

CORRECTED FILING RECEIPT

133690
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

OC000000100781125

Date Mailed: 07/06/2018

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

Inventor(s)

Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

Applicant(s)

Parallax Behavioral Health, Inc., Santa Monica, CA;

Assignment For Published Patent Application

Parallax Behavioral Health, Inc., Santa Monica, CA

Power of Attorney: The patent practitioners associated with Customer Number 133690

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/791,218 03/15/2013

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/212,429**

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Non-Publication Request: No

Early Publication Request: No

Title

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Preliminary Class

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PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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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).

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

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)

133960 7880 06/29/2018
Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

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

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	03/14/2014	Lisa A. Marshall	PHS-P0001	9747

TITLE OF INVENTION: PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1000	$0	$0	$1000	10/01/2018

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAAB, CHRISTOPHER J	2156	707-736000

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 Goodhue, Coleman & Owens, P.C.
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: PARALLAX BEHAVIORAL HEALTH, INC

(B) RESIDENCE: (CITY and STATE OR COUNTRY): SANTA MONICA, CA

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 506801 (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
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.
☐ Applicant asserting small entity status. See 37 CFR 1.27
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.
☐ Applicant changing to regular undiscounted fee status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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

Authorized Signature /Brian D. Owens/ Date July 19, 2018
Typed or printed name BRIAN D. OWENS Registration No. 55517

Data Health Partners, Inc. Exhibit 2005, Page 410 of 506

Electronic Patent Application Fee Transmittal

Application Number:	14212429
Filing Date:	14-Mar-2014
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Filer:	Brian Dean Owens/Ashlyn Nguyen
Attorney Docket Number:	PHS-P0001

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	1501	1	1000	1000

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1000**

Electronic Acknowledgement Receipt

EFS ID:	33228585
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	PHS-P0001
Receipt Date:	19-JUL-2018
Filing Date:	14-MAR-2014
Time Stamp:	15:22:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$1000
RAM confirmation Number	072018INTEFSW00001714506801
Deposit Account	506801
Authorized User	Ashlyn Nguyen

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

37 CFR 1.20 (Post Issuance fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	MARSHALL_PHS-P0001_14212429_FILED-ISSUE-FEE-TRANS_7-19-18.pdf	359912 08b052823dc06b15e8dfadb02b4e020b62bdc036	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	29969 a87dccddfc264f4240649a89863982706184f152	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	389881		

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.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/212,429	08/28/2018	10061812	PHB-P0001	9747

133690 7590 08/08/2018

Goodhue, Coleman & Owens, P.C.
12951 University Ave
Suite 201
Clive, IA 50325

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 138 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):

Parallax Behavioral Health, Inc., Santa Monica, CA;
Lisa A. Marshall, Richmond, VA;
James Gaynor II, Winchester, VA;

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.

Attorney Docket No.
PHS-P0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Marshall et al. **Application No.** 14/212,429 **Patent No.** 10,061,812 **Issue Date:** August 28, 2018	**Title:** Platform for Optimizing Data Driven Outcomes **Confirmation No.** 9747 **Group Art Unit:** 2156 **Examiner:** Christopher J RAAB

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR APPLICANT MISTAKE

Commissioner for Patents
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

It is noted that an error appears in this patent. A Certificate of Correction is requested.

Attached hereto is Form PTO-1050 suitable for printing.

The exact page and line number where the error occurs in the issued patent is claim 16, in column 33, line 2; and claim 20, in column 34, line 1.

Please send the Certificate to:

Goodhue, Coleman & Owens, P.C.,
12951 University Ave, Suite 201,
Clive, Iowa 50325.

The fee of $150 is submitted herewith; however, please charge any fees or credit an overpayment to Deposit Account No. 506801.

Respectfully Submitted,

Goodhue, Coleman & Owens, P.C.

Dated: January 29, 2020
/Brian D. Owens/
Brian Dean Owens
Reg. No. 55517

Goodhue, Coleman & Owens, P.C.
12951 University Ave., Suite 201
Clive, Iowa 50325
Tel: (515) 218-7888
Fax: (855) 877-7845

PTO/SB/44 (09-07)
Approved for use through 01/31/2020. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 10,061,812

APPLICATION NO.: 14/212,429

ISSUE DATE : 2018-08-28

INVENTOR(S) : Lisa A. Marshall; James Gaynor

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 33, claim 16, line 2 change "or" to --for--to read as "...set of instructions for client management..."

Column 34, claim 20, line 1 add "server" to read as --The server according to claim 16--

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):
3712 Kimble Dr.
Plano, TX 75025
United States

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal

Application Number:	14212429
Filing Date:	14-Mar-2014
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Filer:	Brian Dean Owens/Ashlyn Nguyen
Attorney Docket Number:	PHB-P0001

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
CERTIFICATE OF CORRECTION	1811	1	150	150

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**150**

Electronic Acknowledgement Receipt

EFS ID:	38438968
Application Number:	14212429
International Application Number:	
Confirmation Number:	9747
Title of Invention:	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES
First Named Inventor/Applicant Name:	Lisa A. Marshall
Customer Number:	133690
Filer:	Brian Dean Owens/Ashlyn Nguyen
Filer Authorized By:	Brian Dean Owens
Attorney Docket Number:	PHB-P0001
Receipt Date:	29-JAN-2020
Filing Date:	14-MAR-2014
Time Stamp:	19:30:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$150
RAM confirmation Number	E20201SJ30350607
Deposit Account	506801
Authorized User	Ashlyn Nguyen

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

37 CFR 1.20 (Post Issuance fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	PBH-P0001_14212429_FILED-REQUEST-FOR-CERTIFICATE-OF-CORRECTION.pdf	167982 eeb9e479382fe8bc2da842e2a493f85890353fd9	no	2
Warnings:					
Information:					
2	Request for Certificate of Correction	PBH-P0001_14212429_FILED-CERTIFICATE-OF-CORRECTION-REQUEST_USPTO_SB44.pdf	158639 a8545148e5fec813f86ca31e01186a7312f1e449	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30045 b918e122bfca5032cebaf1e8ec4ed6b9638ee459	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	356666		

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

CERTIFICATE OF CORRECTION

PATENT NO. : 10,061,812 B2
APPLICATION NO. : 14/212429
DATED : August 28, 2018
INVENTOR(S) : Lisa A. Marshall and James Gaynor

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Column 33, Claim 16, Line 2 change "or" to --for--

Column 34, Claim 20, Line 1 add "server" to read as --The server according to claim 16--

Signed and Sealed this
Twenty-fifth Day of February, 2020



Andrei Iancu
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY.DOCKET NO./TITLE	REQUEST ID
14/212,429	03/14/2014	Lisa A. Marshall	PHB-P0001	158372

Acknowledgement of Change to Small Entity Status

The entity status change request below filed through Private PAIR on 02/08/2022 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

X Applicant asserting small entity status. See 37 CFR 1.27.

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.

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

Signature:	/BRIAN D. OWENS/
Name:	Brian D. Owens
Registration Number:	55517

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

EPAS ID: PAT7481532

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
PARALLAX BEHAVIORAL HEALTH INC	04/13/2022

RECEIVING PARTY DATA

Name:	DATA HEALTH PARTNERS INC
Street Address:	10586 W PICO BLVD #1096
City:	LOS ANGELES
State/Country:	CALIFORNIA
Postal Code:	90064

PROPERTY NUMBERS Total: 6

Property Type	Number
Patent Number:	10061812
Patent Number:	11144554
Patent Number:	11151142
Application Number:	17499725
Application Number:	17505166
Application Number:	17546594

CORRESPONDENCE DATA

Fax Number: (888)899-1443

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

Phone: 3105929235
Email: CALLIB@DATAHPI.COM
Correspondent Name: CALLI BUCCI
Address Line 1: 10586 W PICO BLVD #1096
Address Line 2: DATA HEALTH PARTNERS INC
Address Line 4: LOS ANGELES, CALIFORNIA 90064

NAME OF SUBMITTER:	CALLI BUCCI
SIGNATURE:	/calli bucci/
DATE SIGNED:	08/11/2022
	This document serves as an Oath/Declaration (37 CFR 1.63).

Total Attachments: 3
source=2022-04-13 DHP-PBH Patent Assignment (vfinal)-FE#page1.tif
source=2022-04-13 DHP-PBH Patent Assignment (vfinal)-FE#page2.tif
source=2022-04-13 DHP-PBH Patent Assignment (vfinal)-FE#page3.tif

PATENT ASSIGNMENT

WHEREAS, Parallax Behavioral Health, Inc., a Delaware corporation, with an address 3415 S. Sepulveda Blvd., Suite 1100-6592, Los Angeles, CA 90034 ("Assignor"), owns all right, title and interest in and to the patents and/or patent applications identified in Exhibit A attached hereto, including the inventions described therein and the patents issued and reissued thereon (collectively, the "Patents"), the renewals therefor and all claims for past or future infringement thereof; and

WHEREAS, Data Health Partners, Inc., a Delaware corporation with an address at 10586 W. Pico Blvd., #1096, Los Angeles, CA 90064 ("Assignee"), and Assignor have entered into an Intellectual Property Purchase Agreement (the "Agreement") effective April 13, 2022, under which Assignor agreed to sell and Assignee agreed to purchase certain assets of Assignor, including the aforesaid Patents, and the applications and renewals therefor and all claims for past or future infringement thereof.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, convey and transfer unto Assignee, its successors and assigns, free and clear of any and all liens, restrictions, claims and encumbrances, Assignor's entire right, title, and interest in and to the Patents and divisions, continuations or continuations-in-part thereof, together with all rights of registration, maintenance, and protection thereof in any form, all rights to income, royalties, damages and payments now due or hereafter due or payable in respect thereto, and all rights of recovery and of legal action for past or future infringements and of interference proceedings and reexaminations involving such Patents.

This Assignment is deemed to be executed and delivered within the State of California, and it is the intention of the parties that it shall be construed, interpreted and applied in accordance with the laws of the State of California without regard to its conflicts of law principles.

IN WITNESS WHEREOF, Assignor has duly executed this Assignment this 11th day of May, 2022, to be effective as of April 13, 2022.

ASSIGNOR:

Parallax Behavioral Health, Inc.

By: Dr. David L. Stark
Title: Chairman, President

ASSIGNEE:

Data Health Partners, Inc.

By: Calli R. Bucci
Title: Director, Chief Financial Officer

EXHIBIT A

PATENTS AND PATENT APPLICATIONS

1. United States Patent No. 10,061,812 (Family ID 51533139) issued August 28, 2018, and all related worldwide patents: *Platform For Optimizing Data Driven Outcomes*

2. United States Patent No. 11,144,554 (Family ID 65038812) issued October 12, 2021, and all related worldwide patents: *Platform For Optimizing Goal Progression*

3. United States Patent No. 11,151,142 (Family ID 51533139) granted October 12, 2021, and all related worldwide patents: *Platform For Optimizing Goal Progression*

4. United States Patent Application No. 17/499,725 (Family ID 65038812) filed October 12, 2021, and all related worldwide patent applications: *System And Method For Achieving Goal Progression*

5. United States Patent Application No. 17/505,166 (Family ID 51533139) filed October 19, 2021, and all related worldwide patent applications: *System And Method For Tracking Progression Toward A Customized Goal*

6. United States Patent Application No. 17/546,594 (Family ID 1000006016644) filed December 9, 2021, and all related worldwide patent applications: *System And Method For Achieving Goals.*

7. All related patent and patent applications filed or to be filed in connection with the aforementioned patents and patent applications, as well as those provided in the Global Dossier attached herewith as Exhibit B.

The remainder of this page intentionally left blank

IP Office	Application	Applicant	Title	Application Date	Priority Number	Publication Number	Publication Date
AU	2014228758	1)Grafton School, Inc.,	Platform for optimizing data driven outcomes	03/14/2014	US 14212429 US PCT/US14/29287 US 61791218	AU 2014228758 A1	10/01/2015
US	14212429	1)Marshall, Lisa A., 2)Gaynor, James	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	03/14/2014	US 14212429 US 61791218	US 20140280136 A1 US 10061812 B2	09/18/2014 08/28/2018
US	PCT/US14/29287	1)GRAFTON SCHOOL, INC.,	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	03/14/2014	US 14212429 US 61791218	WO 2014144749 A1	09/18/2014
GB	201517371			03/14/2014	US 14212429 US PCT/US14/29287 US 61791218	GB 201517371 D0 GB 2526749 A	11/18/2015 12/02/2015
US	16053141	1)Marshall, Lisa A., 2)Gaynor, James	PLATFORM FOR OPTIMIZING GOAL PROGRESSION	08/02/2016	US 14212429 US 16053141 US 61791218	US 20180373763 A1 US 11151142 B2	12/27/2018 10/19/2021
US	16141471	1)Bradley, Nathaniel T., 2)Gaynor, James , 3)Paugh, Joshua S., 4)Arena, Paul	PLATFORM FOR OPTIMIZING GOAL PROGRESSION	09/25/2018	US 16141471 US 61791218 US 14212429 US 16053141	US 20190034494 A1 US 11144554 B2	01/31/2019 10/12/2021
AU	2020100161	1)Parallax Behavioral Health, Inc.,,	Platform for optimizing data driven outcomes	01/31/2020	US PCT/US14/29287 US 61791218 AU 2014228758 US 14212429 AU 2020100161	AU 2020100161 A4	03/05/2020
US	17499725	1)Bradley, Nathaniel T., 2)Gaynor, James , 3)Paugh, Joshua S., 4)Arena, Paul	SYSTEM AND METHOD FOR ACHIEVING GOAL PROGRESSION	10/12/2021	US 16141471 US 61791218 US 17499725 US 14212429 US 16053141	US 20220037013 A1	02/03/2022
US	17505166	1)Marshall, Lisa A., 2)Gaynor, James	SYSTEM AND METHOD FOR TRACKING PROGRESSION TOWARD A CUSTOMIZED GOAL	10/19/2021	US 61791218 US 14212429 US 16053141 US 17505166	US 20220035805 A1	02/03/2022
US	17546594	1)Bradley, Nathaniel T., 2)Gaynor, James , 3)Paugh, Joshua S., 4)Arena, Paul	SYSTEM AND METHOD FOR ACHIEVING GOALS	12/09/2021	US 16141471 US 61791218 US 17499725 US 14212429 US 16053141 US 17546594	US 20220100754 A1	03/31/2022

AO 120 (Rev. 08/10)

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

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

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

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	2/13/2023	District of Delaware

PLAINTIFF	DEFENDANT
Data Health Partners, Inc.	Teladoc Health, Inc.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	US 11,144,554 B2	10/12/2021	Data Health Partners, Inc.
2	US 10,061,812 B2	8/28/2018	Data Health Partners, Inc.
3			
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

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

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

Assignment ID: PATI124693

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Order Granting Plaintiff/Judgment Creditor's Motion for an Assignment Order in Aid of Enforcement of Judgment

CONVEYING PARTY DATA

Name	Execution Date
Parallax Behavioral Health Inc.	09/21/2023
Parallax Health Sciences, Inc.	09/21/2023

RECEIVING PARTY DATA

Individual Name:	Shahla Melamed
Street Address:	3209 Hutton Drive
City:	Beverly Hills
State/Country:	CALIFORNIA
Postal Code:	90210

PROPERTY NUMBERS Total: 6

Property Type	Number
Patent Number:	10061812
Patent Number:	11144554
Patent Number:	11151142
Application Number:	17499725
Application Number:	17505166
Application Number:	17546594

CORRESPONDENCE DATA

Fax Number: 6197449994

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

Phone: 6197449992
Email: mvivoli@vivolilaw.com
Correspondent Name: Michael W. Vivoli
Address Line 1: 3104 Fourth Avenue
Address Line 4: San Diego, CALIFORNIA 92103

NAME OF SUBMITTER:	Theodore Gregor
SIGNATURE:	Theodore Gregor
DATE SIGNED:	03/27/2024
	This document serves as an Oath/Declaration (37 CFR 1.63).

Total Attachments: 72

source=Order Granting Plaintiff-Judgment Creditor's Motion for an Assignment Order in Aid of Enforcement of Judgment filed 9-21-23 (00249351xAB189)#page1.tif

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FILED
Superior Court of California
County of Los Angeles
09/21/2023
David W. Slayton, Executive Officer / Clerk of Court
By: K. Meloyer Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES, WESTERN JUDICIAL DISTRICT

SHAHLAH MELAMED, an individual Plaintiff, vs. PARALLAX HEALTH SCIENCES, INC., a Nevada corporation; ROXSAN PHARMACY, INC. a California corporation, nominally; J. MICHAEL REDMOND, an individual; EDWARD WITHROW, III, an individual; HUNTINGTON CHASE FINANCIAL, an entity of unknown form and citizenship; CALLI BUCCI, an individual; DAVE ENGERT, an individual; 1st PMF BANCORP, a corporation of unknown citizenship; and DOES 1 through 50, Inclusive. Defendants.	LEAD CASE NO.: SC 124873 (Related to Case Nos. SC124898, SC125702 and SC125142) ~~[PROPOSED]~~ **ORDER GRANTING PLAINTIFF/JUDGMENT CREDITOR'S MOTION FOR AN ASSIGNMENT ORDER IN AID OF ENFORCEMENT OF JUDGMENT** Date: September 21, 2023 Time: 8:30 a.m. Dept.: M Judge: Hon. Mark A. Young **Reservation ID: 074489123010** Complaint Filed: October 15, 2015 Trial Date: Vacated After Settlement

Based on the motion by Plaintiff/Judgment Creditor Shahla Melamed ("Melamed") for an Assignment Order in aid of enforcement of Melamed's judgment herein, assigning to Plaintiff all of the rights to payment held by Parallax Health Sciences, Inc. ("Parallax") under that certain Senior Secured Corporate Promissory Note dated May 11, 2022 ("the Note"), as well as that

Royalty Agreement bearing the same date ("Royalty Agreement"), the memorandum of points and authorities filed in support thereof, the Declaration of Michael W. Vivoli and attached exhibits filed therewith, all papers filed in support of and in reply to the opposition to the motion, the complete court record and file herein and the arguments presented at the hearing on the motion, and good cause appearing therefrom, IT IS HEREBY ODERED that Melamed's motion is GRANTED.

As such, any and all rights to payment held Parallax Health Sciences, Inc. in the Note and the Royalty Agreement are hereby assigned to Plaintiff/Judgment Creditor Shahla Melamed.

Any payments received by Melamed shall be credited against the payment obligation owed by Parallax under its judgment to Melamed herein.

IT IS SO ORDERED.

Dated: 09/21/2023

HON. MARK A. YOUNG
JUDGE OF THE SUPERIOR COURT

MICHAEL W. VIVOLI (Bar No. 184366)
JASON P. SACCUZZO (Bar No. 221837)
VIVOLI SACCUZZO, LLP
3104 Fourth Avenue
San Diego, California 92103
(619) 744-9992 (Tel)
(619) 744-9994 (Fax)

Attorneys for Plaintiff/Judgment Creditor,
SHAHLA MELAMED

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES, WESTERN JUDICIAL DISTRICT

SHAHLA MELAMED, an individual Plaintiff, vs. PARALLAX HEALTH SCIENCES, INC., a Nevada corporation; ROXSAN PHARMACY, INC. a California corporation, nominally; J. MICHAEL REDMOND, an individual; EDWARD WITHROW, III, an individual; HUNTINGTON CHASE FINANCIAL, an entity of unknown form and citizenship; CALLI BUCCI, an individual; DAVE ENGERT, an individual; 1st PMF BANCORP, a corporation of unknown citizenship; and DOES 1 through 50, Inclusive. Defendants.	LEAD CASE NO.: SC 124873 (Related to Case Nos. SC124898, SC125702 and SC125142) **DECLARATION OF MICHAEL W. VIVOLI & ATTACHED EXHIBITS INS SUPPORT OF PLAINTIFF/JUDGMENT CREDITOR'S MOTION FOR AN ASSIGNMENT ORDER** Date: September 21, 2023 Time: 8:30 a.m. Dept.: M Judge: Hon. Mark A. Young **Reservation ID: 074489123010** Complaint Filed: October 15, 2015 Trial Date: Vacated After Settlement

I, MICHAEL W. VIVOLI, declare as follows:

1. I am an attorney duly licensed to practice law before all courts of the state of California and am a partner in the law firm of Vivoli Saccuzzo, LLP, attorneys of record for Plaintiff herein, Shahla "Shana" Melamed ("Melamed"). I have been directly involved in all aspects of this case since it was filed in October of 2015, and I served as Plaintiff's sole trial

counsel in the trial of the Lead Case herein, to which three other cases were then deemed "related" to this one. As such, and by virtue of my personal participation in the matters herein averred, I have personal knowledge of the facts contained herein and, if called upon to testify with respect thereto, I could and would competently do so.

2. On August 14, 2020, this Court entered judgment in favor of Melamed in the sum of $20,000,000 on the stipulated judgment previously submitted to the Court, signed by the parties. Attached hereto as **Exhibit "1"** is a true and correct copy of the Judgment entered that day and which was thereafter mailed to the parties together with a Notice of Entry of Judgment. The stipulated judgment that led to **Exhibit "1"** was executed after a settlement meeting that I attended, during which Parallax represented, by and through Paul Arena, its CEO, that Parallax had "lined up investors" willing to fund a settlement payment to Melamed, provided the settlement resolved all claims against Parallax and its assets, against which Melamed held a lien.

3. In or after May of 2022, I learned that Parallax had purported to sell all of its intellectual property to "Data Health Partners, Inc." and I accessed a copy of the Form 8-k filed with the SEC by Parallax in connection with that purported sale. Attached hereto as **Exhibit "3"** is a true and correct copy of the 8-K that I located, and which Calli Bucci later authenticated during her deposition taken in the case of *Shahla Melamed v. Parallax Health Sciences, Inc., et al.*, LASC Case No. 21SMCV00532 (the "Fraudulent Conveyance Action").

4. Attached hereto as **Exhibit "2"** are true and correct copies of relevant pages from the transcript of the deposition of Calli Bucci, produced as Parallax's "person most qualified" to testify in response to a deposition notice requesting that Parallax produce a witness authorized to testify on its behalf. In Ms. Bucci's deposition, she refers to "Paul," referring to Paul Arena, Parallax's long-term CEO and the individual largely responsible for defrauding Melamed into signing the settlement agreement in this case, and to "Ted," which refers to Edward "Ted" Withrow, III, who originally formed Parallax and has controlled it since then. I know that because I have deposed Mr. Withrow and I examined him under oath during the trial of the Lead Case herein.

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5. On April 28, 2023, this Court denied, without prejudice, Melamed's motion to amend her judgment to name Data Health Partners, Inc. ("DHP") as a co-debtor on Melamed's judgment, based on its determination more evidence is needed to demonstrate the alter ego relationship between DHP and Parallax. On April 28, 2023, I noticed the deposition of DHP in the case currently pending between Melamed and, among others, DHP, for DHP's person most knowledgeable to secure the information this Court found missing. In the meantime, Melamed requests this Court grant this motion for an assignment order, assigning to Melamed the payment rights owed to Parallax under the secured corporate Promissory Note given by DHP to Parallax on its "purchase" of Parallax's IP, as well as Parallax's payment rights on the Royalty Agreement also given in Parallax's favor.

I declare, under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this Declaration was executed on this 28th day of April, 2023, in San Diego, California.

MICHAEL W. VIVOLI

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES	Reserved for Clerk's File Stamp FILED Superior Court of California County of Los Angeles 08/14/2020 Sherri R. Carter, Executive Officer / Clerk of Court By: P. Anyankor Deputy
COURTHOUSE ADDRESS: Santa Monica Courthouse 1725 Main Street, Santa Monica, CA 90401	
PLAINTIFF(S): Shahlah Melamed	
DEFENDANT(S): Parallax Health Services, Inc et al	
JUDGMENT	CASE NUMBER: SC125702

It is hereby ordered that judgment be entered as follows by: [X] The court [ ] The clerk

Date:08/14/2020 [ ] By Default [X] By Stipulation [ ] After Court Trial [ ] After Jury Trial

Judgment is for: Melamed, Shahlah
and against Parallax Health Services, Inc

[ ] Joint and several

Principal:	$20,000,000.00	Damages:	$0.00
Punitive Damages:	$0.00	Attorney Fees:	$0.00
Costs:	$0.00	Interest:	$0.00
Recovery Costs:	$0.00	Other:	$0.00

Total Judgment amount: $20,000,000.00

[X] See written stipulation for further terms and conditions.
[ ] Execution stayed pursuant to written stipulation.
[ ] Written stipulation filed and copy of stipulation given/mailed to each party.

Sherri R. Carter, Executive Officer / Clerk of Court
P. Anyankor
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, WESTERN JUDICIAL DISTRICT

SHAHLAH MELAMED, an individual,

Plaintiff,

vs.

CASE NO.
21SMCV00532

PARALLAX HEALTH SCIENCES, INC., a, Nevada corporation; PAUL ARENA, an individual; AIM GROUP, INC., a corporation of unknown citizenship; DAVID APPELL, an individual; EDWARD WITHROW, III, an individual; HUNTINGTON CHASE FINANCIAL, an entity of unknown form and citizenship; MONTECITO BIOSCIENCES, LTD., an entity of unknown form and citizenship; CALLI BUCCI, an individual; MJ MANAGEMENT, INC., a California corporation; NATHANIEL BRADLEY, an individual; DAVE ENGERT, an individual; DOES 1-3, licensed attorneys to be named with leave of court; and DOES 4 through 100, Inclusive,

Defendants.

DEPOSITION OF CALLI BUCCI
VOLUME I, PAGES 1 THROUGH 78
DEPOSITION CONDUCTED REMOTELY
JULY 19, 2022

Reported by: Lorraine E. Mesker, RPR
CSR License No. 6499



there, as well.
Q. You said he resides in a structure -- adjacent structure in the back?
A. It was a garage they converted to, like, a little apartment.
Q. Okay.
A. Yeah.
Q. With regard to, for instance -- by the way, why did Mr. Arena cease to serve as CEO of Parallax?
A. He was forced to resign because of the SEC settlement.
Q. What SEC settlement?
A. I'm sorry. What?
Q. What SEC settlement?
A. Okay. So in March, around the time COVID started, the company got excited about what they could provide for COVID relief, including testing and so forth. And several press releases were sent out. I'm not quite sure when it started.
Sometime in early '21 we got a halt on the stock because, I guess, the SEC was halting a bunch of companies saying -- claiming they could provide COVID relief of some kind. So the SEC performed an extensive investigation of the company. I provided tons of discovery. We did interviews with the SEC.

And in the end, Paul and Nate Bradley were -- entered into settlement agreements, not claiming any guilt or innocence. I don't know exactly what the term is. But each one of them was sanctioned with fines and bans on -- Paul was sanctioned on a ban from being a director or officer of a public company for -- I am not -- I don't know if it's for a period of years or --
Q. Permanent?
A. Permanent, yeah.
Nate had different restrictions, but he didn't have that officer/director ban. And they were each fined, and the company, Parallax, was fined, as well.
Q. How much was Parallax fined?
A. I think $100,000. I am not sure, but I think $100,000.
Q. Was that fine paid?
A. Yes.
Q. When?
A. There were payments made. There was a payment arrangement. I can look in one of the printouts and give you the exact dates because it's in the use of funds.
Q. Do you know what Mr. Bradley's current address is?
A. That's the address: 95 Main Street, Matawan,

New Jersey.
Q. Do you know that's a good and valid address for him?
A. Well, it was the most recent I had. I know he and his girlfriend or fiancée moved around a lot, but I think that was -- the last one they had was Matawan.
Q. You don't know of any others?
A. I know others, but this was the most recent one that I knew about, yeah.
Q. Do you know any other more recent address than that --
A. No.
Q. -- for Mr. Bradley?
A. Sorry. No.
The final payment to the SEC was made in December of '21.
Q. And you were just looking at?
A. The use-of-funds document that I printed out so I don't have to search for anything.
Q. Okay. Let me see if I can show you that document.
Can you see what's on the screen?
A. Yes.
Q. This purports to be -- well, it is.
A. Yeah.

Q. This is the document production we received this morning.
A. Correct.
Q. One of the documents that's in here, under 6 and 7, is entitled "Use of Funds." Is that what you are referring to?
A. Yes.
Q. So if we open that, can you tell me what it is we have depicted here?
A. Are we going to wait for it to open?
Q. Oh, it's open.
A. Oh, I can't see it open.
First you have to extract them all. You're in a zip file. I don't know if that makes a difference.
Q. I have the open document on my screen. Let me try it again.
Do you see it?
A. There we go. Yes. Okay. So this is a printout from QuickBooks. I took all of the bank accounts, all of the debits from the bank accounts -- sorry -- credits, which would be withdrawals, and sorted them by vendor. So you could see every payment and who it was paid to and the total paid to them.
Q. So this -- is this from the general ledger?
A. Yes.

Q. This is a sorting of the general ledger by vendor?
A. Correct. Only the -- only through the -- only the bank account activity, which is what the use of funds would be.
Q. And, for instance, the first vendor that's listed there is ABT Medical Supply?
A. Correct.
Q. And then is there a vendor that is delineated as the SEC on this document?
A. Yes. It was "Securities." There you go. Go next. There you go.
Okay. So the last payment, 12/6, right there.
Q. A check written to the SEC for $66,000?
A. Correct.
Q. Out of what account?
A. It would be paid out of the City National Bank account.
Wait, wait. I take that back. Okay. So we will get to this through all your questions. This would have been paid out of the proceeds from one of the sales in December of '21. And all of the money during that sale went into the Wells Fargo account.
I am not a signer on that account, so the funds that went in were paid out by Nate Bradley, who's a

signer on the account, or his assistant. They were in control of all of the funds in that account.
Q. When you are referring to funds from a sale, are you talking a sale of stock?
A. A sale of the patents under Parallax Health Management.
Q. So which entity sold those patents?
A. Parallax Health Management.
Q. To whom?
A. Nate Bradley, one of his companies.
Q. That's not the Data Health entity, is it?
A. No.
Q. So in -- what was the date of that sale?
A. I believe it was December 1st or 2nd, 2021.
Q. You believe that was the sale by Parallax Health Management?
A. Correct.
Q. To Mr. Bradley's company?
A. Yeah, Data Donate, which is a different company.
Q. And specifically what patents were sold?
A. The remote patient monitoring patent. When we acquired Qualcomm, which was Nate Bradley's company, in 2016, these were included in that acquisition of that company. So he wanted to buy them back.

Q. And what did he pay for those patents?
A. $450,000.
Q. And other than the money sent to the SEC, how was that money spent?
A. I printed out a use of funds that filters it from August of 2021 instead of the report -- you don't have the printout, but I can provide it to you -- where -- the information on this doesn't go back so far to 2015 so you can focus on August '21 to present. And the total out -- cash-out was $454,000. So this report would show you exactly what that 450 was spent on, basically.
Q. How many pages is that document?
A. Five.
Q. And you have it before you right now?
A. Yeah. I can -- do you want me to --
THE WITNESS: Is that okay, Lisbeth? Can I e-mail it to him?
MS. MERRILL: E-mail it to me. E-mail it to me and I'll get it to the -- as part of today's production.
THE WITNESS: Okay. How do I get back to my -- hold on just a second. Give me a second here.
MS. MERRILL: You want her to just do it on a break, Michael?
MR. VIVOLI: I'd like to get it sooner than

later.
MS. MERRILL: Okay.
BY MR. VIVOLI:
Q. And while you're looking at it, Ms. Bucci, the information that's on the five-page document that you have, is it contained within this document? It's just more difficult to find?
A. Yes, yes.
Q. Okay. Just let me know when you've had a chance to e-mail it to Ms. Merrill.
A. Give me a second. The funds -- 2021 and 2022. Okay.
THE WITNESS: Okay. Lisbeth, it's on its way.
BY MR. VIVOLI:
Q. Ms. Bucci, the top of the document reads "Parallax Health Sciences, Inc., and Subsidiaries." Do you see that?
A. Yes.
Q. What subsidiaries are included within this report?
A. Parallax Diagnostics, Inc.; Parallax Health Management -- those two because Parallax Health Sciences, Parallax Diagnostics, and Parallax Health Management have bank accounts, so those would be the only sources of "use of funds."

Q. And Parallax Diagnostics and Parallax Health Management are subsidiaries of Parallax Health Sciences, Inc.?
A. Correct.
Q. Do all three entities maintain bank accounts?
A. Just recently the Wells Fargo account was closed by me, but Parallax Health Sciences and Parallax Diagnostics maintain accounts that are pretty much zero now. Been zero for a while.
Q. Did you say Nate caused the accounts to be closed?
A. Yes. When he was terminated, he emptied the bank account of $10,000 and closed the account.
Q. When did he do that?
A. March 28, 2022. Those -- the payments will be to Intellectual Property Network on the report I just sent you.
Q. Do you know what Paul Arena is doing currently?
A. I believe he's doing several things.
Q. What is he doing?
A. He's also a part of Data Health Partners.
Q. What is Data Health Partners?
A. It's the company that acquired some of the Parallax patents, the company you addressed in your discovery subpoena.

Q. What is your relationship to that entity?
A. Okay. So let's just get this out. It's me, Paul, and Ted; a private company incorporated in Delaware.
Q. When was Data Health Partners incorporated?
A. Sometime this year.
Q. What was the purpose for which it was formed?
A. To expand and monetize patents, assets.
Q. Expand and monetize patents and assets owned by Parallax Health Sciences?
A. Well, it was formed to acquire the assets so that they could be monetized. And in that transaction -- well, Parallax is in pretty bad shape. You know, there's really -- there's -- no money can be raised. The stock is still halted. So this provides --
Q. Still halted --
A. I'm sorry.
Q. Still halted as a result of the SEC situation?
A. Yes. Well, when your stock gets halted, to get relisted or active again, you have to catch up all your financials. You have to then go through a review process with FINRA and file a 15c2-11, which is a pretty big job. And the company didn't have the funds to get the audits done. So there was no way the company could move forward. And there's no way the company could get

any money in because the investors are -- no investor will invest. Nobody will invest.
Q. When is the last time, to your knowledge, Parallax repaid money owed to an investor?
A. Okay. There's a difference between an investor and a lender.
MS. MERRILL: Objection. The question is somewhat vague, but you can answer the question.
THE WITNESS: Okay.
In the discovery there will be a document called -- can I look at your list?
MR. VIVOLI: I can put it on the screen if you want.
THE WITNESS: Yeah, that would be great.
BY MR. VIVOLI:
Q. Can you see it?
A. Yeah. Okay. So payments to lenders. That would be the report that shows every payment to lender.
Q. Is this chronological? No.
A. I don't -- hold on a second. I'll have to explain it to you. I want it to be as thorough as possible.
So payments include not just cash payments but, for example, if I said you can take $100,000 of my compensation that's owed to me and instead give me

stock. So that would be a repayment as well.
And you'll see in this report there's a cash column and a non-cash column that shows you how, perhaps, the accrued compensation was reduced by a non-cash item but also any cash that went out to the lender.
Okay. There's a separate report that shows you payments to board members. It's all kind of the same -- comes from the same data, but it's just displayed differently for you, so it separates out just the board members. So --
Q. This document is entitled "Payment to Lenders." What is this intended to reflect?
A. Okay. Hold on just a second. Let me -- I'll -- I'm trying to -- here we go. Okay.
So this is sorted by lender, and it shows you all the payments, for example, any payment that went to Paul for accrued compensation, for -- if it was cash, then it would be assigned to the cash column. So in essence, Paul was paid a total of $594,000 over the period August 15th to July 20 -- August 2015 to July 2022. He received cash in the amount of $594,000.
Q. To be clear, it looks like the last cash payment to him was on May 14, 2021, in the amount of $2,000?

A. Do you -- I didn't know you wanted it. I'm sorry.
Q. When did the sale take place?
A. December of '21. I'll get everything to Lisbeth, and she can put it --
Q. Please. And so when was -- I'm sorry. Continue, please.
A. Okay. So --
MS. MERRILL: Is there a question pending?
MR. VIVOLI: She's explaining to me the background underlining how Mr. Bradley became involved, and now it sounds like segueing into how he became disassociated.
THE WITNESS: Correct.
MS. MERRILL: Objection to how did Nate become disassociated.
BY MR. VIVOLI:
Q. Go ahead.
A. Okay. So it all --
MS. MERRILL: Just let me -- just stop, Calli, please. You know we need to have a question and answer. We are not doing narratives. So you can ask her questions about it.
BY MR. VIVOLI:
Q. Ms. Bucci, please continue with your

explanation as to how it is that Mr. Bradley became, apparently, removed from the company by majority shareholder vote.
A. Okay. So after the settlement, Paul left. Nate was now one of three board members. Oh, and Jorn Gorlach, who had left when Paul came on, who was -- Jorn Gorlach was a board member before Paul, and Paul came on and Jorn went off the board. Jorn came back.
So the board consisted then of Jorn, Nate, myself, and John Ogden, and it was a bit contentious, you know.
Anyways, I was getting ready to leave the company. I was preparing to leave the company because of all this. And, basically, Nate was in charge. Nate and Sonia were in charge of the company. They controlled the cash; they controlled the bank account; they controlled who got paid; they controlled all negotiations with lenders.
Q. When did Sonia Choi come into the picture?
A. She came on board in July of '21, but her -- her agreement wasn't signed until, I believe, September of '21. That's what it will -- it will show where we announced her coming on board.
Q. Okay.
A. So as we became aware of this, you know,

inexperience and potential for having Nate take over everything, the shareholders got together and decided to take back the company, myself included.
Q. When you say "the shareholders," who are you referring to specifically?
A. There were quite a few. It included Ted and Paul, who have the most shares, but it also included investors across the board.
Q. Such as?
A. I can give you -- it's posted online on the SEC website. I think -- if not, I can -- I don't know if I posted -- oh, it should be in discovery. No? Yeah.
Q. Discovery that you've produced here today?
A. Yes. Hold on a second. I want to make sure I put it in there.
Okay. Because it was a -- I didn't put it in, but I will provide you with a copy.
It's a majority shareholder consent, and since it was not a board resolution -- because this was an action done by the shareholders separate from Parallax. It wasn't a proxy initiated by Parallax. This was just shareholders getting together going, "We don't like where this is going." And there -- with the majority shareholder consent that I provide you with, it has a list of all the shareholders that were involved.

Q. Can you just send that to Ms. Merrill.
A. I will right now.
Q. Let me know when you've sent it.
A. Bear with me. I've got to find it on my computer. Here we go.
THE WITNESS: Okay. Lisbeth, I just sent it to you.
BY MR. VIVOLI:
Q. And while she is turning that around to me, can you just tell me generally what it is that the shareholder resolution accomplished?
A. It replaced the board of directors of Parallax. It removed Nate and Jorn, and it added David Stark. I think -- did it? Yeah, it added David Stark.
Q. Who's David Stark?
A. David Stark is a very smart guy. He's a doctor. He works, I believe, with the FDA or in connection with the FDA.
And he's -- he was brought on to be Parallax's president and board -- one of the board members.
Q. Is he affiliated with Data Health Partners?
A. Only as a shareholder. So as part of the sale of the -- to Data Health Partners, every shareholder in Parallax got shares in Data Health Partners. So the shareholder list will basically mirror -- mirror that of

Parallax.
Q. Is it your general understanding that the purpose of selling assets to Data Health Partners was to take its assets out of the hands of a public company and place it into a private company?
MS. MERRILL: Again, I –
THE WITNESS: No. I'm sorry.
MS. MERRILL: Go ahead. That's fine.
THE WITNESS: No. I don't believe that's what it was.
BY MR. VIVOLI:
Q. Okay. What was the purpose?
A. To help monetize the patents that were going – were unable to do anything in Parallax because of the condition of the company. So this was actually – it really was for the benefit of the shareholders of Parallax.
Q. What, if anything, has Data Health Partners done to monetize those assets?
A. Nothing has been finalized as of yet. I mean, it's not my job duty, per se, but it's being worked on.
Q. By whom?
A. By Paul Arena. And the agreements connected with the sale will spell out the financial commitment made to Parallax.

Q. And speaking of that, let me put on the screen – are you familiar with a reporting of this transaction that was made to the SEC?
A. Yes.
Q. In what fashion?
A. What fashion was it made to the SEC?
Q. Yeah.
A. Oh, in the form of an 8-K.
Q. Okay. And I have on the screen – do you see that?
A. Yup.
Q. A copy of what was downloaded from the SEC website and the Form 8-K dated May 11, 2022. Are you familiar with this?
A. Yes, I prepared it.
Q. Is this, in fact, a true and correct copy of the agreement that was ultimately entered into between Data Health Partners and Parallax?
A. Yes.
MS. MERRILL: Are you going to mark this as an exhibit?
MR. VIVOLI: Yes. This will be Exhibit 3.
(Exhibit 3 was marked for identification.)
BY MR. VIVOLI:
Q. And you signed this on behalf of Data Health

Partners?
A. Did I? I believe I did.
Q. Do you see under "Buyer" it says "Data Health Partners, Inc., Calli R. Bucci, Director, Chief Financial Officer"?
A. Yes.
Q. And what, generally, do you understand to be the consideration that was provided to Parallax in exchange for that reassignment?
A. A promissory note for $20 million.
Q. And how was that figure arrived upon?
A. Good question.
Q. Do you know the answer?
A. Well, we wanted to make sure that all of Parallax's debt was taken care of. I think that is the honest answer.
Q. What is Parallax's existing debt?
A. Including the stipulated judgment or not?
Q. Including that, yes.
A. Probably 36 million or something like that.
Q. Some 20 million of which is the judgment held by Melamed?
A. Yes.
Q. And what's the other 16 million? What does that consist of? Or is that document somewhere in

something you produced here?
A. It consists of promissory notes, unpaid compensation, accounts payable, and that is just an estimate, so – but I do recall that, a 36-million figure. So it could be less.
Q. What other third-party debt exists?
A. It will be in the documents.
Q. What would it be? What would that be –
A. The documents. Sorry. Go on.
Q. What documents produced today would reflect that?
A. You would actually have to do the math. That's where it's kind of difficult because I provided you with "Loans to Parallax" in one document and payments against the debt in another document. So to get the exact amount that's owed net, it's not in here. I would have to do the math.
Q. Would I at least find the debt owed by Parallax in the document that's entitled "Loans to Parallax"?
A. Yes.
Q. Would that include the three creditors to whom Parallax owes money?
A. No. It wouldn't include the accounts payable, like, the bills that are not loans, they're actually for services or whatever. It would include all of the

third-party cash loans to the company that were acquired from some lending institution or company. It would include that.

And it would include any cash loans from any individual. And it would include any cash loans from any -- like, a board member, what have you.

And it would include any compensated -- accrued non-cash loans, which would be like if I wasn't paid my salary in a month, say $10,000; that would be a loan to Parallax that they would owe me. You see, but it's a non-cash. I didn't give them the cash, but it would be like me giving them the cash because they didn't pay me.

Q. And I would find that where within these documents?

A. "Loans to Parallax."

Q. What is the investments document?

A. Okay. Your discovery asked for a list of any investments. I took it back from the beginning of 2000 -- August of 2015.

This is a summary of every cash and non-cash investment into Parallax. So the holder graph is basically the shareholder abbreviated and the shares they acquired and whether they paid cash for those shares or whether it was offset against patents. Like, for example, the third line down, Qualcomm, that was

5 million shares of which they paid 500 -- $5,000 cash, and we recorded the valuation of the patents at $220,000.

Q. Were those the patents that were then sold to Mr. Bradley for 450,000?

A. Yes, they are.

Q. Okay. To be clear, was it all the exact same patents or portions of it?

A. The way I recorded it -- and I assumed that it was all of them.

There's several patents that came in a group, but when you do a valuation of those patents, the valuation will include intangibles such as noncompete or -- it's all related to the patents, but they are broken down into different categories of the valuation.

So we received valuation at the time of $225,000, and it was broken down via patents, trademarks, marketing, customer lists, and noncompete.

Q. So is it your understanding that all of these patents that were owned by Parallax Health Sciences at the time it settled with Ms. Melamed are now owned by Data Health Partners?

A. Actually, no, that's not correct.

Q. Okay. Where did I go wrong?

A. Well, if you take Parallax Health Sciences as

a -- including it's subsidiaries, so say consolidated, there were certain patents that were terminated. The license agreement was terminated.

There were certain patents that were acquired by Nate Bradley's company Data Donate. And then the third subsidiary is Parallax Behavioral Health, and that's the subsidiary that held the patents that were acquired by Data Health Partners.

Q. Okay. What other patents continue to be owned by Parallax Health Sciences?

A. None.

Can we take a pause? I need to go to the ladies' room.

MR. VIVOLI: Yeah. Let's take a ten-minute break.

THE WITNESS: Okay. Thank you.

THE REPORTER: Off the record.

(Recess taken.)

BY MR. VIVOLI:

Q. Ms. Bucci, I have -- you can't see it yet.

I have on the screen the document that you sent today. Do you see that?

A. Yes.

Q. And that's "Parallax Health Sciences, Inc., and Subsidiaries Use of Funds-All," August 15th through

July 15, 2022.

Do you see that?

A. Yes.

Q. This is an accounting of the $454,000 that was spent from the proceeds generated by the sale to Mr. Bradley?

A. Correct. But that would be the assumption. It just happens to work out to 450,000, which basically accounts for pretty much how the company has worked over the last couple of years, which is zero money and -- yeah.

Q. Obviously the first category is account fees at $1,307. Do you see that?

A. Yes.

Q. There's then a bill paid on December 6, 2021, to -- I can't see the name. The last name is Alston, A-L-S-T-O-N, & Bird for $102,179.05.

Do you see that?

A. Right. So if you see bill payment parentheses "CHE," that means check. It's just a quick reference. So you just start from Alston & Bird. Yes, I know that payment, yes.

Q. What is that payment?

A. Alston & Bird is an attorney -- patent attorney.

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

EXHIBIT
3
C. BUCCI
7/19/2022
LORRAINE MESKER, CSR, RPR

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): **May 11, 2022**

Parallax Health Sciences

PARALLAX HEALTH SCIENCES, INC.

(Exact name of Company as specified in its charter)

Nevada	000-52534	46-4733512
(State or other jurisdiction of Incorporation)	(Commission File Number)	(IRS Employer Identification Number)

3415 S. Sepulveda Blvd, Suite 1100-6592
Los Angeles, CA 90034
(Address of principal executive offices)

(888) 263-9799
(Registrant's Telephone Number)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the Company under any of the following provisions:

☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging Growth Company ☑

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐

EXHIBIT
3

As used in this current report and unless otherwise indicated, the terms "we", "us", "our", "Company", and "Parallax" mean Parallax Health Sciences, Inc., a Nevada corporation, and its subsidiaries, unless otherwise indicated.

ENTRY INTO A MATERIAL DEFINITIVE AGREEMENT

On May 11, 2022, pursuant to a unanimous resolution of the Company's Board of Directors, the Company and its wholly owned subsidiary, Parallax Behavioral Health, Inc. ("PBH" or "Seller"), executed an Intellectual Property Purchase Agreement (the "Purchase Agreement") for the sale of certain intellectual property (the "Intellectual Property"), as defined within the Purchase Agreement, to Data Health Partners, Inc., a privately held Delaware corporation ("DHPI" or "Buyer"). The Purchase Agreement is effective April 13, 2022, and includes the following consideration to Seller for the transfer of all rights, title and interest in and to the Intellectual Property to Buyer:

An aggregate of 3,960,344 shares of Buyer's common stock to be issued to the Company's shareholders of record on the Record Date of April 13, 2022 (the "Parallax Shareholders"); and

An Anti-Dilution Agreement providing for certain protections for the Parallax Shareholders; and

A corporate Promissory Note in the principal sum of twenty million dollars ($20,0000,000), bearing interest at a rate of three percent (3%) per annum, and maturing in ten (10) years (the "Note"). The Note is secured by the Intellectual Property, as defined within the Intellectual Property Pledge and Security Agreement; and

A royalty of two and one-half percent (2.5%) of Net Proceeds from the monetization of the Intellectual Property, as defined within the Royalty Agreement.

The foregoing disclosure set forth in this Section 1.01 does not purport to be complete, and is qualified in its entirety by reference to the Intellectual Property Purchase Agreement filed herewith as Exhibit 10.1 of this Current Report and incorporated by reference herein.

Purpose and Consideration

Parallax has entered into this transaction to help the Company meet its financial obligations and generate value for its shareholders.

DHPI has entered into this transaction in an effort to monetize the Intellectual Property through licensing and joint ventures, and to prosecute possible infringement through litigation.

The consideration provided to Parallax has been based upon potential sources of revenues for the Intellectual Property from prospective licensing and recovery of financial damages from infringement.

About Data Health Partners

The primary focus of the Data Health Partners, Inc. business is in the commercialization of intellectual property through business development, licensing endeavors, and enforcement of intellectual property services and products. Ms. Calli Bucci serves as DHPI's Chief Financial Officer and is a member of its Board of Directors, and is also Parallax's Chief Financial Officer and Corporate Secretary, and a member of Parallax's Board of Directors.

COMPLETION OF ACQUISITION OR DISPOSITION OF ASSETS

The disclosures set forth in Item 1.01 are incorporated into this Item 2.01 by reference.

FINANCIAL STATEMENTS AND EXHIBITS

(b) ***Pro Forma Financial Information.***

Pro forma financial information relative to the disposition transaction is not included in this Current Report on Form 8-K. Such pro forma financial information will be filed within 71 calendar days after the date on which this Current Report on Form 8-K is required to be filed.

(d) ***Exhibits.***

Exhibit Number	Description of Exhibit	Filing Reference
10.1	Intellectual Property Purchase Agreement	Filed herewith.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Company has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

PARALLAX HEALTH SCIENCES, INC.

Dated: May 11, 2022

/s/ David L. Stark
David L. Stark
President

EXHIBIT 10.1

Note: Certain Exhibits to the Intellectual Property Purchase Agreement may make reference to Agreements as Exhibits, all of which are included herein. Redundant Exhibits are omitted.

Hyperlinks *have been added for ease of navigation.*

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INTELLECTUAL PROPERTY PURCHASE AGREEMENT

by and among

PARALLAX BEHAVIORAL HEALTH, INC.,

PARALLAX HEALTH SCIENCES, INC., and

DATA HEALTH PARTNERS, INC.

This **INTELLECTUAL PROPERTY PURCHASE AGREEMENT** (the "Agreement"), executed this 11th day of May, 2022, is effective as of April 13, 2022 (the "Effective Date"), by and among Parallax Behavioral Health, Inc., a Delaware corporation ("Seller"), and Parallax Health Sciences, Inc., a Nevada corporation and sole shareholder of Seller ("Parallax"), on the one hand, and Data Health Partners, Inc., a Delaware corporation ("Buyer"), on the other hand, hereinafter collectively referred to as the "Parties".

WHEREAS, Buyer is a newly formed company engaged in the business of intellectual property commercialization through the licensing and enforcement of intellectual property services and products (the "Business"); and

WHEREAS, Seller desires to sell, and Buyer desires to purchase, the Purchased Assets, as set forth in Exhibit A attached herewith, upon the terms and subject to the conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing, of the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereby agree as follows:

PURCHASE AND SALE OF ASSETS

Purchase and Sale of Assets. On and subject to the terms and conditions of this Agreement, at the Closing, Seller shall sell, assign, transfer, convey and deliver to Buyer, and Buyer shall purchase and acquire from Seller, free and clear of all Encumbrances (other than Permitted Encumbrances), all of Seller's right, title and interest, as of the Closing, in and to the intellectual properties and rights set forth in Exhibit A attached herewith (collectively, the "Purchased Assets").

Excluded Liabilities and Assets. Seller is not selling any of its assets to Buyer other than the Purchased Assets. Buyer does not assume any liability or obligation of Seller, in connection with Buyer's purchase of the Purchased Assets pursuant to this Agreement.

Purchase Consideration. The Parties agree to the following as good and sufficient consideration for the sale by Seller of the Purchased Assets to Buyer:

Corporate Promissory Note. Buyer shall issue a ten (10) year interest-bearing Corporate Promissory Note to Seller, in the form attached herewith as Exhibit B-1, providing for the payment to Seller of twenty million dollars ($20,000,000), plus accrued interest at a rate of three percent (3%) per annum, on the terms and conditions set forth therein.

Intellectual Property Pledge and Security Agreement. Buyer shall enter into an Intellectual Property Pledge and Security Agreement with the Seller, in the form attached herewith as Exhibit B-2, that will pledge the Purchased Assets as collateral for the Corporate Promissory Note.

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Equity. At Closing, Buyer shall issue to the Parallax shareholders of record (the "Parallax Shareholders") on the record date of April 13, 2022 (the "Record Date"), an aggregate of three million nine hundred sixty thousand three hundred forty-four (3,960,344) shares of the Buyer's Common Stock.

Buyer shall enter into an Anti-Dilution Agreement with the Seller, in the form attached herewith as Exhibit C, providing for dilution protection for the common stock issued by the Buyer to the Parallax Shareholders.

Royalty Agreement. Buyer shall enter into a Royalty Agreement with Seller ("Royalty Agreement"), in the form attached herewith as Exhibit D providing for payment to the Seller by the Buyer of two and one-half percent (2.5%) of the Adjusted Gross Revenues generated from the Purchased Assets on the terms and conditions set forth therein.

Closing Transactions.

Closing. Unless this Agreement shall have been terminated in accordance with Section 8.1, and subject to the satisfaction or, if permissible, waiver of the conditions set forth in Article VII, the closing of the Transactions (the "Closing") will take place at 12:00 p.m., Los Angeles, California time, on a date to be specified by the Parties (the "Closing Date"), which shall be not later than the second Business Day after the satisfaction or, if permissible, waiver of the conditions set forth in Article VII (other than those that by their terms are to be satisfied or waived at the Closing), at the offices of Parallax Health Sciences, Inc., at 3415 S. Sepulveda Blvd., Suite 1100-6592, Los Angeles, CA 90034, or via virtual electronic meeting whereby all Parties are present, unless another time, date or place is agreed to in writing by the Parties; provided, however, that the Parties shall use reasonable efforts to conduct the Closing by mail, electronic mail, and overnight delivery so as not to require the personal attendance of the parties at the Closing.

Actions and Deliveries by Seller. At the Closing, Seller shall deliver to Buyer:

the Patent Assignment dated as of the Closing Date and duly executed by Seller, in the form attached herewith as Exhibit E; and

the Trademark Assignment dated as of the Closing Date and duly executed by Seller, in the form attached herewith as Exhibit F; and

a NOBO (non-objecting beneficial owners) list of the publicly traded securities of Parallax, identifying the Parallax Shareholders as of the Record Date; and

the certificates and documents required to be delivered by Seller pursuant to Sections 7.1 and 7.2; and

all such other instruments of assignment and transfer as are reasonably required to effect the transfer to Buyer all of Seller's right, title and interest in and to the Purchased Assets in accordance with this Agreement, in form and substance reasonably satisfactory to Buyer and Seller.

Actions and Deliveries by Buyer. At the Closing, Buyer shall deliver to Seller:

the Corporate Promissory Note dated as of the Closing Date and duly executed by Buyer. in the form attached herewith as Exhibit B-1; and

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the Intellectual Property Pledge and Security Agreement dated as of the Closing and duly executed by the Buyer, in the form attached herewith as Exhibit B-2; and

the Anti-Dilution Agreement dated as of the Closing Date and duly executed by Buyer, in the form attached herewith as Exhibit C; and

the Royalty Agreement dated as of the Closing Date and duly executed by Buyer, in the form attached herewith as Exhibit D; and

the certificates and documents required to be delivered by Buyer pursuant to Sections 7.1 and 7.3.

REPRESENTATIONS AND WARRANTIES OF SELLER

Seller hereby represents and warrants to Buyer that, to the best of "Seller's Knowledge" (as hereinafter defined) and except as set forth in the disclosure schedule delivered by Seller to Buyer and attached hereto and made a part hereof (the "Seller Disclosure Schedule"):

Organization. Seller is duly incorporated, validly existing and in good standing under the Laws of the jurisdiction of its incorporation and has the requisite corporate power and authority to own, operate or lease the properties that it purports to own, operate or lease and to carry on its business as it is now being conducted.

Authority Relative to this Agreement and Related Matters. Seller has all necessary corporate power and authority to enter into this Agreement and to carry out its obligations hereunder. The execution and delivery by Seller of this Agreement and the consummation by Seller of the transactions contemplated hereby (the "Transactions") have been duly authorized by all necessary corporate action on the part of Seller. This Agreement has been duly executed and delivered by Seller and, assuming the due authorization, execution and delivery hereof by Buyer, no further action or approval, corporate or otherwise, is required in order to constitute this Agreement as a valid and binding obligation of Seller enforceable in accordance with its terms.

No Conflict; Required Filings and Consents. The execution and delivery of this Agreement by Seller do not, and the consummation by Seller of the Transactions will not, (a) conflict with or violate the certificate of incorporation or bylaws, each as amended to date, of Seller, (b) conflict with or violate any Law or Order applicable to Seller or by which Seller or any of its properties is bound, (c) result in a breach of or constitute a default (or an event that with notice or lapse of time or both would become a default) under, or give rise to any right of termination, acceleration or cancellation under, or result in the creation of an Encumbrance on any of the Purchased Assets pursuant to, any note, bond, mortgage, indenture, contract, agreement, lease, license or other instrument or obligation to which Seller is a party or by which Seller or any of its properties is bound, or (d) require Seller to obtain any consent, approval, authorization or permit of, or to make any filing with or notification to, any Governmental Authority, except (i) as set forth in Section 2.3 of the Seller Disclosure Schedule, or (ii) for any filings required pursuant to the Securities Exchange Act of 1934, as amended, and the rules and regulations promulgated thereunder (the "Exchange Act").

Absence of Litigation. Except as disclosed in Section 2.4 of the Seller Disclosure Schedule and disclosed in Parallax's last Form 10-K filed with the US Securities and Exchange Commission for period ended December 31, 2019, as of the date hereof, (a) there is no private or governmental action, suit, proceeding, litigation, arbitration or investigation ("Action") pending or, to the knowledge of Seller, threatened against Seller before any Governmental Authority that, if adversely determined, would prohibit, prevent, enjoin, restrict or materially impair or delay any of the Transactions, and (b) there is no legally binding judgment, decree, order, injunction, decision or

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award of any Governmental Authority ("Order") against Seller that would prohibit, prevent, enjoin, restrict or materially impair or delay any of the Transactions.

Purchased Assets. Section 2.5 of the Seller Disclosure Schedule sets forth a list of all registrations and applications for registration in respect of the Purchased Assets. Except as set forth in Section 2.5 of the Seller Disclosure Schedule, Seller owns (beneficially and of record) all right, title and interest in and to all Purchased Assets, free and clear of all Encumbrances, other than Permitted Encumbrances. Except as set forth in Section 2.5 of the Seller Disclosure Schedule, the Purchased Assets and all of the pending Letters Patent and trademark applications (if any) related to the Purchased Assets have been duly filed in the jurisdiction named in each such application, are being actively prosecuted and have not been abandoned or allowed to lapse. Except as set forth in Section 2.5 of the Seller Disclosure Schedule, there is no Action that is pending or, to the knowledge of Seller, threatened that challenges the rights of Seller in respect of any Purchased Assets or the validity, enforceability or effectiveness thereof. Seller has not received any written communication alleging that it has infringed the Intellectual Property rights of any third party and there are no Actions that are pending or, to the knowledge of Seller, threatened against Seller with respect thereto. Except as set forth in Section 2.5 of the Seller Disclosure Schedule, to the knowledge of Seller, there is no unauthorized use, infringement or misappropriation of the Purchased Assets by any third party and there is no Action that is pending or threatened by Seller with respect thereto. Notwithstanding anything to the contrary, this representation shall not limit or restrict the transfer to Buyer pursuant to this Agreement of all right, title and interest in and to the Purchased Assets owned by Seller throughout the world; provided, however, that Seller does not represent, warrant or covenant that any rights in or to the Purchased Assets exist anywhere outside of the United States of America.

REPRESENTATIONS AND WARRANTIES OF BUYER

Buyer hereby represents and warrants to Seller that, except as set forth in the disclosure schedule delivered by Buyer to Seller and attached hereto and made a part hereof (the "Buyer Disclosure Schedule"):

Organization. Buyer is duly organized, validly existing and in good standing under the Laws of its jurisdiction of organization and has the requisite limited liability company or corporate power and authority (as the case may be) to own, operate or lease the properties that it purports to own, operate or lease and to carry on its business as it is now being conducted.

Authority Relative to this Agreement and Related Matters. Buyer has all necessary corporate power and authority, as the case may be, to enter into this Agreement and to carry out its obligations hereunder. The execution and delivery by Buyer of this Agreement and the consummation by the Buyer of the Transactions has been duly authorized by all necessary corporate action on the part of the Buyer. This Agreement has been duly executed and delivered by the Buyer, and, assuming the due authorization, execution and delivery hereof by Seller, constitutes the legal, valid and binding obligation of the Buyer, enforceable against the Buyer in accordance with its terms.

No Conflict; Required Filings and Consents. The execution and delivery of this Agreement by Buyer does not, and the consummation of the Transactions will not, (a) conflict with or violate the organizational or governing documents of Buyer, (b) conflict with or violate any Law or Order applicable to Buyer or by which Buyer has any of their respective properties is bound, (c) result in a breach of or constitute a default (or an event that with notice or lapse of time or both would become a default) under, or give rise to any right of termination, acceleration or cancellation under, any note, bond, mortgage, indenture, contract, agreement, lease, license or other instrument or obligation to which Buyer is a party or by which Buyer or any of their respective properties is bound, or (d) require Buyer to obtain any consent, approval, authorization or permit of, or to make any filing with or notification

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to, any Governmental Authority, except (i) as set forth in Section 3.3 of the Buyer Disclosure Schedule, or (ii) for any filings required pursuant to the Exchange Act.

Absence of Litigation. Except as disclosed in Section 3.4 of the Buyer Disclosure Schedule, as of the date hereof, (a) there is no Action pending or, to the knowledge of Buyer, threatened against Buyer or before any Governmental Authority that, if adversely determined, would prohibit, prevent, enjoin, restrict or materially impair or delay any of the Transactions, and (b) there is no Order against Buyer that would prohibit, prevent, enjoin, restrict or materially impair or delay any of the Transactions.

Data. Buyer agrees that it shall not, nor permit others to, use any data or information relating to "personal health information" as that term is defined under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as amended, or any other Data (as defined in Article XI of this Agreement) obtained through the acquisition of the Purchased Assets, and Buyer agrees it shall not, nor permit others to, disclose or disseminate such information to any Person without the prior written consent of the Seller, and, in all such cases, subject to applicable Law.

COVENANTS OF SELLER

Conduct of Seller Pending the Closing. Seller shall not, between the date of this Agreement and the Closing Date or the earlier termination of this Agreement, do or agree to do any of the following without the prior written consent of Buyer:

take or fail to take, or agree to take or fail to take, any action which would make any representation or warranty made by Seller herein untrue or incorrect in any material respect;

sell, lease, license, encumber, transfer or otherwise dispose of any Purchased Assets; and

agree to do any of the foregoing.

Notification of Certain Events. Seller shall give prompt notice to Buyer if any of the following occurs after the date of this Agreement: (i) there has been a material failure of Seller to comply with or satisfy any covenant, condition or agreement to be complied with or satisfied by it hereunder; (ii) receipt by Seller of any material notice or other communication from any Governmental Authority in connection with the Transactions; (iii) the occurrence of an event which would cause a condition in Section 7.2 not to be satisfied; or (iv) the commencement or threat, in writing, of any Action against Seller, or any of its properties, with respect to the Transactions and/or any of the Purchased Assets. No such notice to Buyer shall have any effect on the determination of whether or not any of the conditions to Closing or to the consummation of the Transactions have been satisfied or in determining whether or not any of the representations, warranties or covenants contained in this Agreement have been breached.

COVENANTS OF BUYER

Representations and Warranties. Buyer covenants and agrees that, except as otherwise contemplated by this Agreement or unless Seller shall give its prior written consent, Buyer shall not, between the date of this Agreement and the Closing Date or the earlier termination of this Agreement, take or fail to take, or agree to take or fail to take, any action which would make any representation or warranty made by Buyer herein untrue or incorrect in any material respect.

Notification of Certain Events. Buyer shall give prompt notice to Seller if any of the following occurs after the date of this Agreement: (i) there has been a material failure of Buyer to comply with or satisfy any covenant, condition or agreement to be complied with or satisfied by it hereunder; (ii) receipt by Buyer of any material notice

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or other communication from any Governmental Authority in connection with the Transactions; (iii) the occurrence of an event which would cause a condition in Section 7.3 not to be satisfied; or (iv) the commencement or threat, in writing, of any Action against Buyer, or any of its properties, with respect to the Transactions. No such notice to Seller shall have any effect on the determination of whether or not any of the conditions to Closing or to the consummation of the Transactions have been satisfied or in determining whether or not any of the representations, warranties or covenants contained in this Agreement have been breached.

Condition of Purchased Assets. BUYER ACKNOWLEDGES THAT IT IS A SOPHISTICATED INVESTOR IN ASSET PURCHASES OF THE TYPE CONTEMPLATED BY THIS AGREEMENT AND THAT ITS VALUATION OF AND DECISION TO PURCHASE THE PURCHASED ASSETS IS BASED UPON ITS OWN INDEPENDENT EXPERT EVALUATIONS OF SUCH FACTS AND MATERIALS DEEMED RELEVANT BY BUYER. BUYER ACKNOWLEDGES AND AGREES THAT, EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN SECTION 2 ABOVE, SELLER HAS NOT MADE, AND SELLER HEREBY SPECIFICALLY DISCLAIMS, ANY REPRESENTATION, WARRANTY, GUARANTY, PROMISE, COVENANT OR AGREEMENT, IN EACH CASE WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING, OR WITH RESPECT TO THE PURCHASED ASSETS. BUYER ACKNOWLEDGES AND AGREES THAT, HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PURCHASED ASSETS, BUYER IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PURCHASED ASSETS, AND NOT ON ANY MATERIALS AND OTHER INFORMATION PROVIDED OR TO BE PROVIDED BY SELLER. BUYER FURTHER ACKNOWLEDGES THAT ANY INFORMATION PROVIDED AND TO BE PROVIDED WITH RESPECT TO THE PURCHASED ASSETS WAS OBTAINED FROM A VARIETY OF SOURCES AND SELLER (i) HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION; AND (ii) MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. EXCEPT AS OTHERWISE EXPRESSLY SPECIFIED HEREIN, BUYER AGREES TO ACCEPT THE PURCHASED ASSETS AND ACKNOWLEDGES THAT THE SALE OF THE PURCHASED ASSETS AS PROVIDED FOR HEREIN IS CONDITIONED ON THE FACT THAT THE PROPERTY IS "AS IS", WHERE IS AND WITH ALL FAULTS". WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, BUYER EXPRESSLY ACKNOWLEDGES THAT, EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN SECTION 3 ABOVE, SELLER MAKES NO WARRANTY OR REPRESENTATION OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (B) THE INCOME TO BE DERIVED FROM THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (C) THE SUITABILITY OF THE PURCHASED ASSETS (OR ANY PORTION THEREOF) FOR ANY AND ALL ACTIVITIES AND USES WHICH BUYER MAY CONDUCT THEREWITH, (D) THE COMPLIANCE OF OR BY THE PURCHASED ASSETS (OR ANY PORTION THEREOF) OR ITS USE WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (F) THE MANNER OR QUALITY OF THE OPERATIONS ENABLED BY THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (G) THE MANNER, QUALITY, OR STATE OF THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (H) THE PAST, PRESENT OR FUTURE USE OF THE PURCHASED ASSETS (OR ANY PORTION THEREOF), (I) THE RELIABILITY, ACCURACY OR COMPLETENESS OF ANY OF THE PURCHASED ASSETS FOR THE USES INTENDED BY BUYER; AND BUYER HEREBY WAIVES ANY RIGHT TO MAKE ANY CLAIM BASED ON ANY OF THE FOREGOING.

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ADDITIONAL AGREEMENTS OF THE PARTIES

Commercially Reasonable Efforts.

Upon the terms and subject to the conditions hereof, each of the Parties agrees to use its commercially reasonable efforts to take, or cause to be taken, all actions and to do, or cause to be done, all things necessary, proper or advisable to consummate and make effective as promptly as practicable the Transactions and to vest in Buyer (and any transferee of Buyer) good and marketable title to the Purchased Assets, including obtaining all consents, waivers, authorizations and approvals from Governmental Authorities and other third parties required for the consummation of the Transactions.

From time to time after the Closing, at the request of Buyer (or any transferee of Buyer) and at such requesting party's expense, and without further consideration, Seller agrees on its own behalf, as well as on behalf of its subsidiaries, affiliates, successors, assigns and legal representatives, to execute and deliver to Buyer any further documents or instruments and perform any further acts that may reasonably be deemed necessary to vest, record, perfect, support and/or confirm the rights herein conveyed, or intended so to be, to Buyer (and any transferee of Buyer) with respect to the Purchased Assets, including without limitation such assignments, agreements and limited powers of attorney as may be needed for recording or effectuating the transfer of the Purchased Assets in the United States. Nothing herein shall be deemed a waiver by Buyer of its right to receive at the Closing an effective assignment of such rights by Seller as otherwise set forth in this Agreement. Without limiting the generality of the foregoing, Seller shall execute and deliver to Buyer or obtain for delivery to Buyer, at the request of Buyer and at Buyer's expense, and without further consideration, any documents required to update record title to the owned Purchased Assets to reflect Buyer (and any transferee of Buyer) as the record owner in each jurisdiction in which such Purchased Assets exists. At the request of Buyer and at Buyer's expense, and without further consideration, Seller shall reasonably cooperate with Buyer (and any transferee of Buyer) in connection with the registration of the Purchased Assets in jurisdictions outside of the United States.

From time to time after the Closing, at the request of Buyer and at Buyer's expense, and without further consideration, Seller shall assist Buyer (and any transferee of Buyer) to the extent reasonably necessary for the defense or prosecution of any claim by or against any third party with respect to the ownership, validity, enforceability, infringement or other violation of or by the Purchased Assets, so long as Seller is not named as a party adverse to the Buyer in any such proceeding.

Public Announcements. Each of the Parties agrees that no press release or announcement concerning this Agreement or the Transactions shall be issued by it or any of its Affiliates without the prior written consent of the other Party (which consent shall not be unreasonably withheld or delayed), except as such release or announcement may be required by applicable Law or the rules or regulations of any securities exchange, in which case such Party shall use its commercially reasonable efforts to allow the other Party reasonable time to comment on such release or announcement in advance of such issuance.

CONDITIONS TO THE CLOSING

Conditions to Obligations of Each Party. The respective obligations of each Party to consummate the Transactions shall be subject to the condition that no Governmental Authority shall have enacted, issued, promulgated, enforced or entered any Law or Order (whether temporary, preliminary or permanent) that is then in effect and has the effect of making the Transactions illegal or otherwise preventing or prohibiting consummation of the Transactions.

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Additional Conditions to Obligations of Buyer. The obligation of Buyer to consummate the Transactions shall also be subject to the satisfaction or waiver (where permissible), on or prior to the Closing Date, of each of the following conditions:

The representations and warranties of Seller set forth in Article II of this Agreement (i) that are qualified by the words "material" or "material adverse effect" shall be true and correct in all respects on and as of the Closing Date as if made on and as of such date and (ii) that are not so qualified shall be true and correct in all material respects on and as of the Closing Date as if made on and as of such date, except in any such case (x) for changes contemplated by this Agreement and by the Seller Disclosure Schedule, and (y) to the extent that any such representation or warranty is made as of a specified date, in which case such representation or warranty shall remain true and correct (in all material respects, as the case may be) as of such date.

Seller shall in all material respects have performed or complied with each obligation and covenant to be performed or complied with by Seller hereunder on or prior to the Closing Date, including the deliveries under Section 1.4(b).

Buyer shall have received a certificate of Seller, dated the Closing Date, signed by an officer of Seller, to the effect that the conditions specified in Sections 7.2(a) and (b) have been satisfied.

Additional Conditions to Obligations of Seller. The obligation of Seller to consummate the Transactions shall also be subject to the satisfaction or waiver (where permissible), on or prior to the Closing Date, of each of the following conditions:

The representations and warranties of Buyer set forth in Article III of this Agreement shall be true and correct in all respects on and as of the Closing Date as if made on and as of such date, except in any such case (x) for changes contemplated by this Agreement and by the Buyer Disclosure Schedule, and (y) to the extent that any such representation or warranty is made as of a specified date, in which case such representation or warranty shall remain true and correct (in all material respects, as the case may be) as of such date.

Buyer shall in all material respects have performed or complied with each obligation and covenant to be performed or complied with by it hereunder on or prior to the Closing Date, including the deliveries under Section 1.4(c).

Seller shall have received a certificate of Buyer, dated the Closing Date, signed by an executive officer of Buyer, to the effect that the conditions specified in Sections 7.3(a) and (b) have been satisfied.

TERMINATION

Termination. This Agreement may not be terminated at any time prior to the Closing Date except:

by mutual written consent of Buyer and Seller;

either Seller or Buyer, if the Closing shall not have occurred on or before May 15, 2022 (the "Outside Date"); provided, however, that the right to terminate this Agreement under this Section 8.1(b) shall not be available to any Party whose failure to fulfill any obligation under this Agreement has been the cause of, or resulted in, the failure of the Transactions to be consummated on or before the Outside Date;

by either Seller or Buyer if any Governmental Authority shall have enacted, issued, promulgated, enforced or entered any Law or Order that is, in each case, then in effect and is final and non-appealable and has the effect of making the Transactions illegal or otherwise preventing or prohibiting

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consummation of the Transactions; provided, however, that the right to terminate this Agreement under this Section 8.1(c) shall not be available to any Party whose failure to fulfill any obligation under this Agreement has been the cause of, or resulted in, any such Law or Order to have been enacted, issued, promulgated, enforced or entered;

by Buyer (if Buyer is not in material breach of any of the terms or conditions of this Agreement), if there has been a material breach by Seller of any terms or conditions of this Agreement, or if any representation or warranty of Seller shall have become inaccurate, in either case that would result in a failure of a condition set forth in Section 7.2(a) or 7.2(b) (a "Terminating Seller Breach"); provided, that if such Terminating Seller Breach is reasonably curable by Seller, within 30 days after Seller has received written notice from Buyer of such Terminating Seller Breach, through the exercise of its commercially reasonable efforts and for as long as Seller continues to exercise such commercially reasonable efforts, Buyer may not terminate this Agreement under this Section 8.1(d) until the earlier of the expiration of such 30-day period and the Outside Date; and

by Seller (if Seller is not in material breach of any of its representations, warranties, covenants or agreements under this Agreement), if there has been a material breach by Buyer of any of terms or conditions of this Agreement, or if any representation or warranty of Buyer shall have become inaccurate, in either case that would result in a failure of a condition set forth in Section 7.3(a) or 7.3(b) (a "Terminating Buyer Breach"); provided, that if such Terminating Buyer Breach is reasonably curable by Buyer, within 30 days after Buyer has received written notice from Seller of such Terminating Buyer Breach, through the exercise of its commercially reasonable efforts and for as long as Buyer continues to exercise such commercially reasonable efforts, Seller may not terminate this Agreement under this Section 8.1(e) until the earlier of the expiration of such 30-day period and the Outside Date.

Effect of Termination. In the event of the termination of this Agreement pursuant to Section 8.1, this Agreement shall forthwith become void, and there shall be no liability on the part of any Party hereto or any of their respective Affiliates or the directors, officers, partners, members, managers, employees, agents or other representatives of any of them, and all rights and obligations of each Party hereto shall cease, except that nothing herein shall relieve any Party from liability for any breach of this Agreement committed before such termination. Without limiting the foregoing, Section 6.2, this Section 8.2 and Article X shall survive the termination of this Agreement. Notwithstanding anything to the contrary contained in this Agreement, nothing shall limit or prevent any Party from exercising any rights or remedies it may have under Section 10.9 hereof in lieu of terminating this Agreement pursuant to Section 8.1. Notwithstanding anything to the contrary contained in this Agreement, nothing shall limit or prevent any Party from exercising any rights or remedies it may have under any of the agreements attached as Exhibits to this Agreement, whether or not this Agreement has been terminated.

INDEMNIFICATION PROVISIONS

Seller's Indemnification Obligation. Seller agrees that, from and after the Closing, it shall indemnify, defend and hold harmless Buyer, its officers, directors, Affiliates, partners, members, managers, employees, agents and other representatives ("Buyer Indemnified Parties") from and against any damages, claims, losses, liabilities, costs and expenses (including, without limitation, reasonable attorneys' fees) (each, a "Liability" and, collectively, "Liabilities") incurred by any of the foregoing Persons arising out of (a) any misrepresentation in or breach of any representation or warranty of Seller contained in Article II of this Agreement and/or (b) any breach of any covenant or agreement of Seller contained in this Agreement.

Buyer's Indemnification Obligation. Buyer agrees that, from and after the Closing, it shall indemnify, defend and hold harmless Seller and its officers, directors, Affiliates, partners, members, managers, employees, agents and other representatives ("Seller Indemnified Parties") from and against any Liabilities incurred by any of the foregoing Persons arising out of (a) any misrepresentation in or breach of any representation or warranty of

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Buyer contained in Article III of this Agreement, (b) any breach of any covenant or agreement of Buyer contained in this Agreement, and (c) any action, suit, litigation, proceeding at law or in equity, arbitration or governmental investigation against, or threatened against, Seller relating to any matter regarding the Purchased Assets, this Agreement and the Transactions entered into under the terms of this Agreement, except in all cases to the extent any Liabilities arise out of any breach of the Seller's representations, warranties, covenants or agreements set forth in this Agreement.

Procedures for Indemnification for Third Party Claims. For purposes of this Article IX, any Party entitled to be indemnified under Article IX is referred to herein as an "Indemnified Party," and any Party obligated to provide indemnification under Article IX is referred to herein as an "Indemnifying Party." The obligations and liabilities of the Parties under this Article IX with respect to, relating to or arising out of claims of third parties (individually, a "Third Party Claim" and, collectively, the "Third Party Claims") shall be subject to the following terms and conditions:

The Indemnified Party shall give the Indemnifying Party prompt written notice of any Liability regarding which it seeks indemnification. In the event a Liability is the result of a Liability asserted against the Indemnified Party by a third-party to this Agreement (a "Third Party Claim"), the Indemnifying Party may undertake the defense of that claim by representatives chosen by it with the written consent of the Indemnified Party, provided, that, in such event, the Indemnified Party will have the right to participate in such defense through counsel of its own choice. Any such notice of a Liability shall identify with reasonable specificity the basis for the indemnification claimed, the facts giving rise to the Liability and the amount of the Liability (or, if such amount is not yet known, a reasonable estimate of the amount of the Liability). The Indemnified Party shall make available to the Indemnifying Party copies of all relevant documents and records in its possession at the expense of the Indemnifying Party. Failure of an Indemnified Party to give prompt notice shall not relieve the Indemnifying Party of its obligation to indemnify, except to the extent that the failure to so notify materially prejudices the Indemnifying Party's ability to defend such claim against a third party.

If the Indemnifying Party, within 20 days after notice from the Indemnified Party of any such Liability, notifies the Indemnified Party in writing of its election not to, or fails to, assume the defense thereof in accordance with Section 9.3(a) of this Agreement, the Indemnified Party shall have the right (but not the obligation) to undertake the defense of the Liability. Any failure on the part of the Indemnifying Party to notify the Indemnified Party within the time period provided above regarding its election shall be deemed an election by the Indemnifying Party not to assume and control the defense of the Liability.

Anything in this Section 9.3 to the contrary notwithstanding, the Indemnifying Party shall not, and does not have any authority to, without the prior written consent of the Indemnified Party, settle or compromise any Liability or consent to the entry of judgment which does not include as an unconditional term thereof the unconditional release of the Indemnified Party from all liability with respect to the Liability. The Indemnified Party shall not settle, compromise, pay or consent to the entry of judgment with respect thereto, any Liability regarding which it has delivered notice of a claim for indemnification to the Indemnifying Party, without first obtaining the written consent of the Indemnifying Party (which shall not be unreasonably withheld or delayed). An Indemnifying Party shall be deemed to have consented to a settlement, compromise, payment or judgment by the Indemnified Party if it does not respond to written notice from the Indemnified Party seeking such consent within ten (10) days after delivery of such notice to the Indemnifying Party.

Indemnification Limitations.

Time Limits On Indemnification. No claim on account of a breach or inaccuracy of a representation or warranty shall be made after the expiration of the survival periods referred to in Section 10.1 of

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this Agreement. Notwithstanding the foregoing, if a written claim or written notice is given under Article IX with respect to any representation or warranty prior to the expiration of its survival period, the claim with respect to such representation or warranty shall continue until such claim is finally resolved.

Limitations on Damages.

In no event shall Seller be liable for indemnification pursuant to Section 9.1(a) unless and until the aggregate of all Liabilities which are incurred or suffered by the Buyer Indemnified Parties exceeds $50,000 (the "Basket"), in which case the Buyer Indemnified Parties shall be entitled to indemnification for all such Liabilities including the Basket (subject to Section 9.4(b)(ii)). Buyer shall be liable for indemnification pursuant to Section 9.2(a) for all Liabilities which are incurred or suffered by the Seller Indemnified Parties (subject to Section 9.4(b)(ii)).

Notwithstanding anything to the contrary in this Agreement, the maximum aggregate liability of Seller pursuant to Section 9.1(a) shall not exceed (1) the amount of money actually paid to and received by the Seller from the Buyer, Buyer's Shareholder or their Affiliates pursuant to the terms of this Agreement and any of the Agreements attached as Exhibits hereto as of the date the notice of requested indemnification is delivered to the Seller, less (2) any amounts of money due to the Seller from the Buyer, Buyer's shareholders or their Affiliates pursuant to the terms of this Agreement and any of the Agreements attached as Exhibits hereto.

Notwithstanding anything to the contrary contained in this Agreement or otherwise, no Party to this Agreement shall be liable to any Indemnified Party for any special, incidental, punitive, consequential or similar damages except, in the event a Third-Party Claim results in a judgment against an Indemnified Party by the third-party claimant, then such damages shall be included in the amount of indemnification due the Indemnified Party.

Exclusive Remedy. The remedies provided in this Article IX shall be the sole and exclusive remedies of the Parties with respect to the matters arising from or related to this Agreement or the Transactions, except that nothing herein shall prevent a Party from seeking specific performance pursuant to Section 10.9, subject to the provisions thereof, including with respect to the obligations in Section 6.1.

GENERAL PROVISIONS

Survival of Representations and Warranties. The representations and warranties made by Seller in Article II of this Agreement shall survive until the date that is fifteen (15) months after the Closing Date. The representations and warranties made by Buyer in Article III of this Agreement shall survive until the date that is fifteen (15) months after the Closing Date.

Notices. All notices and other communications under this Agreement shall be in writing and shall be deemed given (a) when delivered personally by hand (with written confirmation of receipt) or (b) when delivered by electronic mail or (c) one Business Day following the day sent by nationally-recognized overnight courier (with written confirmation of receipt), in each case at the following addresses (or to such other address as a Party may have specified by notice given to the other Party pursuant to this provision):

Data Health Partners, Inc.
10586 W Pico Blvd., #1096
Los Angeles, CA 90064
Attention: Calli R. Bucci, CFO
Email: calli.bucci@datahpi.com

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Parallax Behavioral Health, Inc.
3415 S. Sepulveda Blvd., Suite 1100-6592
Los Angeles, CA 90034
Attention: Dr. David Stark, President
Email: davidstark@parallaxhealthsciences.com

Parallax Health Sciences, Inc.
3415 S. Sepulveda Blvd., Suite 1100-6592
Los Angeles, CA 90034
Attention: Dr. David Stark, President
Email: davidstark@parallaxhealthsciences.com

Any notice or other communication that has been given or made as of a date that is not a Business Day shall be deemed to have been given or made on the next succeeding day that is a Business Day.

Headings. The headings contained in this Agreement and the disclosure schedules are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement or the disclosure schedules. Unless the context of this Agreement otherwise requires, words of any gender are deemed to include each other gender and words using the singular or plural number also include the plural or singular number, respectively.

Entire Agreement. This Agreement, together with the Schedules and Exhibits attached hereto, constitutes the entire agreement, and supersede all prior agreements and undertakings, both written and oral, between the Parties with respect to the subject matter hereof.

Assignment: Parties in Interest. Neither this Agreement nor any rights or obligations hereunder shall be assigned by any Party without the prior written consent of the other Party. This Agreement shall be binding upon and inure solely to the benefit of each Party hereto and its successors and permitted assigns, and nothing in this Agreement, express or implied, is intended to confer upon any other Person any rights or remedies of any nature whatsoever under this Agreement, other than Article IX hereof (which is intended to be for the benefit of the Persons covered thereby and may be enforced by such Persons).

Governing Law; Consent to Jurisdiction. This Agreement shall be governed by, and construed in accordance with, the Laws of the State of California applicable to contracts executed in and to be performed entirely in that State, without regard to conflicts of Laws principles thereof to the extent that the general application of the Laws of another jurisdiction would be required thereby.

Binding Arbitration. All claims and disputes arising under or relating to this Royalty Agreement are to be settled by binding arbitration in the state of California or another location mutually agreeable to the parties. The arbitration shall be conducted on a confidential basis pursuant to the Commercial Arbitration Rules of the American Arbitration Association. Any decision or award as a result of any such arbitration proceeding shall be in writing and shall provide an explanation for all conclusions of law and fact and shall include the assessment of costs, expenses, and reasonable attorneys' fees. Any such arbitration shall be conducted by an arbitrator experienced in the area of intellectual property and shall include a written record of the arbitration hearing. The parties reserve the right to object to any individual who shall be employed by or affiliated with a competing organization or entity. An award of arbitration may be confirmed in a court of competent jurisdiction.

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Counterparts. This Agreement may be executed and delivered (including by facsimile transmission or .pdf) in one or more counterparts, and by the Parties hereto in separate counterparts, each of which when executed shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

Severability. In case any provision in this Agreement shall be held invalid, illegal or unenforceable in a jurisdiction, such provision shall be modified or deleted, as to the jurisdiction involved, only to the extent necessary to render the same valid, legal and enforceable, and the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby nor shall the validity, legality or enforceability of such provision be affected thereby in any other jurisdiction.

Specific Performance. The Parties hereto agree that irreparable damage would occur in the event that any of the provisions of this Agreement were not performed in accordance with their specific terms or were otherwise breached. Accordingly, the Parties further agree that each Party shall be entitled to seek an injunction or restraining order to prevent breaches of this Agreement and to seek to enforce specifically the terms and provisions hereof, this being in addition to any other right or remedy to which such Party may be entitled under this Agreement, at law or in equity.

Fees and Expenses. All fees, costs and expenses incurred in connection with this Agreement and the Transactions shall be paid by the Party incurring the same, regardless of the termination, if any, of this Agreement pursuant to Section 8.1. Notwithstanding the foregoing, in the event the Parties engage in litigation relating to or arising out of this Agreement or the performance thereof, the Parties agree that the Court shall be asked to determine which Party is the prevailing Party to the proceeding or proceedings, and the non-prevailing Party or Parties shall, jointly and severally, be liable to the prevailing Party in the amount of all reasonable attorney's fees, court costs, and all other expenses, incurred by the prevailing Party to the proceeding in addition to any other relief to which the prevailing Party may be entitled.

Amendment. This Agreement may not be modified, amended, altered or supplemented except upon the execution and delivery of a written agreement executed by Buyer, Parallax, and Seller.

Waiver. At any time prior to the Closing Date, any Party hereto may (a) extend the time for the performance of any of the obligations or other acts of the other Party hereto, (b) waive any inaccuracies in the representations and warranties contained herein or in any document delivered pursuant hereto and (c) waive compliance with any of the agreements or conditions contained herein. Any such extension or waiver shall be valid if set forth in an instrument in writing signed by the Parties hereto. The failure of any Party hereto to assert any of its rights hereunder shall not constitute a waiver of such rights.

CERTAIN DEFINITIONS

For purposes of this Agreement, the term:

"Action" shall have the meaning ascribed to it in Section 2.4.

"Adjusted Gross Revenues" shall mean the gross revenues generated from the Purchased Assets, less all costs of goods sold, direct and indirect, as defined within the Royalty Agreement.

"Affiliate(s)" of a Person means a Person that directly or indirectly, through one or more intermediaries, Controls, is Controlled by, or is under common Control with, the first mentioned Person.

"Agreement" shall have the meaning ascribed to it in the preamble.

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"Business Day" means any calendar day which is not a Saturday, Sunday or federal holiday.

"Buyer" shall have the meaning ascribed to it in the Preamble.

"Buyer Disclosure Schedule" shall have the meaning ascribed to it in the preamble to Article III.

"Closing" shall have the meaning ascribed to it in Section 1.4(a).

"Closing Date" shall have the meaning ascribed to it in Section 1.4(a).

"Control" (including the terms "Controlled by" and "under common Control with") means the possession, directly or indirectly or as trustee or executor, of the power to direct or cause the direction of the management and policies of a Person, whether through the ownership of voting securities, as trustee or executor, by contract or credit arrangement or otherwise.

"Data" means all information gathered in the use or operation of any of the Purchased Assets that identifies or describes an individual or an individual's record of behavior or action, including without limitation, name, telephone, postal address, phone number, email, date of birth, gender, or any other information identifiable to a specific person, including "personal health information" as that term is defined in the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as amended, to the extent such information exists as of the Closing Date.

"Encumbrance" means any charge, claim, community property interest, condition, easement, covenant, warrant, demand, encumbrance, equitable interest, lien, mortgage, option, purchase right, pledge, security interest, right of first refusal or other right of third parties or restriction of any kind, including any restriction on use, voting, transfer, receipt of income or exercise of any other attribute of ownership.

"Exchange Act" shall have the meaning ascribed to it in Section 2.3.

"Governmental Authority" means any United States federal, state or local government, governmental, regulatory or administrative authority, agency, self-regulatory body, instrumentality or commission, and any court, tribunal or judicial or arbitral body (including private bodies) and any political or other subdivision, department or branch of any of the foregoing.

"Indemnified Party" shall have the meaning ascribed to it in Section 9.3.

"Indemnifying Party" shall have the meaning ascribed to it in Section 9.3.

"Intellectual Property" means all United States and foreign intellectual property and all other similar proprietary rights, including all (i) patents and patent applications, including divisionals, continuations, continuations-in-part, reissues, reexaminations and extensions thereof and counterparts claiming priority therefrom; utility models; invention disclosures; and statutory invention registrations and certificates; (ii) registered, pending and unregistered trademarks, service marks, trade dress, logos, trade names, corporate names and other source identifiers, domain names, Internet sites and web pages; and registrations and applications for registration for any of the foregoing, together with all of the goodwill associated therewith; (iii) registered copyrights, and registrations and applications for registration thereof; rights of publicity; and copyrightable works; (iv) all inventions and design rights (whether patentable or unpatentable) and all categories of trade secrets as defined in the Uniform Trade Secrets Act, including business, technical and financial information; and (v) confidential and proprietary information, including know-how.

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"Seller's Knowledge" shall have the meaning ascribed to it in Section 2.6.

"Laws" means any federal, state or local statute, law, rule, ordinance, code or regulation of any Governmental Authority.

"Liability" and, collectively, "Liabilities" shall have the meaning ascribed to it in Section 9.1.

"Order" shall have the meaning ascribed to it in Section 2.4.

"Outside Date" shall have the meaning ascribed to it in Section 8.1(b).

"Parties" shall have the meaning ascribed to it in the preamble.

"Patent Assignment" means Seller's Patent Assignment, attached herewith as Exhibit E, whereby, as part of this Agreement, Seller assigns to Buyer all of Seller's right, title and interest in and to the Purchased Assets, as forth in attached herewith as Exhibit A, in the United States or worldwide.

"Patent Application" means all Applications for Letters Patent of the United States and worldwide, as set forth in Exhibit A of this Agreement, and any application for letters patent to be filed in the United States or worldwide in the future, in connection with inventions and improvements in and to the Intellectual Property set forth in Exhibit A of this Agreement.

"Permitted Encumbrance" means (i) statutory liens for Taxes, assessments and governmental charges or levies not yet due and payable or that are being contested in good faith by appropriate proceedings; (ii) mechanics', materialmen's, carriers', warehousemen's or similar statutory liens for amounts not yet due or being diligently contested in good faith in appropriate proceedings; and (iii) pledges or deposits to secure obligations under workers' compensation laws or similar legislation or to secure public or statutory obligations.

"Person" means an individual, corporation, partnership, limited liability company, association, trust, unincorporated organization or other entity.

"Purchase Consideration" shall mean the purchase price for the Purchased Assets, and have the same meaning ascribed to it in Section 1.3.

"Purchased Assets" shall have the meaning ascribed to it in Section 1.1.

"R.E.B.O.O.T." R.E.B.O.O.T. is an acronym for "Reliable Evidence Based Outcomes Optimization Technologies" and is a structured, scalable and sustainable software system used to identify, monitor, and evaluate a single user or an entire organization's progress towards mastery of any achievable task, objective or goal.

"Seller" shall have the meaning ascribed to it in the Preamble.

"Seller Disclosure Schedule" shall have the meaning ascribed to it in the preamble to Article II.

"Shareholder(s)" means any individual or entity owning, directly or indirectly, shares of a corporation's common stock.

"Subsidiary" means any Person with respect to which a specified Person directly or indirectly (A) owns a majority of the equity interests, (B) has the power to elect a majority of that Person's board of directors or

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similar governing body, or (C) otherwise has the power, directly or indirectly, to direct the business and policies of that Person.

"Tax" or "Taxes" means any and all taxes, fees, levies, duties, tariffs, imposts and other charges of any kind (together with any and all interest, penalties, additions to tax and additional amounts imposed with respect thereto) imposed by any Governmental Authority, including: taxes or other charges on or with respect to income, franchise, windfall or other profits, gross receipts, property, sales, use, equity interests, payroll, employment, social security, workers' compensation, unemployment compensation or net worth; taxes or other charges in the nature of excise, withholding, ad valorem, stamp, transfer, value-added or gains taxes; license, registration and documentation fees; and customers' duties, tariffs and similar charges.

"Terminating Buyer Breach" shall have the meaning ascribed to it in Section 8.1(e).

"Terminating Seller Breach" shall have the meaning ascribed to it in Section 8.1(d).

"Third Party Claim" and, collectively, "Third Party Claims" shall have the meaning ascribed to it in Section 9.3.

"Trademark Assignment Agreement" shall have the meaning ascribed to it in Section 1.4(b)(i).

"Transactions" shall have the meaning ascribed to it in Section 2.2.

IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be duly executed this 11th day of May, to be effective as of April 13, 2022.

SELLER:
Parallax Behavioral Health, Inc.

/s/ David L. Stark
By: Dr. David L. Stark
Title: Chairman, President

BUYER:
Data Health Partners, Inc.

/s/ Calli R. Bucci
By: Calli R. Bucci
Title: Director, Chief Financial Officer

SELLER:
Parallax Health Sciences, Inc.

/s/ David L. Stark
By: Dr. David L. Stark
Title: Chairman, President

* * * * *

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SCHEDULES AND EXHIBITS

SCHEDULES

SCHEDULE 1	SELLER DISCLOSURE SCHEDULE
SCHEDULE 2	BUYER DISCLOSURE SCHEDULE

EXHBITS

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EXHIBIT B-1	CORPORATE PROMISSORY NOTE
EXHIBIT B-2	INTELLECTUAL PROPERTY PLEDGE AND SECURITY AGREEMENT
EXHIBIT C	ANTI-DILUTION AGREEMENT
EXHIBIT D	ROYALTY AGREEMENT
EXHIBIT E	PATENT ASSIGNMENT
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SCHEDULE 1

SELLER DISCLOSURE SCHEDULE

These Disclosure Schedules are made pursuant to that certain Intellectual Property Purchase Agreement executed May 11, 2022, and effective as of April 13, 2022 (the "Agreement"), by and among Parallax Behavioral Health, Inc., a Delaware corporation ("Seller"), and Parallax Health Sciences, Inc., a Nevada corporation and sole shareholder of Seller ("Parallax"), on the one hand, and Data Health Partners, Inc., a Delaware corporation ("Buyer"), on the other hand, hereinafter collectively referred to as the "Parties".

The representations and warranties of Seller in Section 2 of the Agreement are made subject to the exceptions and qualifications set forth herein. These Disclosure Schedules are qualified in their entirety by reference to specific provisions of the Agreement and are not intended to constitute separate or additional representations or warranties of Seller.

The inclusion of any information (including dollar amounts) in any section of these Disclosure Schedules is not an admission by Seller that such information is required to be listed in that section or that it is material to or outside the ordinary course of business of Seller. Further, the inclusion of such information may not be used to establish a standard of materiality (and the actual standard of materiality may be higher or lower than the matters disclosed by such information).

Matters reflected in these Disclosure Schedules are not necessarily limited to matters that are required to be reflected in these Disclosure Schedules per the Agreement. Such additional matters are included for informational purposes only and do not necessarily include other matters of a similar nature.

The information in these Disclosure Schedules is provided solely to make the disclosures to Buyer under the Agreement. Seller does not assume any responsibility for the accuracy of any information herein to any Person that is not a party to the Agreement. The information was not prepared or disclosed with a view to its potential disclosure to others. Subject to applicable law, this information is disclosed in confidence for the purposes contemplated in the Agreement and is subject to any confidentiality provisions between the Parties. In disclosing this information, Seller expressly reserves any attorney-client privilege associated with such information or any protection afforded by the work-product doctrine concerning any of the matters disclosed herein.

[Schedule shared between Buyer and Seller Only - Omitted due to Confidentiality]

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SCHEDULE 2

BUYER DISCLOSURE SCHEDULE

These Disclosure Schedules are made pursuant to that certain Intellectual Property Purchase Agreement executed May 11, 2022, and effective as of April 13, 2022 (the "Agreement"), by and among Parallax Behavioral Health, Inc., a Delaware corporation ("Seller"), and Parallax Health Sciences, Inc., a Nevada corporation and sole shareholder of Seller ("Parallax"), on the one hand, and Data Health Partners, Inc., a Delaware corporation ("Buyer"), on the other hand, hereinafter collectively referred to as the "Parties".

The representations and warranties of Buyer in Section 3 of the Agreement are made subject to the exceptions and qualifications set forth herein. These Disclosure Schedules are qualified in their entirety by reference to specific provisions of the Agreement and are not intended to constitute separate or additional representations or warranties of Buyer.

The inclusion of any information (including dollar amounts) in any section of these Disclosure Schedules is not an admission by Buyer that such information is required to be listed in that section or that it is material to or outside the ordinary course of business of Buyer. Further, the inclusion of such information may not be used to establish a standard of materiality (and the actual standard of materiality may be higher or lower than the matters disclosed by such information).

Matters reflected in these Disclosure Schedules are not necessarily limited to matters that are required to be reflected in these Disclosure Schedules per the Agreement. Such additional matters are included for informational purposes only and do not necessarily include other matters of a similar nature.

The information in these Disclosure Schedules is provided solely to make the disclosures to Seller under the Agreement. Buyer does not assume any responsibility for the accuracy of any information herein to any Person that is not a party to the Agreement. The information was not prepared or disclosed with a view to its potential disclosure to others. Subject to applicable law, this information is disclosed in confidence for the purposes contemplated in the Agreement and is subject to any confidentiality provisions between the Parties. In disclosing this information, Buyer expressly reserves any attorney-client privilege associated with such information or any protection afforded by the work-product doctrine concerning any of the matters disclosed herein.

[Schedule shared between Buyer and Seller Only - Omitted due to Confidentiality]

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EXHIBIT A

PURCHASED ASSETS

Letters Patent of the United States

United States Patent No. 10,061,812 (Family ID 51533139) issued August 28, 2018, and all related worldwide patents:

Platform For Optimizing Data Driven Outcomes

Abstract: A system, method, server, and computer readable medium for tracking outcome specific data. Input establishing accounts for providers serving clients is received. The accounts are stored in a server. Each of the clients is assigned to one or more of the providers in response to selections from an administrator. Data associated with each of the clients received from the providers is compiled utilizing computing or communications devices in communication with the server. The compiled data is presented visually in response to a user request.

United States Patent No. 11,144,554 (Family ID 65038812) issued October 12, 2021, and all related worldwide patents:

Platform For Optimizing Goal Progression

Abstract: A system, method, server, and computer readable medium for tracking goal progression. Input establishing accounts for providers serving a client is received. The client is an individual receiving treatment or assistance. The accounts are stored in a server available through one or more networks. The client is assigned to one or more of the providers in response to selections from an administrator. Goals and a plan of action are established for the client in response to treatments and assistance required. Data associated with the client received from the providers is compiled. A determination is made whether thresholds associated with the goals are being met based on the compiled data.

United States Patent No. 11,151,142 (Family ID 51533139) granted October 12, 2021, and all related worldwide patents:

Platform For Optimizing Goal Progression

Abstract: A system, method, server, and computer readable medium for tracking goal progression. Input establishing accounts for providers serving clients is received. Each of the clients is assigned to one or more of the providers in response to selections from an administrator. Goals are established for each of the clients in response to treatments and assistance required. Data associated with each of the clients received from the providers is compiled. A determination is made whether the goals are being met in response to rules based on the compiled data. Alerts are automatically communicated in response to the compiled data varying from a threshold to become significant for one or more of the clients.

All related patents filed or to be filed in connection with the aforementioned patents and patent applications, as well as those provided in the Global Dossier included herewith.

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Applications for Letters Patent of the United States

United States Patent Application No. 17/499,725 (Family ID 65038812) filed October 12, 2021, and all related worldwide patent applications:

System And Method For Achieving Goal Progression

Abstract: A system, method, server, and computer readable medium for tracking goal progression. Input is received establishing clients. The clients are individuals receiving treatment or assistance. Each of the clients are assigned to one or more providers in response to selections from an administrator. The one or more providers include at least individuals available to treat or assist each of the clients and one or more biometric devices associated with the clients. Goals are established for each of the clients. Data associated with each of the clients is compiled as received from the one or more providers in the server. A determination is made where the goals are being met in response to the thresholds for the compiled data. Alerts are automatically communicated in response to the compiled data varying from a threshold to become significant for one or more of the clients.

United States Patent Application No. 17/505,166 (Family ID 51533139) filed October 19, 2021, and all related worldwide patent applications:

System And Method For Tracking Progression Toward A Customized Goal

Abstract: A system, method, server, and computer readable medium for tracking progression toward a customized goal. Input establishing accounts for clients is received. Each of the clients is assigned to one or more of the providers in response to selections from an administrator. Customized goals are established for each of the clients based on treatment or assistance required. Data associated with each of the clients is received from the one or more providers. Data associated with each of the clients received from the providers is compiled. A determination is made whether the customized goals are being met in response one or more thresholds for the compiled data. Alerts are automatically communicated to at least the one or more providers in response to the compiled data varying from the one or more thresholds to become significant for one or more of the clients.

United States Patent Application No. 17/546,594 (Family ID 1000006016644) filed December 9, 2021, and all related worldwide patent applications:

System And Method For Achieving Goals

Abstract: A system, method, server, and computer readable medium for tracking goal progression. Input is received establishing one or more clients. The one or more clients are individuals receiving treatment or assistance. Each of the one or more clients are assigned to one or more providers in response to selections from an administrator. The one or more providers include at least individuals available to treat or assist each of the one or more clients and one or more biometric devices associated with the one or more clients. Goals are established for each of the one or more clients. Data associated with each of the one or more clients is compiled as received from the one or more providers in the server. A determination is made where the goals are being met in response to the thresholds for the compiled data. Alerts are automatically communicated in response to the compiled data varying from a threshold to become significant for one of the one or more clients.

All related patent applications filed or to be filed in connection with the aforementioned patents and patent applications, as well as those provided in the Global Dossier included herewith.

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Trademarks And Copyrights

"R.E.B.O.O.T." "R.E.B.O.O.T." is an acronym for "Reliable Evidence Based Outcomes Optimization Technologies" and is a structured, scalable and sustainable software system used to identify, monitor, and evaluate a single user or an entire organization's progress towards mastery of any achievable task, objective or goal.

The "COMPASS Application." The COMPASS Application is a software program which features evidence-based content, decision support and real-time status updates for multiple stakeholders, all aimed at improving physical and behavioral health and wellness. The wealth of data collected through use of the software fuels machine learning algorithms that can be used to establish best practice predictive models to drive value-based health care and reduce lifetime health care spend.

Other Intellectual Property

COMPASS, development work papers, Code, Master Software.

Confidentiality and Invention Assignment Agreements with employees and consultants.

Trademarks and service marks related to R.E.B.O.O.T. and COMPASS.

Key trade secrets and proprietary know-how.

Technology licenses from third parties to the selling company, if any.

Software and databases.

Contracts providing for indemnification of third-parties for IP matters, if any.

Open-source software used in (or used to create) the seller's products or services, if any.

Source Code or object code escrows.

Patents and Patent Applications contained within the Global Dossier immediately following.

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GLOBAL DOSSIER

IP Office	Application	Applicant	Title	Application Date	Priority Number	Publication Number	Publication Date
AU	2014229758	1)Grafton School Inc	Platform for optimizing data driven outcomes	03/14/2014	US 14212429 US PCT/US14/29287 US 61791218	AU 2014229758 A1	10/01/2015
US	14212429	1)Marshall Lisa A 2)Gaynor James	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	03/14/2014	US 14212429 US 61791218	US 20140280136 A1 US 10061812 B2	09/18/2014 08/28/2018
US	PCT/US14/29287	1)GRAFTON SCHOOL INC	PLATFORM FOR OPTIMIZING DATA DRIVEN OUTCOMES	03/14/2014	US 14212429 US 61791218	WO 2014144749 A1	09/18/2014
GB	2015173711			03/14/2014	US 14212429 US PCT/US14/29287 US 61791218	GB 2015173711 D0 GB 2526749 A	11/18/2015 12/02/2015
US	16053141	1)Marshall Lisa A 2)Gaynor James	PLATFORM FOR OPTIMIZING GOAL PROGRESSION	08/02/2018	US 14212429 US 16053141 US 61791218	US 20180373763 A1 US 11151142 B2	12/27/2018 10/19/2021
US	16141471	1)Beasley Nathaniel T 2)Gaynor James 3)Pilough Joshua S 4)Arena Paul	PLATFORM FOR OPTIMIZING GOAL PROGRESSION	09/24/2018	US 16141471 US 61791218 US 14212429 US 16053141	US 20190034494 A1 US 11144554 B2	01/31/2019 10/12/2021
AU	2020100161	1)Parallax Behavioral Health Inc	Platform for optimizing data driven outcomes	01/31/2020	US PCT/US14/29287 US 61791218 AU 2014229758 US 14212429 AU 2020100161	AU 2020100161 A4	09/05/2020
US	17499725	1)Beasley Nathaniel T 2)Gaynor James 3)Pilough Joshua S. 4)Arena Paul	SYSTEM AND METHOD FOR ACHIEVING GOAL PROGRESSION	10/12/2021	US 16141471 US 61791218 US 17499725 US 14212429 US 16053141	US 20220037013 A1	02/03/2022
US	17505166	1)Marshall, Lisa A., 2)Gaynor, James	SYSTEM AND METHOD FOR TRACKING PROGRESSION TOWARD A CUSTOMIZED GOAL	10/19/2021	US 61791218 US 14212429 US 16053141 US 17505166	US 20220035855 A1	02/03/2022
US	17546594	1)Beasley Nathaniel T 2)Gaynor James 3)Pilough Joshua S 4)Arena Paul	SYSTEM AND METHOD FOR ACHIEVING GOALS	12/09/2021	US 16141471 US 61791218 US 17499725 US 14212429 US 16053141 US 17546594	US 20220100754 A1	03/31/2022

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SENIOR SECURED CORPORATE PROMISSORY NOTE

Los Angeles, California

This **SENIOR SECURED CORPORATE PROMISSORY NOTE** (the "Note) executed this 11th day of May, 2022, is being issued effective April 13, 2022 (the "Issuance Date") in connection with the Intellectual Property Purchase Agreement (the "Purchase Agreement") and Intellectual Property Pledge and Security Agreement (the "Security Agreement") of the same date, attached herewith as Exhibit A and B, respectively. All capitalized terms contained in this Note shall have the meaning set forth in the Security Agreement. In the event there is an inconsistency in the terms contained in the Security Agreement and the terms contained in this Note, then the terms of the Security Agreement shall control.

FOR VALUE RECEIVED, Data Health Partners, Inc., a Delaware corporation (the "Company") promises to pay to Parallax Behavioral Health, Inc., a Delaware corporation (the "Holder"), in lawful money of the United States, the principal amount of Twenty Million Dollars ($20,000,000.00) (the "Principal Sum"), together with Interest thereon calculated from the Issuance Date.

Interest. Interest on the Principal Sum of the Note outstanding from time to time, shall accrue at the rate of three percent (3%) per annum from thirty-six months after the Issuance Date, calculated on the basis of a 365-day year, and continue until the Note is paid in full, whether at maturity or upon acceleration or otherwise (the "Interest").

The Company shall make Interest-only cash payments to the Holder in the amount of two hundred thousand dollars ($200,000) annually, to be applied to, and thereby reducing, accrued and unpaid Interest accordingly (the "Annual Interest Payment(s)").

The initial Annual Interest Payment shall be made within thirty (30) days of the Company securing initial funding to litigate and license the Intellectual Property, and shall continue every twelve (12) month period until the Note and any accrued but unpaid Interest has been paid in full.

Maturity Date. The Company shall pay to the Holder the Principal Sum and all accrued Interest one hundred twenty (120) months from the Issuance Date (the "Maturity Date"). Interest shall accrue on the Principal Sum, or any portion thereof, under this Note until such time as payment therefor is delivered to the Note Holder, or, as the case may be, on any Prepayment date pursuant to Section 3.1.

Payments. On or before the Maturity Date, the Company shall pay the Principal Sum outstanding under this Note and accrued and unpaid Interest thereon to the Holder in lawful money of the United States of America by bank wire transfer of immediately available funds to the account specified by the Holder in writing to the Company at least five Business Days before such payment is to be made, without the presentation or surrender of this Note or the making of any notation thereon.

Prepayments. The Company may make prepayments ("Prepayments") on this Note in whole or in part at any time without the prior written consent of the Holder. Unless otherwise specified in Section 3.1.(i) and 3.1.(ii), any payment pursuant to this Note, including Annual Interest Payments, shall be applied first to Interest that has become due pursuant to this Note and remains unpaid and then to the outstanding Principal Sum of this Note.

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In the event the Company receives monies during the first twenty-four months from the Issuance Date, in connection with the intellectual property monetization efforts from litigation and/or licensing (the "IP Monetization"), payments to the Holder shall include:

10% of all Net Proceeds from $1 to $10,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $1,000,000 applied towards the Principal Sum; and

20% of all Net Proceeds from $10,000,001 to $20,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $2,000,000 applied towards the Principal Sum; and

30% of all Net Proceeds from $20,000,001 to $30,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $3,000,000 applied towards the Principal Sum; and

40% of all Net Proceeds from $30,000,001 to $40,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $4,000,000 applied towards the Principal Sum; and

50% of all Net Proceeds from $40,000,001 to $50,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $5,000,000 applied towards the Principal Sum.

60% of all Net Proceeds from $50,000,001 to $60,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $5,000,000 applied towards the Principal Sum.

The Prepayments in Section 3.1.(i)(a) through 3.1.(i)(f), shall be based upon cumulative Net Proceeds during the twenty-four-month period, and represent an aggregate of $20,000,000 in Principal, as illustrated in the table below:

Net Proceeds		To Holder	Principal Reduction		Note
Minimum	Maximum	%	Amount	Cumulative	Balance
					$20,000,000
$0	$10,000,000	10%	$1,000,000	$1,000,000	$19,000,000
$10,000,001	$20,000,000	20%	$2,000,000	$3,000,000	$17,000,000
$20,000,001	$30,000,000	30%	$3,000,000	$6,000,000	$14,000,000
$30,000,001	$40,000,000	40%	$4,000,000	$10,000,000	$10,000,000
$40,000,001	$50,000,000	50%	$5,000,000	$15,000,000	$5,000,000
$50,000,001	$60,000,000	60%	$5,000,000	$20,000,000	$0
			$20,000,000		

In the event the Company receives monies between the twenty-fifth month through the one hundred twentieth month from the Issuance Date, in connection with the IP Monetization, payments to the Holder shall include:

50% of all Net Proceeds from $1 to $10,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $5,000,000 applied towards the Principal Sum; and

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60% of all Net Proceeds from $10,000,001 to $20,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $6,000,000 applied towards the Principal Sum; and

70% of all Net Proceeds from $20,000,001 to $30,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $7,000,000 applied towards the Principal Sum; and

80% of all Net Proceeds from $30,000,001 to $40,000,000 shall be paid to Holder and applied towards the Principal Sum, up to a maximum of $2,000,000 applied towards the Principal Sum.

The Prepayments in Section 3.1.(ii)(a) through 3.1.(ii)(d), shall be based upon cumulative Net Proceeds during the ninety-six-month period, and represent an aggregate of $20,000,000 in Principal, as illustrated in the table below:

Net Proceeds		To Holder	Principal Reduction		Note
Minimum	Maximum	%	Amount	Cumulative	Balance
					$20,000,000
$0	$10,000,000	50%	$5,000,000	$5,000,000	$15,000,000
$10,000,001	$20,000,000	60%	$6,000,000	$11,000,000	$9,000,000
$20,000,001	$30,000,000	70%	$7,000,000	$18,000,000	$2,000,000
$30,000,001	$40,000,000	80%	$2,000,000	$20,000,000	$0
			$20,000,000		

Net Proceeds. Net Proceeds shall be defined as all gross monies received by the Company in connection with the IP Monetization ("Gross Receipts"), less all direct costs reasonably incurred by the Company in connection with the IP Monetization ("Direct Costs"), including, but not limited to, legal and other professional fees.

Business Days. If any payment is due, or any time period for giving notice or taking action expires, on a day which is a Saturday, Sunday or legal holiday in the State of California, the payment shall be due and payable on, and the time period shall automatically be extended to, the next business day immediately following such Saturday, Sunday or legal holiday, and Interest shall continue to accrue at the required rate hereunder until any such payment is made.

Grace Period. Payments pursuant to this Section 3 are subject to a 10-day grace period, as provided herein and in the Purchase Agreement, attached herewith as Exhibit A.

Accounting. The Company shall provide Holder with semi-annual reports of Net Proceeds. The Company agrees to provide Holder, within forty (40) days after the end of each semi-annual period, except seventy-five (75) days after the last day of the Company's fiscal year, a report of the Net Proceeds of Company ("Semi-Annual Reports"). The Company shall commence providing Holder such Semi-Annual Reports within forty (40) days following the end of the first semi-annul period after the Effective Date of this Note. The Semi-Annual Reports will quantify the Gross Receipts, less all Direct Costs during the previous semi-annual period.

The Company shall keep a permanent, accurate set of books and records ("Books and Records") in gross monies received and direct costs incurred shall be recorded. All Books and Records reflecting the Gross Receipts and/or the calculation of Net Proceeds shall be retained and preserved for a period of five (5) years.

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The Books and Records shall be open to inspection and audit by Holder and/or its duly authorized representatives, at all reasonable times during business hours upon not less than ten (10) days prior written notice. The cost of such audit shall be determined on a time and expense basis at the rate per hour which shall not exceed that charged for similar personnel by a national firm of independent certified public accountants.

If the Holder conducts an audit of the Books and Records, and if the audit determines that Company has understated the Gross Receipts or calculation of Net Proceeds by more than three (3%) percent, in addition to such other rights and remedies available to the Holder at law or equity, the Company shall, within thirty (30) business days thereafter, pay any deficiency in the Net Proceeds due on account of such understatement and the reasonable cost of such audit.

If the Holder conducts an audit of the Books and Records, and if the audit determines that Company has not understated the Gross Receipts or calculation of Net Proceeds, the cost of the audit shall be borne by the Holder.

If Company fails to submit the required statement of Gross Receipts or calculation of Net Proceeds, as required, the Company shall pay the cost thereof, irrespective of the results of such audit.

The Books and Records shall include: (i) as soon as available, and in any event within thirty (30) calendar days after the close of each quarter, quarterly financial statements, all in reasonable detail and prepared in accordance with generally accepted accounting principles applied on a consistent basis; (ii) as soon as available, and in any event within seventy-five (75) calendar days after the close of each year, annual financial statements, all in reasonable detail and prepared in accordance with generally accepted accounting principles applied on a consistent basis.

In the event any Government Authorities imposes any taxes on any part of the payments required hereunder and the Company's auditors or tax advisors advise the Company that it is required to withhold taxes from such payment, the Company may withhold such taxes from such payments or pay same as required. Tax receipts indicating such payments or withholding of taxes shall be promptly submitted to Holder. The Company shall cooperate with Holder in a determination of the propriety of, or imposition of, any such tax and shall permit Holder to challenge such tax by all lawful means.

In the event any national government imposes any exchange restriction prohibiting payments as required under this Agreement, an account in the name of Holder shall be established in a financial institution of Holder's choice in such country (or permitted place of payment) and all monies due Holder shall be paid into such account, or at Holder's election, payment shall be made to any account designated by Holder that complies with such restriction(s)/prohibition.

Seniority. The Note ranks senior in right of payment with all indebtedness of the Company, whether currently existing or issued in the future, and its seniority can only be changed by written approval by the Holder.

Security. As collateral security for the due and punctual payment of the Principal Sum and accrued but unpaid Interest due under the Note, the Company hereby collaterally assigns, transfers, sets over and delivers to Holder and hereby grants to Holder a continuing first interest in and to an aggregate of one hundred percent (100%) of the Intellectual Property of the Company. as set forth in Exhibit A of the Security Agreement. subject to the terms and conditions of the Security Agreement, attached herewith as Exhibit B (the "Pledged Collateral").

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Events of Default. The occurrence of any of the following shall constitute an Event of Default under this Note:

Failure to Pay. The Company fails to pay any sum when due under this Note, whether at maturity or by acceleration or otherwise.

Voluntary Bankruptcy or Insolvency Proceedings. The Company shall (i) apply for or consent to the appointment of a receiver, trustee, liquidator or custodian of itself or of all or a substantial part of its property, (ii) makes a general assignment for the benefit of creditors or admits in writing its inability to pay its debts generally as they become due, (iii) commence a voluntary case or other proceeding seeking liquidation, reorganization or other relief with respect to itself or its debts under any bankruptcy, insolvency or other similar law now or hereafter in effect or consent to any such relief or to the appointment of or taking possession of its property by any official in an involuntary case or other proceeding commenced against it, or (iv) take any action for the purpose of effecting any of the foregoing.

Involuntary Bankruptcy or Insolvency Proceedings. If proceedings for the appointment of a receiver, trustee, liquidator or custodian of the Company or of all or a substantial part of the property thereof, or an involuntary case or other proceedings seeking liquidation, reorganization or other relief with respect to the Company or the debts thereof under any bankruptcy, insolvency or other similar law or hereafter in effect shall be commenced, and an order for relief entered in such proceeding shall not be dismissed or discharged within thirty (30) days of the entry of such an order.

Judgment. Any money judgment, writ or similar process shall be entered or filed against the Company or any subsidiary of the Company or any of its property or other assets for more than $250,000, and shall remain unvacated, unbonded or unstayed for a period of sixty (60) days.

Maintain Assets. The Company fails to maintain any material intellectual property rights, personal, real property or other assets which are necessary to conduct its business (whether now or in the future) of the Company.

Covenants. The Company fails to observe or perform any material covenant or agreement set forth in this Note (except a default in the payment of money) within thirty (30) days after written notice thereof is received by the Company.

Rights of Holder Upon Default. Upon the occurrence or existence of any Event of Default and at any time thereafter during the continuance of such Event of Default, then the aggregate Principal Sum (together with all accrued but unpaid Interest thereon), shall become immediately due and payable without any notice, demand, presentment, demand or protest of any kind, each of which is hereby expressly waived by the Company.

In addition to the foregoing remedies, upon the occurrence or existence of any Event of Default, the Holder may exercise its rights expressly provided under the Security Agreement, attached herewith as Exhibit B, for the Pledged Collateral, or any other right, power or remedy granted to it or otherwise permitted to it by law, either by suit in equity or by action at law.

Miscellaneous.

Replacement. Upon receipt of evidence reasonably satisfactory to Company of the loss, theft, destruction or mutilation of this Note, and in the case of any such loss, theft, or destruction of this Note, upon receipt of an indemnity reasonably satisfactory to the Company, or in the case of mutilation of this Note, upon surrender and cancellation of the Note, the Company shall execute and deliver to the Holder, in lieu thereof, a new Note of like tenor and date of this Note.

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Covenants The Company shall be subject to the covenants contained in the Note.

Notices. Any notice, request or other communication required or permitted hereunder shall be to the addresses set forth in, and in accordance with, the Purchase Agreement, attached herewith as Exhibit A, or any other addresses designated by the parties from time to time in writing.

Amendment. This Note may only be amended by an instrument in writing signed by the Company and the Holder.

Remedies Not Waived. No course of dealing between the Company and the Holders or any delay on the part of the Holders or Company in exercising any of their respective rights hereunder shall operate as a waiver of any such right.

Governing Law. This Note and all actions arising out of or in connection with this Note shall be governed by and construed in accordance with the laws of the state of California, without regard to the conflicts of law provisions of the state of California, or of any other state. If any term or provision of this Note shall be held invalid, illegal or unenforceable, the validity of all other terms and provisions hereof shall in no way be affected thereby.

Binding Arbitration. All claims and disputes arising under or relating to this Royalty Agreement are to be settled by binding arbitration in the state of California or another location mutually agreeable to the parties. The arbitration shall be conducted on a confidential basis pursuant to the Commercial Arbitration Rules of the American Arbitration Association. Any decision or award as a result of any such arbitration proceeding shall be in writing and shall provide an explanation for all conclusions of law and fact and shall include the assessment of costs, expenses, and reasonable attorneys' fees. Any such arbitration shall be conducted by an arbitrator experienced in the area of intellectual property and shall include a written record of the arbitration hearing. The parties reserve the right to object to any individual who shall be employed by or affiliated with a competing organization or entity. An award of arbitration may be confirmed in a court of competent jurisdiction.

Expenses of Enforcement. The Company agrees to pay all reasonable fees and expenses incurred by the Holder in connection with any amendments, modifications, extensions, renewals, renegotiations, waivers, collection or protection of Holder's rights in connection with this Note or in connection with any pending or threatened action, proceeding, or investigation relating to the foregoing, including but not limited to the reasonable fees and disbursements of counsel for the Holder, unless such action is without merit.

Assignment. This Note is subject to the assignment restrictions as provided in the Purchase Agreement, attached herewith as Exhibit A.

Cancellation. After the Principal Sum and accrued but unpaid Interest at any time owed on this Note have been finally, fully and indefeasibly paid in full, this Note shall be surrendered to the Company for cancellation.

Severability. If any provision of this Note is held invalid or unenforceable by any court of competent jurisdiction, the other provisions of this Note shall remain in full force and effect. Any provision of this Note held invalid or unenforceable only in part shall remain in full force and effect to the extent not held invalid or unenforceable.

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Headings. The descriptive headings of the several sections and paragraphs of this Note are inserted for convenience only and do not constitute a part of this Note.

Applicable Interest Rate. If it shall be found that any Interest or other amount deemed Interest due hereunder violates the applicable law governing usury, the applicable rate of interest due hereunder shall automatically be lowered to equal the maximum rate of interest permitted under applicable law. In no event shall Interest pursuant to this Note be payable at a rate in excess of the maximum rate permitted by applicable law and solely to the extent necessary to result in such interest not being payable at a rate in excess of such maximum rate, any amount that would be treated as part of such interest under a final judicial interpretation of applicable law shall be deemed to have been a mistake and automatically canceled, and, if received by the Holder, shall be refunded to the Company, it being the intention of the Holder and of the Company that such Interest not be payable at a rate in excess of such maximum rate. All rights and remedies available to the Holder pursuant to the provisions of applicable law and otherwise are cumulative, not exclusive and enforceable alternatively, successively and/or concurrently after default by the Company pursuant to the provisions of this Note. No delay or failure on the part of the Holder in exercising any right, privilege or option hereunder shall operate as a waiver thereof or of any event of default, nor shall any single or partial exercise of any such right, privilege or option preclude any further exercise thereof, or the exercise of any other right, privilege or option.

Counterparts. This Note may be executed and delivered (including by facsimile transmission, electronic mail or .pdf) in one or more counterparts, and by the Parties hereto in separate counterparts, each of which when executed shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Company has caused this Note to be duly executed this 11th day of May, to be effective as of April 13, 2022.

NOTE ISSUER:	**NOTE HOLDER:**
Data Health Partners, Inc.	**Parallax Behavioral Health, Inc.**
/s/ Calli R. Bucci	*/s/ David L. Stark*
By: Calli R. Bucci	By: Dr. David L. Stark
Title: Director, Chief Financial Officer	Title: Chairman, President

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EXHIBITS TO
SENIOR SECURED CORPORATE PROMISSORY NOTE

EXHIBIT	**INTELLECTUAL PROPERTY PURCHASE AGREEMENT**
EXHIBIT	**INTELLECTUAL PROPERTY PLEDGE AND SECURITY AGREEMENT**

* * * * *

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EXHIBIT B-2

INTELLECTUAL PROPERTY PLEDGE AND SECURITY AGREEMENT

This **INTELLECTUAL PROPERTY PLEDGE AND SECURITY AGREEMENT** (the "Security Agreement") executed this 11th day of May, 2022, is effective as of April 13, 2022, by and between Data Health Partners, Inc., a Delaware corporation ("Pledgor"), and Parallax Behavioral Health, Inc., a Delaware corporation ("Pledgee"), hereinafter collectively referred to as the Parties.

WHEREAS, contemporaneous with the execution of this Security Agreement, Pledgor has issued a promissory note to Pledgee in the principal sum of twenty million dollars ($20,000,000), as evidenced by that certain Senior Secured Corporate Promissory Note (the "Note"), attached herewith as Exhibit B; and

WHEREAS, Pledgor is the rightful holder of all rights, title and interest in and to the Intellectual Property set forth in Exhibit A attached herewith (the "Intellectual Property"); and

WHEREAS, Pledgor desires to pledge the Intellectual Property to Pledgee, and Pledgee desires to accept such Pledge, to secure repayment of the Note.

NOW THEREFORE, in consideration of the foregoing, of the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereby agree as follows:

Pledge. As collateral security for the due and punctual payment of all principal due under the Note, Pledgor hereby collaterally assigns, assigns, sets over, delivers and grants to Pledgee a one hundred percent (100%) continuing first interest in and to the Intellectual Property set forth in Exhibit A of this Security Agreement, (the "Pledged Collateral"), herewith delivered to Pledgee.

Pledgor appoints Pledgee, or its attorney, to arrange for the assignment of the Pledged Collateral to the name of Pledgee on the books and records of the Company.

Pledgee shall hold the Pledged Collateral to secure the repayment of the Note and shall not encumber or dispose of the Intellectual Property, except as provided in Paragraph 8 herein.

Royalties. During the term of this Security Agreement, any and all royalties and other amounts received by Pledgee in connection with the Pledged Collateral prior to the Maturity Date of the Note, if any, as a result of Pledgee's interest in the Pledged Collateral, shall be applied as a Prepayment on the Note, to be applied to the Note in accordance with Section 3.1 of the Note.

Representations of Pledgor.

With the exception of the security interest granted to Pledgee pursuant to this Security Agreement, Pledgor is the sole beneficial and record owner of the Pledged Collateral, having good and valid title thereto, free, and clear of any and all liens, claims, encumbrances, security interests, attachments, charges or rights of others, except for those disclosed to the Pledgor and Pledgee.

Pledgor has the right to assign to Pledgee the Pledged Collateral, free of any encumbrances and without restriction, and without obtaining the consents of any other party.

Release of Pledged Collateral/Repayment of Note. Upon full satisfaction of the Note at or before the Maturity Date of the Note, inclusive of amounts theretofore received and applied by Pledgee in accordance with paragraph 3 herein, Pledgee shall assign back to Pledgor all rights received by Pledgee in and to the Pledged Collateral under this Security Agreement.

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Default. In any Event of Default, as defined within the Note, or in the default in performance of any terms of this Security Agreement, Pledgee shall have the rights and remedies provided in the Uniform Commercial Code in force in the state of California on the date of this Security Agreement.

In addition to and in conjunction with such rights and remedies, Pledgee may, by giving thirty (30) days prior notice to Pledgor in writing, either by registered mail or electronic mail, and without liability for any diminution in price that may have occurred, sell all of the Pledged Collateral in any manner and for any price Pledgee reasonably determines. Out of the proceeds of any such sale, Pledgee may retain an amount equal to the unpaid Principal Sum and accrued Interest then due on the Note, and shall return the surplus, if any, to the Pledgor.

At any such bona fide public sale by Pledgee of the Pledged Collateral, Pledgor shall have the right, but not the obligation, to repurchase all or any part of the Pledged Collateral in exchange for payment to Pledgee of the balance owed under the Note.

If Pledgee has received Prepayments on the Note, Pledgee is not obligated to return any such Prepayments to Pledgor as part of taking full custody, ownership and assignment of the Pledged Collateral.

Non-Recourse. Notwithstanding any other provision in this Security Agreement to the contrary, the obligation of Pledgor to pay the indebtedness evidenced by the Note and secured hereby shall not be enforced by any action or proceeding wherein or whereby damages or any money judgment (including any deficiency judgment) shall be sought against Pledgor. It being, expressly understood and agreed by Pledgee that its sole and exclusive remedy for the default of Pledgor shall be to effect the remedies provided under this Security Agreement.

Termination. This Security Agreement shall terminate upon the earlier of (i) the satisfaction of the Note; or (ii) the Pledgee's completion of the exercise of its remedies hereunder.

General Provisions.

Entire Agreement. This Security Agreement supersedes all agreements previously made between the parties hereto relating to its subject matter. There are no other understandings or agreements between them.

Notices. All notices and other communications hereunder shall be deemed to have duly given if mailed by first class mail, or via electronic mail, to the applicable party at the address indicated below, or such other address as a party may so designate in the future, in writing to the other party.

Data Health Partners, Inc.
10586 W Pico Blvd #1096
Los Angeles, CA 90064
Attention: Calli R. Bucci, CFO
Email: calli.bucci@datahpi.com

Parallax Behavioral Health, Inc.
3415 S. Sepulveda Blvd., Suite 1100-6592
Los Angeles, CA 90034
Attention: Dr. David Stark, President
Email: davidstark@parallaxhealthsciences.com

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Amendment. This Security Agreement may not be modified, amended, altered or supplemented except upon the execution and delivery of a written agreement executed by parties.

Governing Law; Consent to Jurisdiction. This Security Agreement shall be governed by, and construed in accordance with, the Laws of the State of California applicable to contracts executed in and to be performed entirely in that State, without regard to conflicts of Laws principles thereof to the extent that the general application of the Laws of another jurisdiction would be required thereby.

Assignment: Parties in Interest. Neither this Security Agreement nor any rights or obligations hereunder shall be assigned by any Party without the prior written consent of the other Parties. This Security Agreement shall be binding upon and inure solely to the benefit of each Party hereto and its successors and permitted assigns, and nothing in this Security Agreement, express or implied, is intended to confer upon any other person any rights or remedies of any nature whatsoever under this Agreement.

Severability. In case any provision in this Security Agreement shall be held invalid, illegal or unenforceable, such provision shall be modified or deleted, only to the extent necessary to render the same valid, legal and enforceable, and the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

Non-Waiver. No delay or failure by either party to exercise any right under this Security Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

Necessary Acts. Each party agrees to take such further action and execute, deliver and/or file such documents or instruments as are reasonably necessary to carry out the terms and purposes of this Security Agreement.

Headings. The headings contained in this Security Agreement are for reference purposes only, and shall not affect in any way the meaning or interpretation of this Security Agreement. Unless the context of this Security Agreement otherwise requires, words of any gender are deemed to include each other gender and words using the singular or plural number also include the plural or singular number, respectively.

Counterparts. This Agreement may be executed and delivered (including by facsimile transmission, electronic mail or .pdf) in one or more counterparts, and by the Parties hereto in separate counterparts, each of which when executed shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, each of the parties hereto has caused this Security Agreement to be duly executed this 11th day of May, to be effective as of April 13, 2022.

PLEDGOR:	**PLEDGEE:**
Data Health Partners, Inc.	**Parallax Behavioral Health, Inc.**
/s/ Calli R. Bucci	*/s/ David L. Stark*
By: Calli R. Bucci	By: Dr. David L. Stark
Title: Director, Chief Financial Officer	Title: Chairman, President

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EXHIBITS TO
INTELLECTUAL PROPERTY PLEDGE AND SECURITY AGREEMENT

EXHIBIT	**INTELLECTUAL PROPERTY PURCHASE AGREEMENT**
EXHIBIT	**SENIOR SECURED CORPORATE PROMISSORY NOTE**

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EXHIBIT C

ANTI-DILUTION AGREEMENT

This **ANTI-DILUTION AGREEMENT** (the "Agreement") executed this 11th day of May, 2022, is effective as of April 13, 2022, by and between Parallax Health Sciences, Inc., a Nevada corporation ("Parallax"), Parallax Behavior Health, Inc., a Delaware corporation ("Seller"), and Data Health Partners, Inc. a Delaware corporation ("DHPI" or the "Buyer"), hereinafter collectively referred to as the "Parties."

WHEREAS, the Parties have entered into a certain Intellectual Property Purchase Agreement (the "Purchase Agreement"), attached herewith as Exhibit I, and other related agreements, pursuant to which the Buyer is acquiring from the Seller all right, title, and interest in and to certain intellectual property and related assets (the "Intellectual Property"), as set forth in Exhibit A of the Purchase Agreement; and

WHEREAS, as partial consideration for the Intellectual Property under the Purchase Agreement, Buyer is issuing to Seller a Corporate Promissory Note in the principal sum of twenty million dollars ($20,000,000) (the "Note"), which is secured through an Intellectual Property Pledge and Security Agreement, as set forth in Exhibit B-1 and Exhibit B-2, respectively, of the Purchase Agreement; and

WHEREAS, as partial consideration for the Intellectual Property under the Purchase Agreement, at Closing, Buyer shall issue to the Parallax shareholders of record (the "Parallax Shareholders") on the record date of April 13, 2022 (the "Record Date"), an aggregate of three million nine hundred sixty thousand three hundred forty-four (3,960,344) shares of the Buyer's Common Stock (the "DHPI Shares"); and

WHEREAS, as of the Record Date, no other Person or Affiliate, other than the Parallax Shareholders, has any right of first refusal, preemptive right, right of participation, or any similar right to participate in the DHPI Shares; and

WHEREAS, the Parties desire to provide the Parallax Shareholders certain protections against dilution with respect to the DHPI Shares.

NOW, THEREFORE, in consideration of the foregoing, of the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereby agree as follows:

Definitions:

"Affiliate" means with respect to any Person, each other Person that directly or indirectly, through one or more intermediaries, owns or controls, is controlled by or is under common control with, such Person. For the purpose of this Agreement, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of management and policies, whether through the ownership of voting securities, by contract or otherwise.

"Additional Shares" means the number of shares of Common Stock issued by the Buyer after the Record Date resulting from a Dilutive Transaction.

"Adjustment Shares" means the number of shares of Common Stock issuable by the Buyer to the Parallax Shareholders resulting from a Dilutive Transaction to maintain the Percentage Interest, or from any transaction, including an Exempt Transaction, that would result in the DHPI Shares equaling less than the Minimum Percentage.

"Anti-Dilution Percentage" means forty-five percent (45%).

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"Asset Acquisition" means acquiring some or all of a target company's assets in exchange for consideration, which can be cash, equity, or a combination of both.

"Common Stock" means the securities or shares that represent the Buyer's share capital, inclusive of any shares of common stock underlying any convertible securities, such as convertible preferred stock.

"DHPI Outstanding Shares" means the number of shares of Common Stock issued and outstanding by the Buyer, exclusive of (i) the DHPI Shares, (ii) any shares reserved for an equity-based incentive plan, (iii) any Adjustment Shares issued in connection with a Dilutive Transaction, and (iv) any shares issued in connection with an Exempt Transaction.

"Dilutive Transaction" means an Asset Acquisition or Merger, as defined herein, by the Buyer that would result in a reduction of the Percentage Interest.

"Exempt Transaction" means (i) any equity financing or similar transaction effected by the Buyer, excluding the Initial Equity Financing; (ii) any acquisition or merger that is accretive to the DHPI shareholders; or (iii) any other transaction not otherwise defined herein that results in the issuance of shares of DHPI Common Stock.

"Initial Equity Financing" means the Buyer's initial equity financing in connection with the pending litigation for a minimum commitment of seven million five hundred thousand dollars ($7,500,000).

"Merger" means the process in which one entity merges with and into another entity with only one entity surviving, for which the consideration can be cash, equity, or a combination of both.

"Minimum Percentage" means thirty percent (30%) of the total issued and outstanding shares of DHPI.

"Note" means the Corporate Promissory Note, attached herewith as Exhibit B-1 to the Purchase Agreement.

"Percentage Interest" means the aggregate number of shares of the Buyer's Common Stock held by Parallax Shareholders that represents the Anti-Dilution Percentage of (i) the DHPI Outstanding Shares; and (ii) any Additional Shares issued in connection with a Dilutive Transaction, in accordance with the provisions of this Agreement. The Percentage Interest and Adjustment Shares shall be calculated pursuant to the formula set forth in Schedule A attached herewith.

"Person" means any natural person, corporation, limited liability company, partnership, association, trust, organization, Governmental Authority or other legal entity.

Capitalization.

Capitalization of the Buyer. The Buyer has twenty million (20,000,000) authorized shares of Common Stock for issuance, of which (i) three million nine hundred sixty thousand three hundred forty-four (3,960,344) shares, or forty-five percent (45%), have been reserved for issuance to the Parallax Shareholders; (ii) 440,038 shares, or five percent (5%), have been reserved for issuance under an equity-based incentive plan to be established in the future; and (iii) four million four hundred thousand three hundred eighty-two (4,400,382), or fifty percent (50%), have been reserved for issuance to investors in the Initial Equity Financing and founders of DHPI. Collectively, the reserved shares represent eight million eight hundred thousand seven hundred sixty-four (8,800,764) shares to be issued and outstanding, or one hundred percent (100%).

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Term. The rights provided under this Agreement shall commence on the Record Date, and shall expire on the later of (i) the date on which the Buyer has satisfied the Note in accordance with its terms and conditions; (ii) the completion of proposed litigation in connection with the Intellectual Property; or (iii) the acquisition of the Buyer.

Anti-Dilution Rights.

To the extent that, during the Term of the Agreement, the Buyer issues any Additional Shares of Common Stock as a result of a Dilutive Transaction, contemporaneously with the Dilutive Transaction, the Buyer shall issue the Parallax Shareholders the number of Adjustment Shares required to maintain the Percentage Interest in the DHPI Outstanding Shares.

In no event shall the DHPI Shares equal less than the Minimum Percentage of the total issued and outstanding shares of DHPI. If any issuance of DHPI Common Stock, whether in connection with a Dilutive Transaction or an Exempt Transaction, would result in the DHPI Shares equaling less than the Minimum Percentage, the Buyer shall issue Adjustment Shares to the Parallax Shareholders that will maintain the Minimum Percentage.

Any shares issued by the Buyer during the Term of the Agreement in connection with an Exempt Transaction are not subject to the anti-dilution provisions provided herein, and shall not be treated as DHPI Outstanding Shares for the purposes of calculating Percentage Interest, or result in the issuance of any Adjustment Shares to the Parallax Shareholders, except in accordance with Section 4.2 herein.

No further approval or authorization of any shareholder, the board of directors of any Party, or any other Person or Affiliate is required for the issuance of the Adjustment Shares issuable to the Parallax Shareholders under this Agreement.

Confidentiality. The Parties to this Agreement agree to keep its terms strictly confidential, and not to disclose the terms hereof to any third-party other than the shareholders of the Parties, without the consent of the majority of the board of directors of each Party; provided, however, that this provision shall not apply to information which, at the time of disclosure, is already part of the public domain (except by breach of this Agreement) and information which is required to be disclosed by law or by the regulations of the SEC.

General Provisions.

Entire Agreement. This Agreement supersedes all agreements previously made between the parties hereto relating to its subject matter. There are no other understandings or agreements between them.

Notices. Any notice, request or other communication required or permitted hereunder shall be to the addresses set forth in, and in accordance with, the Purchase Agreement, attached herewith as Exhibit I, or any other addresses designated by the parties from time to time in writing

Amendment. This Agreement may not be modified, amended, altered or supplemented except upon the execution and delivery of a written agreement executed by Parent, Seller and Buyer.

Governing Law; Consent to Jurisdiction. This Agreement shall be governed by, and construed in accordance with, the Laws of the State of California applicable to contracts executed in and to be performed entirely in that State, without regard to conflicts of Laws principles thereof to the extent that the general application of the Laws of another jurisdiction would be required thereby.

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Binding Arbitration. All claims and disputes arising under or relating to this Agreement are to be settled by binding arbitration in the state of California or another location mutually agreeable to the parties. The arbitration shall be conducted on a confidential basis pursuant to the Commercial Arbitration Rules of the American Arbitration Association. Any decision or award as a result of any such arbitration proceeding shall be in writing and shall provide an explanation for all conclusions of law and fact and shall include the assessment of costs, expenses, and reasonable attorneys' fees. Any such arbitration shall be conducted by an arbitrator experienced in the area of intellectual property and shall include a written record of the arbitration hearing. The parties reserve the right to object to any individual who shall be employed by or affiliated with a competing organization or entity. An award of arbitration may be confirmed in a court of competent jurisdiction

Fees and Expenses. All fees, costs and expenses incurred in connection with this Agreement shall be paid by the Party incurring the same. Notwithstanding the foregoing, in the event the Parties engage in binding arbitration relating to or arising out of this Agreement or the performance thereof, the Parties agree that the arbitrator shall be asked to determine which Party is the prevailing Party to the proceeding or proceedings, and the non-prevailing Party or Parties shall, jointly and severally, be liable to the prevailing Party in the amount of all reasonable attorney's fees, court costs, and all other expenses, incurred by the prevailing Party to the proceeding in addition to any other relief to which the prevailing Party may be entitled.

Assignment: Parties in Interest. Neither this Agreement nor any rights or obligations hereunder shall be assigned by any Party without the prior written consent of the other Parties. This Agreement shall be binding upon and inure solely to the benefit of each Party hereto and its successors and permitted assigns, and nothing in this Agreement, express or implied, is intended to confer upon any other Person any rights or remedies of any nature whatsoever under this Agreement.

Severability. In case any provision in this Agreement shall be held invalid, illegal or unenforceable in a jurisdiction, such provision shall be modified or deleted, as to the jurisdiction involved, only to the extent necessary to render the same valid, legal and enforceable, and the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby nor shall the validity, legality or enforceability of such provision be affected thereby in any other jurisdiction.

Non-Waiver. No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

Necessary Acts. Each party agrees to take such further action and execute, deliver and/or file such documents or instruments as are reasonably necessary to carry out the terms and purposes of this Agreement.

Headings. The headings contained in this Agreement are for reference purposes only, and shall not affect in any way the meaning or interpretation of this Agreement. Unless the context of this Agreement otherwise requires, words of any gender are deemed to include each other gender and words using the singular or plural number also include the plural or singular number, respectively.

Counterparts. This Agreement may be executed and delivered (including by facsimile transmission, electronic mail or .pdf) in one or more counterparts, and by the Parties hereto in separate counterparts, each of which when executed shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

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IN WITNESS WHEREOF, each of the parties hereto has caused this Agreement to be duly executed this 11th day of May, to be effective as of April 13, 2022.

Parallax Health Sciences, Inc.

/s/ David L. Stark
By: Dr. David L. Stark
Title: Chairman, President

Data Health Partners, Inc.

/s/ Calli R. Bucci
By: Calli R. Bucci
Title: Director, Chief Financial Officer

Parallax Behavioral Health, Inc.

/s/ David L. Stark
By: Dr. David L. Stark
Title: Chairman, President

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SCHEDULE A

CALCULATION OF PERCENTAGE INTEREST

Capitalized terms refer to definitions ascribed to them in paragraph 1 of this Agreement.

The Percentage Interest and Adjustment Shares, as defined in paragraph 1 of this Agreement, shall be calculated using the following formula:

$$((Y / 55\%) \times P) - A = X$$

whereby:
- A = DHPI Shares
- S = Additional Shares
- P = Anti-Dilution Percentage
- Y = DHPI Outstanding Shares
- X = Adjustment Shares

For illustration purposes only, and without limiting or altering the Agreement to which this Schedule is attached, the following example is provided with respect to Percentage Interest and the calculation of Adjustment Shares.

EXAMPLE:

Assume that DHPI enters into a Dilutive Transaction that includes the issuance of 2,000,000 shares of DHPI Common Stock.

Assume that, prior to the Dilutive Transaction, the capitalization of DHPI is as follows:

DHPI Shares	3,960,344	45%
DHPI Outstanding Shares	4,400,392	55%
Total DHPI Common Stock issued and outstanding	8,360,726	100%

Assume that DHPI also enters into an Exempt Transaction that includes the issuance of 1,500,000 shares of DHPI Common Stock.

The capitalization of DHPI immediately preceding the calculation of Percentage Interest is as follows:

	Beginning Shares	Transactions	Ending Shares
DHPI Shares	3,960,344 (a)		3,960,344
DHPI Outstanding Shares	4,400,392 (b)	2,000,000 (c)	7,900,392
		1,500,000 (d)	
Total DHPI Common Stock issued and outstanding	8,360,726	3,500,000	11,860,736

The Parallax Shareholders would be entitled to Adjustment Shares in connection with the Dilutive Transaction, using the following information:

$$((Y / 55\%) \times P) - A - X$$

whereby: A = DHPI Shares	=	3,960,344	= (a)
P = Anti-Dilution Percentage	=	45%	
S = Additional Shares	=	2,000,000	= (c)
Y = DHPI Outstanding Shares	=	4,400,392 + 2,000,000	= (b) + (c)
X = Adjustment Shares	=	To Be Determined	

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Applying the formula, the Adjustment Shares to be issued to the Parallax Shareholders is calculated by solving for X, as follow:

X

Adjustment Shares

The resulting capitalization after Adjustment Shares would be as follows:

DHPI Shares	5,236,684	40% (e)
DHPI Outstanding Shares-Dilutive Transactions	6,400,392	49%
DHPI Outstanding Shares-Exempt Transactions	1,500,000	11%
Total DHPI Common Stock issue and outstanding	13,137,076	100%

For the purposes of determining X, only shares issued in connection with Dilutive Transactions are treated as Additional Shares. The 1,500,000 shares resulting from the Exempt Transaction are excluded from the calculation.

Pursuant to paragraph 4.2 of this Agreement, in no event shall this percentage equal less than thirty percent (30%).

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EXHIBITS TO
ANTI-DILUTION AGREEMENT

EXHIBIT	INTELLECTUAL PROPERTY PURCHASE AGREEMENT

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Parallax Behavioral Health, Inc.

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EXHIBIT D

ROYALTY AGREEMENT

This **ROYALTY AGREEMENT** (the "Agreement") executed this 11th day of May, 2022, is effective as of April 13, 2022, by and between Data Health Partners, Inc., a Delaware corporation ("Data Health"), and Parallax Behavioral Health, Inc., a Delaware corporation ("Parallax"), hereinafter collectively referred to as the "Parties."

WHEREAS, the Parties have entered into a certain Intellectual Property Purchase Agreement (the "Purchase Agreement"), attached herewith as Exhibit I, and other related agreements, pursuant to which Data Health acquiring from Parallax all right, title, and interest in and to certain intellectual property and related assets (the "Intellectual Property"), as set forth in Exhibit A of the Purchase Agreement; and

WHEREAS, as partial consideration for the Intellectual Property under the Purchase Agreement, the Parties desire to enter into an agreement whereby Parallax is acquiring the the right to receive certain payments from Data Health in connection with the Intellectual Property, on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing, of the mutual covenants and agreements herein contained, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Parties hereby agree as follows:

Definitions. Capitalized terms shall have the meaning set forth in this section. Unless the context requires otherwise, words in the singular include the plural, words in the plural include the singular, and words importing any gender shall be applicable to all genders. If a term is defined as one part of speech (such as a noun), it shall have a corresponding meaning when used as another part of speech (such as a verb).

"Affiliate" means with respect to any Person, each other Person that directly or indirectly, through one or more intermediaries, owns or controls, is controlled by or is under common control with, such Person. For the purpose of this Agreement, "control" means the possession, directly or indirectly, of the power to direct or cause the direction of management and policies, whether through the ownership of voting securities, by contract or otherwise.

"Assigned Patents" means the transfer from Parallax to Data Health of all of rights, title, and interest in and to the Patents, as set forth in Exhibit A to the Purchase Agreement attached herewith as Exhibit I.

"Assigned Patent Application(s)" means the transfer from Parallax to Data Health of all of rights, title, and interest in and to the Patent Applications, as set forth in Exhibit A to the Purchase Agreement attached herewith as Exhibit I, and any patent application to be filed in the future in connection with the Assigned Patents and Assigned Patent Applications.

"Business Day" means any day other than Saturday, Sunday or a day on which banks in the state of California are authorized or required to be closed.

"Corporate Promissory Note" means the Corporate Promissory Note attached herewith as Exhibit II.

"Direct Costs" means all expenses incurred by Data Health in connection with the generation of Gross Receipts, including, but not limited to, legal and other professional fees, as well as taxes, if any, imposed pursuant to Section 3.4 herein.

"Government Authority" means any nation or government, any state or other political subdivision thereof and any entity exercising executive, legislative, judicial, regulatory or administrative functions of or pertaining to government.

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"Intellectual Property" means (i) the Intellectual Property as set forth in Exhibit A of the Purchase Agreement, attached herewith as Exhibit I; (ii) all inventions, patents, patent applications, trade secrets, know-how, technical data, laboratory results, clinical results, manufacturing methods, copyrights, trademarks and other data, know-how and intellectual property owned, licensed or controlled by Data Health, whenever acquired, that are necessary to develop, manufacture, have manufactured, use, promote, distribute, import, sell and offer for sale any Data Health product; and (iii) any "Patents," "Patent Applications" or "Know-How" not otherwise included in subsection (i) and (ii) of this definition.

"Know-How" means everything that would constitute ideas, concepts, schemes, information, knowledge, techniques, methodology, and anything else in the nature of know-how relating to the Intellectual Property.

"Gross Receipts" means all monies received by Data Health from any sale, use, derivation, license, grant or transfer of any rights in, to or regarding the Assigned Patent and Assigned Patent Application, any subsequently issued patent resulting from the Assigned Patent or Assigned Patent Application (as may be modified or amended from time to time by Data Health), the commercial exploitation of the Assigned Patent and Assigned Patent Application, and any technological applications or processes enabled by the use of the information contained in the same.

"Note" shall have the same meaning as "Corporate Promissory Note," defined herein.

"Net Proceeds" means Gross Receipts less Direct Costs.

"Person" means any natural person, corporation, limited liability company, partnership, association, trust, organization, Governmental Authority or other legal entity.

"Purchase Agreement" means the Intellectual Property Purchase Agreement attached herewith as Exhibit I, whereby Parallax has assigned all rights, title and interest in and to the Intellectual Property, subject to the conditions set forth in Section 2.3 of this Royalty Agreement and pursuant to the terms of the Assigned Patents and Assigned Patent Applications.

"Royalty Agreement" shall have the meaning set forth in the introductory paragraph.

"Royalty Payments" means the amounts due from Data Health to Parallax in accordance with Section 2 of this Royalty Agreement.

"Royalty Term" shall commence on the date of this Royalty Agreement and end at such time as Data Health is no longer able to generate revenues from (i) the sale, use, derivation, license, grant or transfer of any rights in or to the Assigned Patent and/or Assigned Patent Application, or any subsequently issued patent resulting from the Assigned Patent and/or Assigned Patent Application (as may be modified or amended from time to time by Data Health), or (ii) the commercial exploitation of the Assigned Patent and/or Assigned Patent Application or any subsequently issued patent resulting therefrom, and any technological applications or processes enabled by use of the information contained in the same. Notwithstanding anything in the foregoing to the contrary, Data Health's obligation to pay the Royalty to Parallax shall expire with the expiration or termination of any Assigned Patent, or subsequently issued patent resulting from the Assigned Patent and/or Assigned Patent Application (as may be amended).

Royalty.

Royalty Amount. As partial consideration for the rights acquired by Data Health in and to the Intellectual Property under the Purchase Agreement, Data Health shall pay to Parallax a royalty equal to two and one-half percent (2.5%) of Net Proceeds generated during the Royalty Term (the "Royalty").

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Royalty Payments. All Royalty Payments shall be made according to the following:

Royalty Payments due and payable under this Royalty Agreement during the Royalty Term shall be treated as IP Monetization Prepayments, as defined and in accordance with Section 3.1 of the Corporate Promissory Note, and thereafter, shall be applied towards any accrued and unpaid Interest, as defined within the Note, until such time as the Note is satisfied in full.

Thereafter during the Royalty Term, and upon full satisfaction of the Note, Royalty Payments shall be distributed to Parallax in lawful money of the United States of America by bank wire transfer of immediately available funds to the account specified by Parallax in writing to the Data Health at least five Business Days before such payment is to be made.

Royalty Payments Following Termination. The termination of this Royalty Agreement, including termination due to the expiration of the Royalty Term, shall not terminate the obligation of Data Health, or its Affiliates, licensees or assignees, to pay any Royalty accrued prior to termination. Upon termination of this Agreement, Parallax shall have the right to retain any Royalty already paid by Data Health under this Agreement.

Accounting. Data Health shall provide Parallax with semi-annual reports of Net Proceeds. Data Health agrees to provide Parallax, within forty (40) days after the end of each semi-annual period, except seventy-five (75) days after the last day of Data Health's fiscal year, a report of the Net Proceeds of Data Health ("Semi-Annual Reports"). Data Health shall commence providing Parallax such Semi-Annual Reports within forty (40) days following the end of the first semi-annul period after the Effective Date of this Royalty Agreement. The Semi-Annual Reports will detail all Gross Receipts and Direct Costs during the previous semi-annual period.

Data Health shall keep a permanent, accurate set of books and records ("Books and Records") in which Gross Receipts and Direct Costs shall be recorded. All Books and Records reflecting the Gross Receipts and/or the calculation of Net Proceeds shall be retained and preserved for a period of five (5) years.

The Books and Records shall be open to inspection and audit by Parallax and/or its duly authorized representatives, at all reasonable times during business hours upon not less than ten (10) days prior written notice. The cost of such audit shall be determined on a time and expense basis at the rate per hour which shall not exceed that charged for similar personnel by a national firm of independent certified public accountants.

If Parallax conducts an audit of the Books and Records, and if the audit determines that Data Health has understated the Gross Receipts or calculation of Net Proceeds by more than three (3%) percent, in addition to such other rights and remedies available to the Parallax at law or equity, Data Health shall, within thirty (30) business days thereafter, pay any deficiency in the Net Proceeds due on account of such understatement and the reasonable cost of such audit.

If Parallax conducts an audit of the Books and Records, and if the audit determines that Data Health has not understated the Gross Receipts or calculation of Net Proceeds, the cost of the audit shall be borne by the Parallax.

If Data Health fails to submit the required statement of Gross Receipts or calculation of Net Proceeds, as required, Data Health shall pay the cost thereof, irrespective of the results of such audit.

The Books and Records shall include: (i) as soon as available, and in any event within thirty (30) calendar days after the close of each quarter, quarterly financial statements, all in reasonable detail and prepared in accordance with generally accepted accounting principles applied on a consistent basis; (ii) as soon as available, and in any event within seventy-five (75) calendar days after the close of each year, annual financial statements, all

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in reasonable detail and prepared in accordance with generally accepted accounting principles applied on a consistent basis.

In the event any Government Authorities imposes any taxes on any part of the payments required hereunder and Data Health's auditors or tax advisors advise Data Health that it is required to withhold taxes from such payment, Data Health may withhold such taxes from such payments or pay same as required. Tax receipts indicating such payments or withholding of taxes shall be promptly submitted to Parallax. Data Health shall cooperate with Parallax in a determination of the propriety of, or imposition of, any such tax and shall permit Parallax to challenge such tax by all lawful means.

In the event any national government imposes any exchange restriction prohibiting payments as required under this Agreement, an account in the name of Parallax shall be established in a financial institution of Parallax's choice in such country (or permitted place of payment) and all monies due Parallax shall be paid into such account, or at Parallax's election, payment shall be made to any account designated by Parallax that complies with such restriction(s)/prohibition.

Representations and Warranties.

Representations and Warranties of Parallax. Parallax represents and warrants that (a) it is a corporation duly organized, validly existing, and in good standing under the laws of the state of Delaware; (b) it has full power and authority to enter into this Royalty Agreement and perform its obligations hereunder; (c) immediately prior to the execution of the Purchase Agreement (and subject to such licenses as have been disclosed to Data Health in writing), it owned all right, title and interest in and to the Assigned Patent and Assigned Patent Applications; and (d) it has the legal right and is entitled to the Royalty Payments pursuant to Section 2 above.

Representations and Warranties of Data Health. Data Health represents and warrants that (a) it is a corporation duly organized, validly existing, and in good standing under the laws of the state of Delaware; (b) it has full power and authority to enter into this Royalty Agreement and perform its obligations hereunder, and (c) immediately subsequent to the execution of the Purchase Agreement (and subject to such licenses as have been disclosed by Parallax in writing), it owns all right, title and interest in and to the Assigned Patent and Assigned Patent Applications.

Covenants.

Maintenance of Rights. Neither Party shall take any action, or fail to take any action or enforce any right, that is intended to, or would have the effect of, reducing Gross Receipts.

Maintenance of Rights Under Purchase Agreement. Neither Party shall take any action that would, or fail to take any action if such failure would, (i) modify, relinquish, diminish or terminate, or provide any Person with the right to modify, relinquish, diminish or terminate, any of Party's rights under the Purchase Agreement or (ii) modify or terminate, or provide any Person with the right to modify or terminate the Purchase Agreement.

General Provisions.

Entire Agreement. This Royalty Agreement, together with the Exhibits attached hereto, constitutes the entire agreement, and supersede all prior agreements and undertakings, both written and oral, between the Parties with respect to the subject matter hereof.

Notices. Any notice, request or other communication required or permitted hereunder shall be to the addresses set forth in, and in accordance with, the Purchase Agreement, attached herewith as Exhibit I, or any other addresses designated by the parties from time to time in writing.

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Amendment. This Royalty Agreement shall not be amended or otherwise modified except by a written agreement dated after the date of this Royalty Agreement and signed on behalf of Data Health and Parallax by their respective duly authorized representatives.

Limitation of Liability. To the maximum extent permitted by applicable law, in no event shall any party be liable for any special, incidental or consequential damages whatsoever arising out of or in any way related to this Royalty Agreement, even if the party has been advised of the possibility of such damages. The immediately preceding sentence shall have no applicability to any legal cause of action arising from any party's activities outside the scope of this Royalty Agreement.

Governing Law; Consent to Jurisdiction. This Royalty Agreement shall be governed by, and construed in accordance with, the Laws of the State of California applicable to contracts executed in and to be performed entirely in that State, without regard to conflicts of Laws principles thereof to the extent that the general application of the Laws of another jurisdiction would be required thereby.

Binding Arbitration. All claims and disputes arising under or relating to this Royalty Agreement are to be settled by binding arbitration in the state of California or another location mutually agreeable to the parties. The arbitration shall be conducted on a confidential basis pursuant to the Commercial Arbitration Rules of the American Arbitration Association. Any decision or award as a result of any such arbitration proceeding shall be in writing and shall provide an explanation for all conclusions of law and fact and shall include the assessment of costs, expenses, and reasonable attorneys' fees. Any such arbitration shall be conducted by an arbitrator experienced in the area of intellectual property and shall include a written record of the arbitration hearing. The parties reserve the right to object to any individual who shall be employed by or affiliated with a competing organization or entity. An award of arbitration may be confirmed in a court of competent jurisdiction.

Fees And Expenses. All fees, costs and expenses incurred in connection with this Royalty Agreement shall be paid by the Party incurring the same. Notwithstanding the foregoing, in the event the Parties engage in binding arbitration relating to or arising out of this Royalty Agreement or the performance thereof, the Parties agree that the arbitrator shall be asked to determine which Party is the prevailing Party to the proceeding or proceedings, and the non-prevailing Party or Parties shall, jointly and severally, be liable to the prevailing Party in the amount of all reasonable attorney's fees, court costs, and all other expenses, incurred by the prevailing Party to the proceeding in addition to any other relief to which the prevailing Party may be entitled.

Assignment: Parties in Interest. Neither this Royalty Agreement nor any rights or obligations hereunder shall be assigned by any Party without the prior written consent of the other Parties. This Royalty Agreement shall be binding upon and inure solely to the benefit of each Party hereto and its successors and permitted assigns, and nothing in this Royalty Agreement, express or implied, is intended to confer upon any other person any rights or remedies of any nature whatsoever under this Agreement.

Severability. In case any provision in this Royalty Agreement shall be held invalid, illegal or unenforceable in a jurisdiction, such provision shall be modified or deleted, as to the jurisdiction involved, only to the extent necessary to render the same valid, legal and enforceable, and the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby nor shall the validity, legality or enforceability of such provision be affected thereby in any other jurisdiction.

Non-Waiver. No waiver of any breach of any provision of this Royalty Agreement shall constitute a waiver of any prior, concurrent or subsequent breach of the same or any other provisions hereof, and no waiver shall be effective unless made in writing and signed by an authorized representative of the waiving party.

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Necessary Acts. Each party agrees to take such further action and execute, deliver and/or file such documents or instruments as are reasonably necessary to carry out the terms and purposes of this Royalty Agreement.

Headings. The headings contained in this Royalty Agreement, together with the Exhibits attached hereto, are for reference purposes only and shall not affect in any way the meaning or interpretation of this Royalty Agreement or the Exhibits. Unless the context of this Royalty Agreement otherwise requires, words of any gender are deemed to include each other gender and words using the singular or plural number also include the plural or singular number, respectively.

Counterparts. This Royalty Agreement may be executed and delivered (including by facsimile transmission, electronic mail or .pdf) in one or more counterparts, and by the Parties hereto in separate counterparts, each of which when executed shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, each of the parties hereto has caused this Royalty Agreement to be duly executed this 11th day of May, and effective as of April 13, 2022.

Data Health Partners, Inc.	**Parallax Behavioral Health, Inc.**
/s/ Calli R. Bucci	*/s/ David L. Stark*
By: Calli R. Bucci	By: Dr. David L. Stark
Title: Director, Chief Financial Officer	Title: Chairman, President

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EXHIBITS TO
ROYALTY AGREEMENT

EXHIBIT	**INTELLECTUAL PROPERTY PURCHASE AGREEMENT**
EXHIBIT	**SENIOR SECURED CORPORATE PROMISSORY NOTE**

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EXHIBIT E

PATENT ASSIGNMENT

WHEREAS, Parallax Behavioral Health, Inc., a Delaware corporation, with an address 3415 S. Sepulveda Blvd., Suite 1100-6592, Los Angeles, CA 90034 ("Assignor"), owns all right, title and interest in and to the patents and/or patent applications identified in Exhibit A attached hereto, including the inventions described therein and the patents issued and reissued thereon (collectively, the "Patents"), the renewals therefor and all claims for past or future infringement thereof; and

WHEREAS, Data Health Partners, Inc., a Delaware corporation with an address at 10586 W. Pico Blvd., #1096, Los Angeles, CA 90064 ("Assignee"), and Assignor have entered into an Intellectual Property Purchase Agreement (the "Agreement") effective April 13, 2022, under which Assignor agreed to sell and Assignee agreed to purchase certain assets of Assignor, including the aforesaid Patents, and the applications and renewals therefor and all claims for past or future infringement thereof.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, convey and transfer unto Assignee, its successors and assigns, free and clear of any and all liens, restrictions, claims and encumbrances, Assignor's entire right, title, and interest in and to the Patents and divisions, continuations or continuations-in-part thereof, together with all rights of registration, maintenance, and protection thereof in any form, all rights to income, royalties, damages and payments now due or hereafter due or payable in respect thereto, and all rights of recovery and of legal action for past or future infringements and of interference proceedings and reexaminations involving such Patents.

This Assignment is deemed to be executed and delivered within the State of California, and it is the intention of the parties that it shall be construed, interpreted and applied in accordance with the laws of the State of California without regard to its conflicts of law principles.

IN WITNESS WHEREOF, Assignor has duly executed this Assignment this 11th day of May, 2022, to be effective as of April 13, 2022.

ASSIGNOR:		**ASSIGNEE:**	
Parallax Behavioral Health, Inc.		**Data Health Partners, Inc.**	
	/s/ David L. Stark		*/s/ Calli R. Bucci*
By:	Dr. David L. Stark	By:	Calli R. Bucci
Title:	Chairman, President	Title:	Director, Chief Financial Officer

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EXHIBIT A

PATENTS AND PATENT APPLICATIONS

United States Patent No. 10,061,812 (Family ID 51533139) issued August 28, 2018, and all related worldwide patents: *Platform For Optimizing Data Driven Outcomes*.

United States Patent No. 11,144,554 (Family ID 65038812) issued October 12, 2021, and all related worldwide patents: *Platform For Optimizing Goal Progression*.

United States Patent No. 11,151,142 (Family ID 51533139) granted October 12, 2021, and all related worldwide patents: *Platform For Optimizing Goal Progression*.

United States Patent Application No. 17/499,725 (Family ID 65038812) filed October 12, 2021, and all related worldwide patent applications: *System And Method For Achieving Goal Progression*.

United States Patent Application No. 17/505,166 (Family ID 51533139) filed October 19, 2021, and all related worldwide patent applications: *System And Method For Tracking Progression Toward A Customized Goal*

United States Patent Application No. 17/546,594 (Family ID 1000006016644) filed December 9, 2021, and all related worldwide patent applications: *System And Method For Achieving Goals*.

All related patent and patent applications filed or to be filed in connection with the aforementioned patents and patent applications, as well as those provided in the Global Dossier attached herewith as Exhibit B.

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EXHIBIT F

TRADEMARK ASSIGNMENT

WHEREAS, Parallax Behavioral Health, Inc., a Delaware corporation, with an address 3415 S. Sepulveda Blvd., Suite 1100-6592, Los Angeles, CA 90034 ("Assignor"), owns all right, title and interest in and to the federal trademark registrations of the marks identified in Exhibit A hereto (the "Marks") and all foreign registrations everywhere in the world; and

WHEREAS, Data Health Partners, Inc., a Delaware corporation with an address at 10586 W. Pico Blvd., #1096, Los Angeles, CA 90064 ("Assignee"), and Assignor have entered into an Intellectual Property Purchase Agreement (the "Agreement") effective April 13, 2022, under which Assignor agreed to sell and Assignee agreed to purchase certain assets of Assignor, including the aforesaid Marks, the registrations thereof, and the goodwill associated therewith.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, convey and transfer unto Assignee, its successors and assigns, free and clear of any and all liens, restrictions, claims and encumbrances, Assignor's entire right, title, and interest in and to the Marks together with all goodwill of the business represented and symbolized thereby with all rights of registration, maintenance, and protection thereof in any form, all rights to income, royalties, damages and payments now due or hereafter due or payable in respect thereto, and all rights of recovery and of legal action for past or future infringements and of interference proceedings and reexaminations involving such Marks.

This Assignment is deemed to be executed and delivered within the State of California, and it is the intention of the parties that it shall be construed, interpreted and applied in accordance with the laws of the State of California without regard to its conflicts of law principles.

IN WITNESS WHEREOF, Assignor has duly executed this Assignment this 11th day of May, 2022, to be effective as of April 13, 2022.

ASSIGNOR:		**ASSIGNEE:**	
Parallax Behavioral Health, Inc.		**Data Health Partners, Inc.**	
	/s/ David L. Stark		*/s/ Calli R. Bucci*
By:	Dr. David L. Stark	By:	Calli R. Bucci
Title:	Director, Chief Financial Officer	Title:	Director, Chief Financial Officer

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EXHIBIT A

TRADEMARKS AND SERVICE MARKS

The Assignment refers to the Trademarks and service marks related to R.E.B.O.O.T. and COMPASS, as further described below:

"R.E.B.O.O.T." "R.E.B.O.O.T." is an acronym for "Reliable Evidence Based Outcomes Optimization Technologies" and is a structured, scalable and sustainable software system used to identify, monitor, and evaluate a single user or an entire organization's progress towards mastery of any achievable task, objective or goal.

The "COMPASS Application." The COMPASS Application is a software program which features evidence-based content, decision support and real-time status updates for multiple stakeholders, all aimed at improving physical and behavioral health and wellness. The wealth of data collected through use of the software fuels machine learning algorithms that can be used to establish best practice predictive models to drive value-based health care and reduce lifetime health care spend.

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