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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	IMPL-1-1028
First Inventor	Edward Balassanian
Title	APPLICATION SERVER
Express Mail Label No.	N/A

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form** (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages 15]
Both the claims and abstract must start on a new page
(For information on the preferred arrangement, see MPEP 608.01(a))
4. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 3]
5. **Oath or Declaration** [Total Sheets]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ A copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet.** See 37 CFR 1.76
7. ☐ **CD-ROM or CD-R** in duplicate, large table or
Computer Program (Appendix)
☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**
(if applicable, items a. – c. are required)
 - a. ☐ Computer Readable Form (CRF)
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11. ☐ **English Translation Document** (if applicable)
12. ☐ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
☐ Copies of citations attached
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14. ☐ **Return Receipt Postcard** (MPEP 503)
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15. ☐ **Certified Copy of Priority Document(s)**
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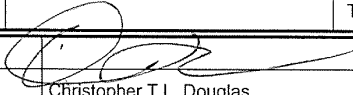
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Electronic Acknowledgement Receipt

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First Named Inventor/Applicant Name:	EDWARD BALASSANIAN
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Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal of New Application	IMPL-1-1028TL01.pdf	88318 80e111588f516b3c359e42220444bea6b a81cdf8e	no	1

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Information:					
2		IMPL-1-1028AP.pdf	830531	yes	18
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APPLICATION SERVER
FIELD OF THE INVENTION

The present invention relates to computer operating system and, in particular to a server architecture providing application caching and security verification.

BACKGROUND OF THE INVENTION

The following application is incorporated by reference as if fully set forth herein:
U.S. Application Serial No. 11/241,985 filed October 4, 2005.

10

The growth of the Internet's importance to business, along with the increased dependence upon corporate networks, has created a demand for more secure and efficient computer systems. The traditional solution to this problem has been to depend upon improvements in hardware performance to make up for the
15 performance penalty that is typically incurred when a computer system is made more secure and stable. Increased interconnectivity has also created a need for improved interoperability amongst a variety of computers that are now connected to one another. One solution to the problem of the variety of computers interconnected via the Internet and corporate networks has been the development of portable
20 architecture neutral programming languages. The most widely known of these is Java, though, there are numerous other architecture neutral languages.

Architecture neutral programming languages allow programs downloaded from a server computer to a client computer to be interpreted and executed locally. This is possible because the compiler generates partially compiled intermediate
25 byte-code, rather than fully compiled native machine code. In order to run a program, the client machine uses an interpreter to execute the compiled byte-code. The byte-codes provide an architecture neutral object file format, which allows the

code to be transported to multiple platforms. This allows the program to be run on any system which implements the appropriate interpreter and run-time system.

Collectively, the interpreter and runtime system implement a virtual machine. This structure results in a very secure language.

5 The security of this system is premised on the ability of the byte-code to be verified independently by the client computer. Using Java or some other virtual machine implementing technology, a client can ensure that the downloaded program will not crash the user's computer or perform operations for which it does not have permission.

10 The traditional implementations of architecture neutral languages are not without problems. While providing tremendous cross platform support, the current implementations of architecture neutral languages require that every client performs its own verification and interpretation of the intermediate code. The high computation and memory requirements of a verifier, compiler and interpreter restrict
15 the applicability of these technologies to powerful client computers.

Another problem with performing the verification process on the client computer is that any individual within an organization may disable some or all of the checks performed on downloaded code. The current structure of these systems makes security management at the enterprise level almost impossible. Since
20 upgrades of security checking software must be made on every client computer, the cost and time involved in doing such upgrades makes it likely that outdated or corrupt copies of the verifier or interpreter exist within an organization. Even when an organization is diligent in maintaining a client based security model, the size of the undertaking in a large organization increases the likelihood that there will be
25 problems.

There is a need for a scalable distributed system architecture that provides a mechanism for client computers to request and execute applets in a safe manner without requiring the client machines to have local resources to compile or verify the code. There is a further need for a system in which the applets may be cached in
5 either an intermediate architecture neutral form or machine specific form in order to increase overall system performance and efficiency.

SUMMARY OF THE INVENTION

In accordance with one embodiment of the invention, an applet server
10 architecture is taught which allows client computers to request and execute applets in a safe manner without requiring the client to have local resources to verify or compile the applet code. Compilation and byte-code verification in the present invention are server based and thereby provide more efficient use of resources and a flexible mechanism for instituting enterprise-wide security policies. The server
15 architecture also provides a cache for applets, allowing clients to receive applet code without having to access nodes outside the local network. The cache also provides a mechanism for avoiding repeated verification and compilation of previously requested applet code since any client requesting a given applet will have the request satisfied by a single cache entry.

20 Machine specific binary code is essentially interpreted code since the processor for a given computer can essentially be viewed as a form of an interpreter, interpreting binary code into the associated electronic equivalents. The present invention adds a level of indirection in the form of an intermediate language that is processor independent. The intermediate language serves as the basis for security
25 verification, code optimizations, or any other compile time modifications that might be

necessary. The intermediate form allows a single version of the source to be stored for many target platforms instead of having a different binary for each potential target computer. Compilations to the target form can either be done at the time of a cache hit or they can be avoided all together if the target machine is able to directly
5 interpret the intermediate form. If the compilation is done on the server, then a copy of the of the compiled code as well as the intermediate form can be stored in the cache. The performance advantage derived from caching the compiled form as well as the intermediate depends upon the number of clients with the same CPU.

The novel features believed characteristic of the invention are set forth in the
10 appended claims. The invention itself, however, as well as other features and advantages thereof will best be understood by reference to the detailed description which follows, when read in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

15 FIG. 1 is diagram showing the major components which may be used to implement an applet server in one embodiment of the present invention;

FIG. 2a is a table which illustrates the structure of the request format data type;

FIG. 2b is a table which illustrates the structure of the returned code data
20 type.

FIG. 3 is a diagram showing the compilation and transformation of a program module into an applet in a particular form.

DETAILED DESCRIPTION OF THE INVENTION

Referring to FIG. 1, an applet server architecture according to one embodiment of the invention is based on an applet server computer 10 which in turn is connected to client computer A 12, client computer B 14, an external network 16 and an untrusted network 18. The applet server computer 10 connects to client computers 12 and 14, an external network 16, and an untrusted network 18 by means of a network interface 20. Typically this connection will involve one or more of the computers or networks having a connection to the Internet.

The applet server computer 10 accomplishes its objectives by manipulating computer programs in several formats. An applet (e.g. applets 1-3, 25a-25c) is any form of program instructions, whether in binary, source or intermediate format. In the case of this architecture, the applet code can either be a self contained program, or it can be a code fragment associated with a larger application.

Binary format refers to processor specific machine instructions suitable for running natively on a given computing platform (also referred to as "target" because of the concept of "targeting" a compiler to produce binary code for a given processor type).

Source refers to non-binary applet code, generally in the form of higher level languages (i.e. C, C++, Java, Visual Basic, ActiveX, Fortran, and Modula).

Intermediate format refers to a common intermediate byte-code that is produced by compiling a given source code input. The intermediate byte-code need not necessarily be Java byte-code.

Treating applets in this general sense allows client computers 12 and 14 to request not only applications, but portions of applications. Client computers 12 and 14 are thus able to use applet server computer 10 as the equivalent of a loader,

loading in appropriate parts of the application in the form of applets. In turn client computers 12 and 14 can run large applications without requiring that the client computers 12 and 14 have the resources to store the entire application in memory at once.

5 Having the applets delivered from applet server computer 10 allows code in intermediate form to be verified, optimized, and compiled before being transmitted to client computers 12 and 14. This reduces the amount of work the client computers 12 and 14 have to do and provides a convenient way to impose global restrictions on code.

10 In operation, client computer A 12 transmits a request to an applet server computer 10 requesting an applet in a particular form. The form may be selected from a large matrix of many possible forms that can be recognized by the system. The request specifies the format (source, intermediate, or binary) in which the client wishes to receive the applet. The request may also specify that the applet be
15 verified or have some other transformation operation preformed upon it. Verification, optimization and compression are examples of types of transformation operations. The request is received by the network interface 20 of the applet server computer 10 which passes the request onto the applet server manager 22.

 After interpreting the request, the applet server manager 22 checks to see if
20 the requested applet is available in the cache 24. The cache 24 stores applets in a variety of formats (source, intermediate, or binary). If the requested form of the applet is available in the cache 24 (applet 1 25a, applet 2 25b, or applet 3 25c in this example) the applet server manager 22 instructs the network interface 20 to transmit the applet to requesting client computer A 12.

If the requested applet is not available in the cache 24, then the applet server manager 22 will attempt to build the requested applet from local resources 26 and one or more transformation operations performed by one or more of the transformers 28. Local resources 26 are comprised of compilers 30a, 30b and 30c and program code modules 32a, 32b, 32c and 32d. The requested applet is built by selecting one or more program code modules 32 and compiling them with one or more compilers 30. Transformer operations may be performed by the verifier 34 or the optimizer 36. After the applet server manager 22 builds the applet, the network interface 20 transmits the applet to the requesting client computer A 12.

10 If the request can not be satisfied by building the applet from local resources 26 and transformers 28, the applet server manager 22 will pass a request for the requested applet to external network 16 and/or untrusted network 18. The applet server manager 22 may request the applet in intermediate form or in executable form or it may request the local resources 26 and transformers 28 it needs to complete
15 building the applet itself.

The cache 24 is capable of responding to the following commands : GET, PUT, and FLUSH. GET is used to retrieve a given applet from the cache. PUT is used to store an applet in the cache. FLUSH is used to clear the cache of one or more entries. When the cache is unable to locate an item in response to a GET
20 operation, it returns a cache miss. The program which issued the GET command is then responsible for locating the desired form of the applet by other means and optionally storing it in the cache when it is retrieved (using the PUT operation). The FLUSH command will clear the cache of one or more entries and any subsequent GETs for the FLUSHed applet code will result in a cache miss. This is useful if a
25 particular applet needs to be updated from a remote server on a periodic basis.

When using PUT, the program issuing the command specifies a time to live (TTL) in the cache. When the TTL expires, the cache entry is removed by means of a FLUSH operation.

Local resources 26 are comprised of program modules 32 (applets in source
5 form, not the requested form) and compilers 30. The program modules 32 are run through the compilers 30 in order to produce applets in the requested form. The applet server manager 20 may also direct the modules 32 to be processed by a verifier 34 or another transformer such as an optimizer 36. Program modules 32 are program code used to build applets. Program modules 32 may be stored in local
10 resources 26 in source, binary, or intermediate formats. When an applet is built it may require the operation of one or more compilers 30 upon one or more program modules 32. The program modules 32 may be combined and recompiled with previously cached applets and the resulting applet may be also cached for use at a future time. Additionally, program modules 32, compilers 30 and transformers 28
15 (including verifiers 34 and optimizers 36) may be distributed across a network. The applet server manager 22 may pass requests for the components it needs to build a particular applet back to the network interface 20 which in turn passes the request onto the rest of the network and may include external network 16 and untrusted network 18.

20 FIG. 3 provides further illustration of how an applet is produced from local resources and transformers. In this illustration the request is for an optimized and verified applet compiled to a machine specific form. A program module 40 is compiled into an intermediate form program module 44 by an intermediate compiler 42. The intermediate form program module 44 is then transformed by an optimizer

46 or a verifier 48. The resulting transformed intermediate form program module 50 is then compiled by target compiler 52 into machine specific code applet 54.

There are two types of compilers used to build applets: intermediate compilers 42 and target compilers 52. The intermediate compiler 42 compiles program modules (source applet code) 40 and produces a common intermediate pseudo-binary representation of the source applet code (intermediate form program module 44). The word pseudo is used because the intermediate form 44 is not processor specific but is still a binary representation of the source program module 40. This intermediate form can be re-targeted and compiled for a particular processor.

Alternatively, the intermediate form 44 can be interpreted by an interpreter or virtual machine that understands the internal binary representation of the intermediate form. A target compiler 52 compiles intermediate applet code 44 into an applet 54 in a processor specific format (binary) suitable for running natively on a given computing platform.

Transformers 56 are programs that take in intermediate code and put out intermediate code. Transformers 56 are generally used for things like verification and optimization. Other transformers might include compressors that identify portions of code that can be replaced with smaller equivalents. Transformers can be matched up to any other component that takes in intermediate code as an input.

These include the cache 24 and the target compilers 52. Global policies for transformers 56 can be implemented which ensure that all applets are run through some set of transformers before being returned to the client.

A verifier 48 is a type of transformer that is able to analyze input code and determine areas that might not be safe. The verifier 48 can determine the level of safety. Some verifiers 48 look for areas where unsafe or protected memory is being

accessed, others might look for accesses to system resources such as IO devices.

Once a verifier 48 determines the portion of unsafe applet code several steps can be taken. The offending code portion can be encased with new code that specifically prevents this unsafe code section from being executed. The unsafe code can be

5 modified to be safe. The unsafe code can be flagged in such a way that a user can be warned about the possible risks of executing the code fragment. The verifier's role can therefore be summarized as determining where unsafe code exists and possibly altering the offending code to render it harmless. Verifiers 48 can operate on any format of input code, whether in source, intermediate or binary form.

10 However, since intermediate code is a common format, it is most efficient to have a single verifier that will operate on code in this format. This eliminates the need to build specific knowledge of various source languages into the verifier. Verifiers 48 are a form of a transformer. Verifiers 48 take in intermediate code and put out verified intermediate code. Verifiers 48 are responsible for identifying non-secure

15 portions of code in the intermediate code and modifying this code to make it secure. Security problems generally include access to memory areas that are unsafe (such as system memory, or memory outside the application space of the applet).

The choice of adding in the verification step can be left up to the client computer 12, the applet server computer 10 (see FIG. 1), or can be based on the

20 network that the applet originated from. Server managers can institute global policies that affect all clients by forcing all applets to be run through the verifier 48. Alternatively, verification can be reserved for un-trusted networks (18 in FIG 1), or it can be left up to the client to determine whether the verification should be performed. In the preferred embodiment, verification level is determined by the applet server 10.

In this way, a uniform security policy may be implemented from a single machine (i.e., the applet server 10).

Optimizers 46 are another type of transformer program. Optimizers 46 analyze code, making improvements to well known code fragments by substituting in
5 optimized but equivalent code fragments. Optimizers 46 take in intermediate code 44 and put out transformed intermediate code 50. The transformed intermediate code 50 is functionally equivalent to the source intermediate code 44 in that they share the same structure.

Referring again to FIG. 1, policies may be instituted on the applet server 10
10 that force a certain set of request parameters regardless of what the client asked for. For example, the applet server manager 22 can run the applet through a verifier 34 or optimizer 36 regardless of whether the client 12 requested this or not. Since the server 10 might have to go to an untrusted network 18 to retrieve a given applet, it will then run this applet through the required transformers 28, particularly the verifier
15 34 before returning it to the client 12. Since clients 12 and 14 have to go through the applet server computer 10, this ensures that clients 12 and 14 do not receive applets directly from an untrusted network 18. In addition, since the server will be dealing directly with untrusted network 18, it can be set up to institute policies based on the network. A trusted external network 16 may be treated differently than an untrusted
20 network 18. This will provide the ability to run a verifier 34 only when dealing with an untrusted network 18, but not when dealing with a trusted external network 16. In one embodiment, all intermediate code is passed through a verifier 34 and the source of the code merely determines the level of verification applied.

The client 12 is the target computer on which the user wishes to execute an
25 applet. The client 12 requests applets from the server 10 in a specific form. Applets

can be requested in various formats including source, intermediate and binary. In addition, an applet can be requested with verification and/or other compile time operations. Optionally, the client 12 can pass a verifier to the server to provide verification. If the server 10 implements its own security, then both the client and
5 server verifiers will be run. The verifier that is passed from the client to the server is cached at the server for subsequent verification. The client can refer to this verifier by a server-generated handle to avoid having to pass the verifier each time an applet is requested.

Client computers 12 and 14 requesting applet code in intermediate format
10 need to have an interpreter or virtual machine capable of interpreting the binary code in the intermediate format if the applet is to be executed on the client machine.

In the preferred embodiment, requests to the applet server are in a format similar to those of an HTTP header and are comprised of tags and values. In one embodiment, an HTTP GET method is used to make the request (though use of the
15 HTTP protocol is not necessary to implement the present invention). The request is made up of a series of tags which specify the requested applet, the platform on which it is to be run and the type of code (source/intermediate/binary), a verification level and an optimization level. New tags and values can be added to extend functionality as needed and the applet server manager 22 will discard any tag it does
20 not recognize. When the applet server computer 10 returns the requested applet to the requesting client computer A 12, it will transmit the request header followed by the applet code. In this instance, the header will additionally include a field which defines the length of the applet code. FIG. 2 provides a table which illustrates the request format and the returned code format.

While this invention has been described with reference to specific
embodiments, this description is not meant to limit the scope of the invention.
Various modifications of the disclosed embodiments, as well as other embodiments
of the invention, will be apparent to persons skilled in the art upon reference to this
5 description. It is therefore contemplated that the appended claims will cover any
such modifications or embodiments as fall within the scope of the invention.

I claim:

1. A method operating on a computer system for managing requests to a server computer for applets in a client server environment wherein each request for an applet specifies one form of the applet out of a plurality forms of the applet, comprising:
 - a) receiving on said server computer a request from a client computer for an applet in a form selected from a plurality forms;
 - b) compiling said applet into said selected form from a local resource comprising at least one source module and one compiler which acts on said source module to produce said selected form; and
 - c) transmitting said applet in said selected form to said client computer.

ABSTRACT OF THE INVENTION

The present invention is an applet server which accepts requests for applets from client computers. A request specifies the format in which an applet is to be delivered to the requesting client computer. The applet server has a cache which it
5 uses to store applets for distribution to client computers. If the specified form of the requested applet is available in the cache, the applet server transmits the applet to the requesting client. If the applet is not available in the cache, the server will attempt to build the applet from local resources (program code modules and compilers) and transformer programs (verifiers and optimizers). If the applet server
10 is able to build the requested applet, it will then transmit the applet to the requesting client computer. If the applet server is unable to build the requested applet, it will pass the request to another applet server on the network for fulfillment of the request.

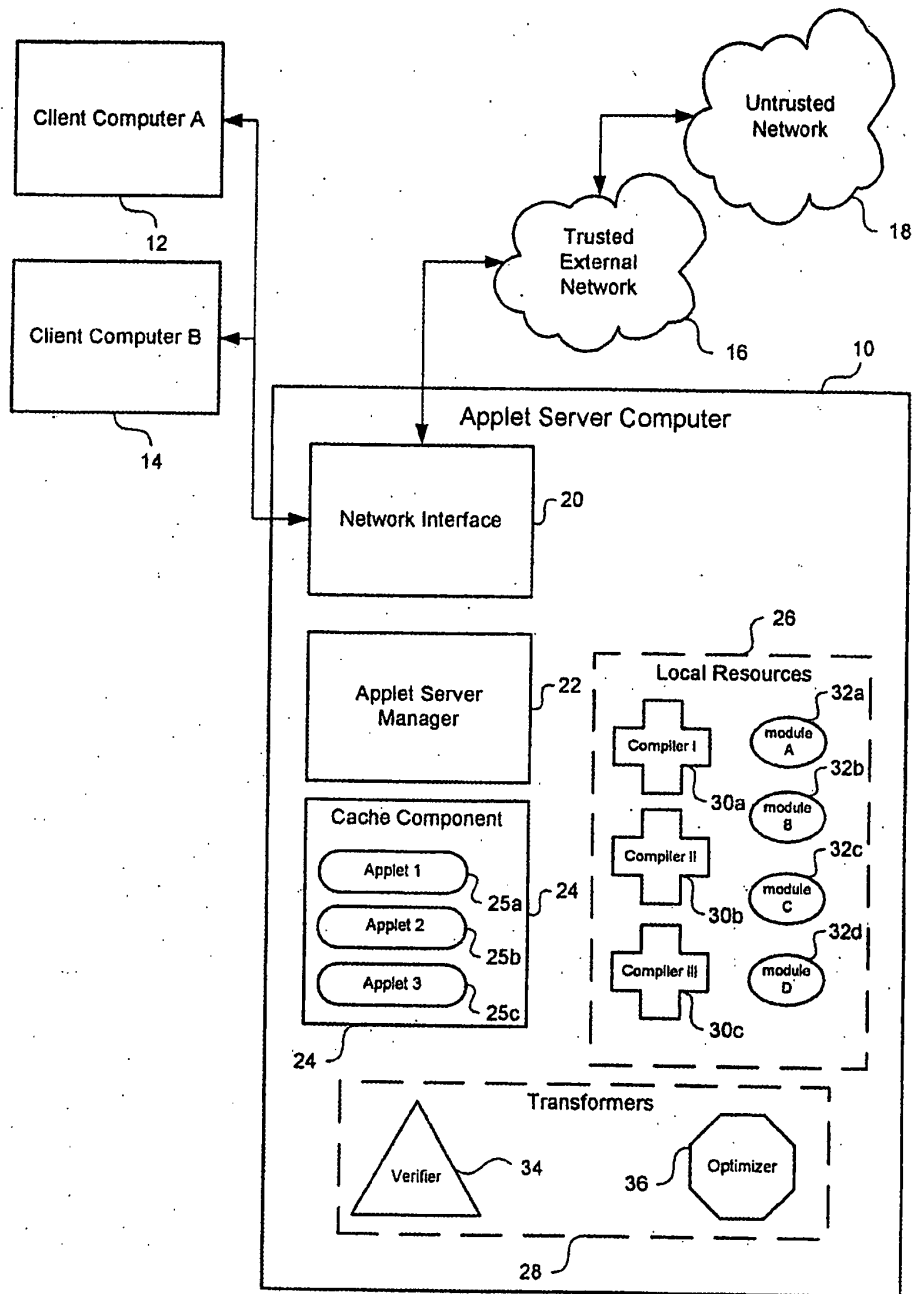


Fig. 1

Request Data Type

Tag	Value
Applet-URL	(String) specifies the name of the requested applet
Code-Type	(Source/Intermediate/Binary) specifies the format the applet is to be delivered to the requesting client in. A request for binary would specify the CPU of the requesting client (e.g., x86)
Verification-Level	(0-100) specifies the degree of verification to be performed. 0 = no/minimal verification, 100 = maximum verification (highest level of security).
Optimization-Level	(0-100) specifies the degree of optimization to be performed. 0 = no/minimal optimization, 100 = maximum optimization.

Fig. 2A**Code Data Type**

Tag	Value
Applet-URL	(String) specifies the name of the requested applet
Code-Type	(Source/Intermediate/Binary) specifies the format the applet is to be delivered to the requesting client in. A request for binary would specify the CPU of the requesting client (e.g., x86)
Verification-Level	(0-100) specifies the degree of verification to be performed. 0 = no/minimal verification, 100 = maximum verification (highest level of security).
Optimization-Level	(0-100) specifies the degree of optimization to be performed. 0 = no/minimal optimization, 100 = maximum optimization.
Applet Length	(0-2 ³²) specifies the size of the requested applet.
Applet Code	The Requested Applet in the form specified by the request data type.

Fig. 2B

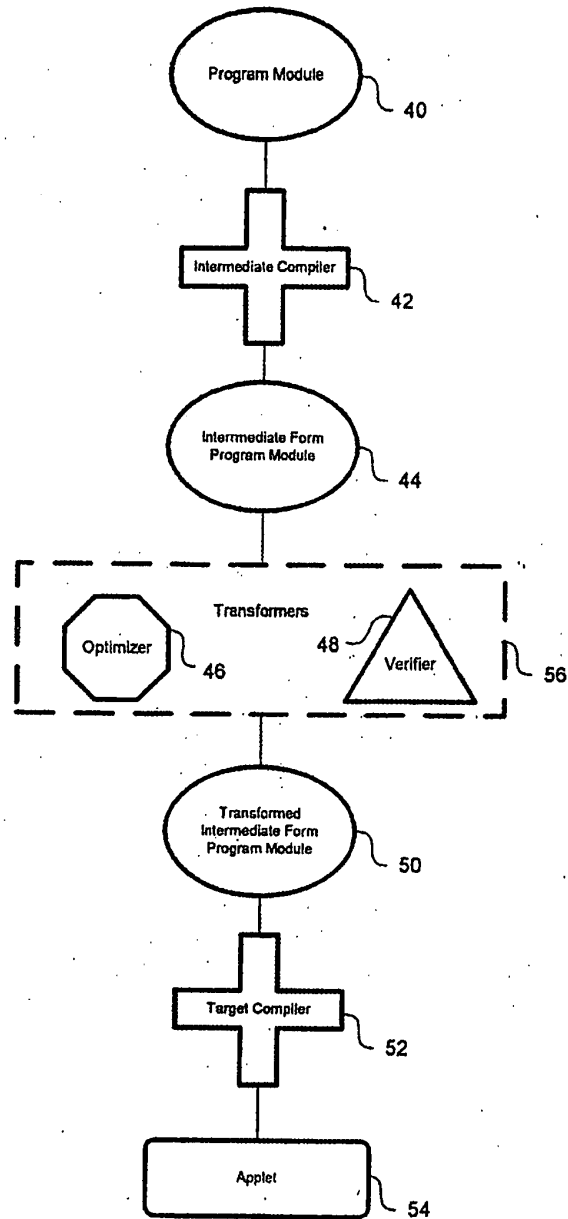


Fig. 3



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
11/933,161	10/31/2007	2131	0.00	IMPL-1-1028	1	1

CONFIRMATION NO. 3327

FILING RECEIPT



OC000000026855439

25315
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SEATTLE, WA 98104

Date Mailed: 11/27/2007

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 write to the Office of Initial Patent Examination's Filing Receipt Corrections. 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**

Applicant(s)

EDWARD BALASSANIAN, Residence Not Provided;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 11/21/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 11/933,161**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

APPLICATION SERVER

Preliminary Class

726

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

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

NOT GRANTED

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



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
11/933,161	10/31/2007	EDWARD BALASSANIAN	IMPL-1-1028

CONFIRMATION NO. 3327

FORMALITIES LETTER



25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

Date Mailed: 11/27/2007

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$75 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of **\$65** for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this notice.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$500** for a small entity

- **\$75** Statutory basic filing fee.
- **\$65** Surcharge.
- The application search fee has not been paid. Applicant must submit **\$255** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$105** to complete the examination fee for a small entity in compliance with 37 CFR 1.27.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/dalyon/

Office of Initial Patent Examination (571) 272-4000 or 1-800-PTO-9199



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
11/933,161	10/31/2007	EDWARD BALASSANIAN	IMPL-1-1028

CONFIRMATION NO. 3327

FORMALITIES LETTER



25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

Date Mailed: 11/27/2007

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

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- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of **\$65** for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this notice.

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Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/dalyon/

Office of Initial Patent Examination (571) 272-4000 or 1-800-PTO-9199

DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION

Attorney Docket No.: 1598-1

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

APPLICATION SERVER

the specification of which

XX is attached hereto.

 was filed on as U.S. Application Serial
No. (or PCT International Application No.)
and was amended on (if
applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Z:\1550 -1598 BeComm\001 USPA Java Server\Declaration&Power.doc

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority</u>
_____	_____	<u>Day/Mo/Yr</u>	<u>Yes/No</u>
_____	_____	<u>Day/Mo/Yr</u>	<u>Yes/No</u>

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

<u>Application No.</u>	<u>Filing Date</u>
_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Serial Number</u>	<u>Filing Date</u>	<u>Status: Patented Pending/Abandoned</u>
_____	_____	_____
_____	_____	_____

I hereby appoint the attorneys associated with Customer No. 07-1897 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all correspondence and phone calls to:

Gregory P. Silberman
GRAYBEAL JACKSON HALEY LLP
777-108th Avenue NE
Suite 2460
Bellevue, WA 98004-5117
(425) 455-5575

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Edward Balassanian USA
Full Name of Inventor Citizenship

12724 NE 94th Ct, Kirkland, Washington 98033
Residence

Same
Post Office Address

SS/PC 3/18/98
Inventor's Signature Date

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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2006 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) IMPL-1-1028																									
Application Number 11/933,161		Filed October 31, 2007																									
For APPLICATION SERVER																											
Art Unit 2131		Examiner --																									
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: center;"><u>Fee</u></th> <th style="width: 15%; text-align: center;"><u>Small Entity Fee</u></th> <th style="width: 30%;"></th> </tr> </thead> <tbody> <tr> <td>☒ One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$120</td> <td style="text-align: center;">\$60</td> <td>\$ <u>60</u></td> </tr> <tr> <td>☐ Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$460</td> <td style="text-align: center;">\$230</td> <td>\$ _____</td> </tr> <tr> <td>☐ Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1050</td> <td style="text-align: center;">\$525</td> <td>\$ _____</td> </tr> <tr> <td>☐ Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1640</td> <td style="text-align: center;">\$820</td> <td>\$ _____</td> </tr> <tr> <td>☐ Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2230</td> <td style="text-align: center;">\$1115</td> <td>\$ _____</td> </tr> </tbody> </table> ☒ Applicant claims small entity status. See 37 CFR 1.27. ☐ A check in the amount of the fee is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>501050</u>. I have enclosed a duplicate copy of this sheet. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the ☐ applicant/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96). ☒ attorney or agent of record. Registration Number <u>56,950</u> ☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____  _____ Signature February 21, 2008 _____ Date Christopher T.L. Douglas _____ Typed or printed name 206.287.0099 _____ Telephone Number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. ☒ Total of <u>1</u> forms are submitted.					<u>Fee</u>	<u>Small Entity Fee</u>		☒ One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <u>60</u>	☐ Two months (37 CFR 1.17(a)(2))	\$460	\$230	\$ _____	☐ Three months (37 CFR 1.17(a)(3))	\$1050	\$525	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$1640	\$820	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____
	<u>Fee</u>	<u>Small Entity Fee</u>																									
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☐ Five months (37 CFR 1.17(a)(5))	\$2230	\$1115	\$ _____																								

This collection of information is required by 37 CFR 1.136(a). 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 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward Balassanian

Attorney Docket No. IMPL-1-1028

Serial No.: 11/933,161

Group Art Unit: 2131

Filing Date: October 31, 2007

Examiner: —

Title: APPLICATION SERVER

PRELIMINARY AMENDMENT

TO THE COMMISSIONER FOR PATENTS

Please enter the following Preliminary Amendment:

25315

CUSTOMER NUMBER

- 1 -

IMPL-1-1028PA.doc

BLACK LOWE & GRAHAM ^{PL.L.C.}


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

CAPITAL ONE EXHIBIT 1004

Page 33 of 172

In the Specification:

Please add the following paragraph at page 1, line 1:

PRIORITY CLAIM

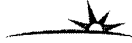
This application is a continuation of US Application Serial No. 11/241,985 filed October 4, 2005 which is a continuation of US Application Serial No. 09/968,704 filed on October 1, 2001, which is a continuation of US Application Serial No. 09/040,972 filed on March 18, 1998, now Patent No. 6,324,685.

25315
CUSTOMER NUMBER

- 2 -

IMPL-1-1028PA.doc

BLACK LOWE & GRAHAM ^{PL.L.C.}


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

REMARKS

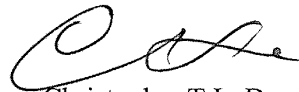
The applicant respectfully enters this Preliminary Amendment under MPEP 714.01(e), which allows an Applicant to make specific reference to a prior application as required by 35 USC 120 and does not require a substitute specification. The applicant respectfully requests the benefit claim be added to the first line of the specification as requested. This claim is timely under 37 CFR 1.78(a)(2) AND (a)(5) and is in the correct form (See 37 CFR 1.78(a)(2)(i)) and therefore the application is entitled under 35 U.S.C. 120 to the earlier U.S. effective filing date.

CONCLUSION

Applicant respectfully requests consideration and allowance of the claims as amended.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Christopher T.L. Douglas

Registration No. 56,950

Direct Dial: 206.287.0099

Electronic Patent Application Fee Transmittal				
Application Number:		11933161		
Filing Date:		31-Oct-2007		
Title of Invention:		APPLICATION SERVER		
First Named Inventor/Applicant Name:		EDWARD BALASSANIAN		
Filer:		Richard Thomas Black/Tricia Walker		
Attorney Docket Number:		IMPL-1-1028		
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	75	75
Utility Search Fee	2111	1	255	255
Utility Examination Fee	2311	1	105	105
Pages:				
Claims:				
Miscellaneous-Filing:				
Late filing fee for oath or declaration	2051	1	65	65
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	60	60
Miscellaneous:				
Total in USD (\$)				560

Electronic Acknowledgement Receipt	
EFS ID:	2907495
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	EDWARD BALASSANIAN
Customer Number:	25315
Filer:	Richard Thomas Black/Tricia Walker
Filer Authorized By:	Richard Thomas Black
Attorney Docket Number:	IMPL-1-1028
Receipt Date:	25-FEB-2008
Filing Date:	31-OCT-2007
Time Stamp:	19:45:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$560
RAM confirmation Number	4045
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1		IMPL-1-1028RMP.pdf	349998 10da447d4dd95367d79ea24efde64311 327aa895	yes	10
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	1	
	Applicant Response to Pre-Exam Formalities Notice		2	3	
	Oath or Declaration filed		4	6	
	Extension of Time		7	7	
	Preliminary Amendment		8	10	
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8671 cda9850266fc03d02188e71b68790d24 4d95315e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			358669		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward Balassanian

Attorney Docket No. IMPL-1-1028

Serial No.: 11/933,161

Group Art Unit: 2131

Filing Date: October 31, 2007

Examiner: —

Title: APPLICATION SERVER

TRANSMITTAL LETTER FOR MISSING PARTS

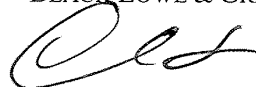
TO THE COMMISSIONER OF PATENTS:

Enclosed with this transmittal letter are the following papers:

1. Copy of Notice to File Missing Parts of Nonprovisional Application.
2. Executed copy of Declaration in Patent Application.
3. Petition for Extension of Time.
4. Preliminary Amendment

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Christopher T. L. Douglas

Registration No. 56,950

Direct Dial: 206.287.0099

25315

CUSTOMER NUMBER

IMPL-1-1028TL02.doc

BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/933,161		Filing Date 10/31/2007		☐ To be Mailed	
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APPLICATION AS FILED – PART I					
(Column 1)		(Column 2)		SMALL ENTITY ☒ OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A		N/A
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		X \$ =
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =		X \$ =
☐ APPLICATION SIZE FEE (37 CFR 1.16(s)) If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL

APPLICATION AS AMENDED – PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR OTHER THAN SMALL ENTITY	
AMENDMENT	02/25/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	* 1	Minus	** 20	= 0	X \$25 = 0	OR X \$ =
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0	X \$105 = 0	OR X \$ =
☐ Application Size Fee (37 CFR 1.16(s))							
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
TOTAL ADD'L FEE						0	OR TOTAL ADD'L FEE

(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR OTHER THAN SMALL ENTITY	
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	OR X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	OR X \$ =
☐ Application Size Fee (37 CFR 1.16(s))							
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
TOTAL ADD'L FEE							OR TOTAL ADD'L FEE

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

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

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

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

Legal Instrument Examiner:
 /ADRIENE D. SELLMAN/

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
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
11/933,161	10/31/2007	2131	500	IMPL-1-1028	1	1

CONFIRMATION NO. 3327

UPDATED FILING RECEIPT



OC000000028639491

25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

Date Mailed: 03/06/2008

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 write to the Office of Initial Patent Examination's Filing Receipt Corrections. 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**

Applicant(s)

Edward BALASSANIAN, Kirkland, WA;

Power of Attorney: The patent practitioners associated with Customer Number 071897

Domestic Priority data as claimed by applicant

This application is a CON of 11/241,985 10/04/2005
which is a CON of 09/968,704 10/01/2001 PAT 6,976,248
which is a CON of 09/040,972 03/18/1998 PAT 6,324,685

Foreign Applications

If Required, Foreign Filing License Granted: 11/21/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 11/933,161**

Projected Publication Date: 06/12/2008

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

APPLICATION SERVER

Preliminary Class

726

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

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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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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

CONFIRMATION NO. 3327

25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA98104

Date Mailed. 03/06/2008

NOTICE OF NEW OR REVISED PROJECTED PUBLICATION DATE

The above-identified application has a new or revised projected publication date. The current projected publication date for this application is 06/12/2008. If this is a new projected publication date (there was no previous projected publication date), the application has been cleared by Licensing & Review or a secrecy order has been rescinded and the application is now in the publication queue.

If this is a revised projected publication date (one that is different from a previously communicated projected publication date), the publication date has been revised due to processing delays in the USPTO or the abandonment and subsequent revival of an application. The application is anticipated to be published on a date that is more than six weeks different from the originally-projected publication date.

More detailed publication information is available through the private side of Patent Application Information Retrieval (PAIR) System. The direct link to access PAIR is currently <http://pair.uspto.gov>. Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Questions relating to this Notice should be directed to the Office of Patent Publication at 1-888-786-0101.

PART 1 - ATTORNEY/APPLICANT COPY



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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
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

CONFIRMATION NO. 3327

25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA98104

Title: APPLICATION SERVER

Publication No. US-2008-0140772-A1

Publication Date: 06/12/2008

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 publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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

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

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

Pre-Grant Publication Division, 703-605-4283

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number: 22504

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☐ The address associated with Customer Number:

OR

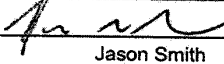
☒ Firm or Individual Name	Implicit Networks, Inc. - Intellectual Property Department		
Address	218 Main Street, Suite 498		
City	Kirkland	State	WA Zip 98033
Country	US		
Telephone	425-503-5044	Email	docketing@implicitnetworks.com

Assignee Name and Address:

Implicit Networks, Inc.
218 Main Street, Suite 498
Kirkland, WA 98033

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	7-23-2009
Name	Jason Smith	Telephone	425-503-5044
Title	Authorized Person for Implicit Networks, Inc.		

This collection of information is required by 37 CFR 1.31, 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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Implicit Networks, Inc.

Application No./Patent No.: 11/933,161

Filed/Issue Date: 31-Oct-2007

Titled: APPLICATION SERVER

Implicit Networks, Inc., a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- 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 therefore is attached.

OR

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

1. From: BALASSANIAN, EDWARD

To: BECOMM CORPORATION

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

Reel 012264, Frame 0008, or for which a copy thereof is attached.

2. From: BECOMM CORPORATION

To: IMPLICIT NETWORKS, INC.

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

Reel 015748, Frame 0521, or for which a copy thereof is attached.

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.

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

☐ As required by 37 CFR 3.73(b)(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.

/Michael J. Donohue, Reg No. 35859/

July 27, 2009

Signature

Date

Michael J. Donohue, Reg No. 35859

Attorney of record

Printed or Typed Name

Title

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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Electronic Acknowledgement Receipt	
EFS ID:	5774489
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	25315
Filer:	Michael J. Donohue/Selah Brown
Filer Authorized By:	Michael J. Donohue
Attorney Docket Number:	IMPL-1-1028
Receipt Date:	27-JUL-2009
Filing Date:	31-OCT-2007
Time Stamp:	15:19:49
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	POA.pdf	109827 6af103c8c0da16619d34a7735338adb655a e5abb	no	1
Warnings:					
Information:					

2	Assignee showing of ownership per 37 CFR 3.73(b).	005US3.pdf	6292 a966fb6a618bcfb4f70c9d8be9d7cb08076fe36c	no	1
Warnings:					
Information:					
Total Files Size (in bytes):				116119	
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

22504
DAVIS WRIGHT TREMAINE, LLP/Seattle
1201 Third Avenue, Suite 2200
SEATTLE, WA 98101-3045

CONFIRMATION NO. 3327
POA ACCEPTANCE LETTER



Date Mailed: 08/03/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/27/2009.

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.

/tkim/

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



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

25315
BLACK LOWE & GRAHAM, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

CONFIRMATION NO. 3327
POWER OF ATTORNEY NOTICE



Date Mailed: 08/03/2009

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/27/2009.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/tkim/

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

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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Implicit Networks, Inc.

Application No./Patent No.: 11/933,161

Filed/Issue Date: October 31, 2007

Entitled: Application Server

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

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 therefore is attached.

OR

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

1. From: Edward Balassanian To: Becomm Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 012264, Frame 0008, or for which a copy thereof is attached.

2. From: Becomm Corporation To: Implicit Networks, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 015765, Frame 0534, or for which a copy thereof is attached.

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.

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

☐ As required by 37 CFR 3.73(b)(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.

/Kenneth M. Kaslow/

Signature

February, 2010

Date

Kenneth M. Kaslow, Reg. No. 32,246

Printed or Typed Name

650-305-3050

Telephone Number

Attorney

Title

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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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.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

80641

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

80641

OR

☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

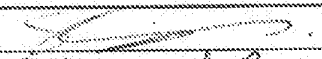
Assignee Name and Address:

Implicit Networks, Inc.
218 Main Street, Suite 498
Kirkland, WA 98039

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	2/25/10
Name	Edward Balassanian	Telephone	206-390-1946
Title	President & CEO		

This collection of information is required by 37 CFR 1.31, 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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Electronic Acknowledgement Receipt	
EFS ID:	7104903
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	22504
Filer:	Kenneth M. Kaslow
Filer Authorized By:	
Attorney Docket Number:	IMPL-1-1028
Receipt Date:	28-FEB-2010
Filing Date:	31-OCT-2007
Time Stamp:	20:57:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PA1062US_373b.pdf	178188 a8230a547b20d1108a9bea5432e2b267a8e def2c	no	2

Warnings:

Information:

2	Power of Attorney	Implicit_Networks_POA.pdf	1326635	no	1
			2c7207c0a478783a5398e02c556b710cd2e8795		
Warnings:					
Information:					
Total Files Size (in bytes):				1504823	
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

80641
Gard and Kaslow LLP
One 1st Street, Suite 9
Los Altos, CA 94022

CONFIRMATION NO. 3327
POA ACCEPTANCE LETTER



Date Mailed: 03/09/2010

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/28/2010.

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.

/mayalew/

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



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	IMPL-1-1028

22504
DAVIS WRIGHT TREMAINE, LLP/Seattle
1201 Third Avenue, Suite 2200
SEATTLE, WA 98101-3045

CONFIRMATION NO. 3327
POWER OF ATTORNEY NOTICE



Date Mailed: 03/09/2010

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/28/2010.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/mayalew/

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327
80641	7590	02/14/2011		
Gard and Kaslow LLP 4 Main Street, Suite 120 Los Altos, CA 94022			EXAMINER KHATRI, ANIL	
			ART UNIT 2191	PAPER NUMBER
			MAIL DATE 02/14/2011	DELIVERY MODE PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/933,161	BALASSANIAN, EDWARD	
	Examiner	Art Unit	
	Anil Khatri	2191	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1) ☒ Responsive to communication(s) filed on 31 October 2007.

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

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

Disposition of Claims

4) ☒ Claim(s) 1 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1 is/are rejected.

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

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

Application Papers

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

10) ☒ The drawing(s) filed on 1/31/07 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

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

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

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

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The use of the trademark Java, VB etc has been noted in this application. It should be capitalized TM wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks. Appropriate correction is required.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29

USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 1 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 22 of U.S. Patent No. 7,774,740. Although the conflicting claims are not identical, they are not patentably distinct from each other because they recite similar claim language and scope of the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a

patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al
USPN 5,923,885.

Regarding claim 1

Johnson et al teaches

receiving on server computer a request from a client computer for an applet in a form selected from a plurality forms (column 6, line 6, Typically the server provides data and software that is accessible to the various clients which are in communication with the server, either directly or through a device such as a router. The construction, maintenance, and operation of the server, router, and various client machines will be well known to those of skill in the art. In particular, however, the server 208 will be configured to provide data that is compatible with browser software such as that used to view data on the World Wide Web as described above. In particular, the data provided by the server will be in the form of pages of data that can be examined using typical browser software. In one embodiment, the server and clients are configured to exchange not only data but computer software applications and, more particularly, software in the form of "applets", such as those written in the Java programming language available from Sun Microsystems of Mountain View, Calif. The term "applet"

as used herein refers to a software code that is executed in the context of software already running on the remote computer (see Flannagan 1996). In one embodiment, the software in context with which the applet runs is the above-described browser software. Typically, applets provide additional functionalities to browser software by performing various computational tasks which the browser software itself is not configured to perform. Thus, users who download applets can provide the browser software with additional functionalities that are not otherwise available to the browser software);

compiling applet into selected form from a local resource comprising at least one source module and one compiler which acts on source module to produce selected form (column 8, line 13, one embodiment of a method by which the aforementioned transformation is accomplished is shown at 400 in FIG. 4. As shown therein, the user first loads the browser software at step 402. In one embodiment, the browser software is installed on the local client machine and is executed by the user directly from the client. Alternatively, the browser can be provided remotely across the network in which case the client machine is configured to respond more like a terminal than a stand-alone computing platform. The implementation of either configuration, and other configurations, will be apparent to those of skill in the art. Upon loading the browser, the user loads a web page which contains the desired applet to be executed at step 404. The loading of such web pages is performed using methods that are familiar to those of skill in the art. Upon loading the desired applet, the browser interface is

transformed at step 406 such that a new interface is provided to the user which includes functionalities and displays that are consistent with the functionality of the applet as illustrated above with respect to FIGS. 3A and 3B. At step 408 the user operates the application, e.g., the applet, using the transformed interface after which the user terminates the applet at step 410 from a command generated and passed to the applet through the modified browser interface. Finally, at step 412, the browser interface is returned to its original configuration from which the user may either select another applet to be loaded into the client computer, and which may transform the browser interface again according to the sequence just described, or the user may terminate operation of the computer, or the user may execute software that is installed on the local machine); and

transmitting applet in selected form to client computer (column 8, line 43, Step 406 of FIG. 4, the transformation of the browser interface into a new interface that functions in accordance with the applet, is illustrated in greater detail at 500 in FIG. 5. At step 502 the applet which is now executing on the client computer, having been loaded from the remote server using standard techniques, acquires new properties settings that will be used to define the new functionalities to be presented in the transformed browser interface. The settings are typically stored on the server on which the applet is stored. However, the settings may be provided at other locations, such as different servers, or may be stored on the client computer system itself. At step 504 the applet communicates the new properties settings to the browser as will be described in greater

detail below. Upon the communication of the new properties settings to the browser, at step 506 the applet requests the browser to update its interface using the new settings. At step 508 the browser transforms its interface as it updates its interface through the new properties settings that have been provided by the applet. This transformation relies on the same mechanisms used to construct the original browser interface and therefore will not be described in greater detail as such operations will be familiar of those of skill in the art) and (column 9, line 50, Step 412 of FIG. 4 in which the browser interface is restored following these termination of the applet, is shown in greater detail at 700 in FIG. 7. At step 702 a determination is made as to whether the applet or the browser is responsible for maintaining a copy of the original browser interface settings. If the applet has the original settings, then those settings are communicated to the browser, e.g., using the methods just described with respect to FIG. 6, or by redirecting the browser to a copy of the original properties table that has been placed in memory at a location different from the modified original table. At step 706 the applet then sends a "update interface" message to the browser to cause the browser to consult the copy of the original table to thereby restore its original settings and interface. Alternatively, if the browser is responsible for maintaining a copy of the original settings then the applet sends a "restore settings" message to the browser at step 708 which command is followed by the above-described "update interface" command to thereby cause the browser to restore its original interface. In conjunction with this the applet ceases execution and the user is returned to the browser interface such as shown in FIG. 3A from which the browser can select additional information through the browser).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Anil Khatri/

Primary Examiner, Art Unit 2191

Notice of References Cited	Application/Control No. 11/933,161		Applicant(s)/Patent Under Reexamination BALASSANIAN, EDWARD	
	Examiner Anil Khatri		Art Unit 2191	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,920,725	07-1999	Ma et al.	717/171
*	B	US-5,923,885	07-1999	Johnson et al.	717/176
*	C	US-5,926,631	07-1999	McGarvey, John Ryan	703/23
*	D	US-6,195,794	02-2001	Buxton, Jeffrey J.	717/108
*	E	US-6,766,366	07-2004	Schafer et al.	709/223
*	F	US-7,131,122	10-2006	Lakhdir, Mansoor A.	717/168
*	G	US-7,523,158	04-2009	Nickerson et al.	709/203
*	H	US-7,814,475	10-2010	Cohen et al.	717/168
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

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



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BIB DATA SHEET

CONFIRMATION NO. 3327

SERIAL NUMBER 11/933,161	FILING or 371(c) DATE 10/31/2007 RULE	CLASS 717	GROUP ART UNIT 2191	ATTORNEY DOCKET NO. PA1062US		
APPLICANTS Edward BALASSANIAN, Kirkland, WA; ** CONTINUING DATA ***** This application is a CON of 11/241,985 10/04/2005 PAT 7,774,740 which is a CON of 09/968,704 10/01/2001 PAT 6,976,248 which is a CON of 09/040,972 03/18/1998 PAT 6,324,685 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 11/21/2007						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /ANIL KHATRI/ Acknowledged Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY WA	SHEETS DRAWINGS 3	TOTAL CLAIMS 1	INDEPENDENT CLAIMS 1
ADDRESS Gard and Kaslow LLP 4 Main Street, Suite 120 Los Altos, CA 94022 UNITED STATES						
TITLE APPLICATION SERVER						
FILING FEE RECEIVED 500	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			☐ All Fees		
				☐ 1.16 Fees (Filing)		
				☐ 1.17 Fees (Processing Ext. of time)		
				☐ 1.18 Fees (Issue)		
				☐ Other _____		
			☐ Credit			

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	("7774740").PN.	USPAT; USOCR	OR	OFF	2011/01/31 11:18
L2	1	("6976248").PN.	USPAT; USOCR	OR	OFF	2011/01/31 11:20
L3	1	("6324685").PN.	USPAT; USOCR	OR	OFF	2011/01/31 11:20
L4	876	(717/168).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L5	328	(717/169).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L6	615	(717/170).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L7	435	(717/171).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L8	380	(717/175).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L9	382	(717/176).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57
L10	403	(717/177).CCLS.	USPAT; USOCR	OR	OFF	2011/01/31 11:57

1/ 31/ 2011 11:58:02 AM

Search Notes 	Application/Control No.		Applicant(s)/Patent under Reexamination	
	11/933,161		BALASSANIAN, EDWARD	
	Examiner		Art Unit	
	Anil Khatri		2191	

SEARCHED			
Class	Subclass	Date	Examiner
717	168-171	1/31/2011	AK
717	175-177	1/31/2011	AK

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR
East	1/31/2011	AK
inventor/DP search 6324685, 6976248, 7774740	1/31/2011	AK

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.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

55959

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

55959

OR

☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

Assignee Name and Address:

Implicit Networks
218 Main Street, Suite 494
Kirkland, WA 98033**A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.****SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	May 19, 2011
Name	Edward Balassanian	Telephone	206-390-1946
Title	President & CEO		

This collection of information is required by 37 CFR 1.31, 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.

Privacy Act Statement

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

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

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

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

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Implicit Networks, Inc.Application No./Patent No.: 11/933,161Filed/Issue Date: October 31, 2007Titled:
APPLICATION SERVERImplicit Networks, Inc., a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- 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 therefore is attached.

OR

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

1. From: Edward Balassanian To: Becomm Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 012264, Frame 0008, or for which a copy thereof is attached.

2. From: Becomm Corporation To: Implicit Networks, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 015765, Frame 0534, or for which a copy thereof is attached.

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.

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

- ☐ As required by 37 CFR 3.73(b)(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.

/Randall Moeller/

Signature

May 20, 2011

Date

Randall Moeller, Reg. No. 39,776

Printed or Typed Name

Attorney

Title

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.

Privacy Act Statement

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether 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 Acknowledgement Receipt	
EFS ID:	10140571
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	80641
Filer:	Randall H. Moeller/Michael Spain
Filer Authorized By:	Randall H. Moeller
Attorney Docket Number:	PA1062US
Receipt Date:	20-MAY-2011
Filing Date:	31-OCT-2007
Time Stamp:	18:18:44
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA_11933161.pdf	399148 e7502ba8f1d5d9c0fdea0eb4e48506e04a672c6e	no	4

Warnings:

Information:

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
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US

80641
Gard and Kaslow LLP
4 Main Street, Suite 120
Los Altos, CA 94022

CONFIRMATION NO. 3327
POWER OF ATTORNEY NOTICE



Date Mailed: 05/27/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/20/2011.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/sibrahim/

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
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
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US

CONFIRMATION NO. 3327

POA ACCEPTANCE LETTER



55959
NEWMAN & NEWMAN, ATTORNEYS AT LAW, LLP
505 FIFTH AVENUE SOUTH
SUITE 610
SEATTLE, WA 98104

Date Mailed: 05/27/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/20/2011.

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.

/s/ibrahim/

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

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

In re Application of: Edward Balasanian

Application No.: 11/933,161

Filed: October 31, 2007

For: APPLICATION SERVER

The owner*, Implicit Networks, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,774,740 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 39776

/Randall Moeller/
Signature

August 9, 2011
Date

Randall Moeller
Typed or printed name

206-274-2821
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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

This collection of information is required by 37 CFR 1.321. 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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Implicit Networks, Inc.

Application No./Patent No.: 11/933,161

Filed/Issue Date: October 31, 2007

Titled: APPLICATION SERVER

Implicit Networks, Inc., a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- 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 therefore is attached.

OR

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

1. From: Edward Balassanian To: Becomm Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 12264, Frame 0008, or for which a copy thereof is attached.

2. From: Becomm Corporation To: Implicit Networks, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 015765, Frame 0534, or for which a copy thereof is attached.

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.

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

☐ As required by 37 CFR 3.73(b)(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.

/Randall Moeller/

August 9, 2011

Signature

Date

Randall Moeller, Reg. No. 39,776

Attorney

Printed or Typed Name

Title

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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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)).
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Electronic Acknowledgement Receipt	
EFS ID:	10695877
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	55959
Filer:	Randall H. Moeller/Michael Spain
Filer Authorized By:	Randall H. Moeller
Attorney Docket Number:	PA1062US
Receipt Date:	09-AUG-2011
Filing Date:	31-OCT-2007
Time Stamp:	14:18:42
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	Terminal Disclaimer Filed	Terminal_Disclaimer_and_37_CFR.pdf	269547 02c14e7114d3a49a3a221e1b0d0df94b03092bf7	no	3

Warnings:

Information:

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.

Application Number : 11/933,161 Confirmation No. 3327
Applicant : Edward Balassanian
Filed : 10/31/2007
TC/A.U. : 2191
Examiner : Anil Khatri
Docket No. : PA1062US
Customer Number : 55959

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

AMENDMENT

Dear Sir:

In response to the office action of February 14, 2011, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Amendments to the Specification

Amendments to the Specification:

Please replace the title with the following amended title:

APPLICATION SERVER REQUEST MANAGEMENT

Please replace paragraph [0003] with the following amended paragraph:

The growth of the Internet's importance to business, along with the increased dependence upon corporate networks, has created a demand for more secure and efficient computer systems. The traditional solution to this problem has been to depend upon improvements in hardware performance to make up for the performance penalty that is typically incurred when a computer system is made more secure and stable. Increased interconnectivity has also created a need for improved interoperability amongst a variety of computers that are now connected to one another. One solution to the problem of the variety of computers interconnected via the Internet and corporate networks has been the development of portable architecture neutral programming languages. The most widely known of these is the Java (TM) programming language, though, there are numerous other architecture neutral languages.

Please replace paragraph [0005] with the following amended paragraph:

The security of this system is premised on the ability of the byte-code to be verified independently by the client computer. Using the Java (TM) programming language or some other virtual machine implementing technology, a client can ensure that the downloaded program will not crash the user's computer or perform operations for which it does not have permission.

Please replace paragraph [0019] with the following amended paragraph:

Source refers to non-binary applet code, generally in the form of higher level languages (i.e. the C (TM), C++ (TM), Java (TM), Visual Basic (TM), ActiveX (TM), Fortran (TM), and Modula (TM) programming languages).

Please replace paragraph [0020] with the following amended paragraph:

Intermediate format refers to a common intermediate byte-code that is produced by compiling a given source code input. The intermediate byte-code need not necessarily be Java (TM) byte-code.

Amendments to the Claims and Listing of Claims

Amendments to the Claims:

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

Listing of Claims:

- Claim 1. (CANCELLED)
- Claim 2. (NEW) A method for delivering one or more applets to one or more client computers, comprising, in no particular order, the steps of:
- configuring an applet server manager at a server computer to manage at least one request from the one or more client computers for the one or more applets, the applet server manager having access to one or more networks;
 - receiving the at least one request at the applet server manager;
 - passing the at least one request from the applet server manager to at least one of the one or more networks;
 - receiving the one or more applets at the applet server manager from the at least one of the one or more networks;
 - processing the one or more applets at the applet server manager; and
 - sending the one or more applets from the applet server manager to the one or more client computers.
- Claim 3. (NEW) The method of claim 2 wherein processing the one or more applets further includes compressing the one or more applets before sending the one or more applets to the one or more client computers.
- Claim 4. (NEW) The method of claim 2 wherein processing the one or more applets further includes optimizing the one or more applets before sending the one or more applets to the one or more client computers.
- Claim 5. (NEW) The method of claim 2 wherein processing the one or more applets further includes verifying the one or more applets before sending the one or more applets to the one or more client computers.

Amendments to the Claims and Listing of Claims - Continued

- Claim 6. (NEW) The method of claim 2 wherein processing the one or more applets further includes discarding at least one of the one or more applets based on one or more policies.
- Claim 7. (NEW) The method of claim 2 wherein processing the one or more applets further includes transforming at least one of the one or more applets by modifying the data in the at least one of the one or more applets before sending the one or more applets to the one or more client computers.
- Claim 8. (NEW) The method of claim 2 wherein at least one of the one or more networks is a trusted network.
- Claim 9. (NEW) The method of claim 2 wherein at least one of the one or more networks is an untrusted network.
- Claim 10. (NEW) The method of claim 2 wherein the at least one request specifies the name of at least one of the one or more applets using a Uniform Resource Locator.
- Claim 11. (NEW) The method of claim 2 wherein the at least one request specifies at least one of the one or more applets using an HTTP header.
- Claim 12. (NEW) The method of claim 2 wherein the at least one request specifies at least one of the one or more applets using a cookie.
- Claim 13. (NEW) The method of claim 2 wherein processing the one or more applets includes producing at least one of the one or more applets in the form of a web page.
- Claim 14. (NEW) The method of claim 2 wherein processing the one or more applets includes producing at least one of the one or more applets in the form of a portion of a web page.
- Claim 15. (NEW) The method of claim 2 wherein sending the one or more applets includes sending at least one of the one or more applets to the one or more client computers in an HTTP response.

Amendments to the Claims and Listing of Claims - Continued

Claim 16 (NEW) The method of claim 2 wherein the at least one request is processed prior to passing the at least one request from the applet server manager to at least one of the one or more networks.

Procedural History

Prior to entry of this paper, the following claims were pending: 1. In this paper, claim 1 has been cancelled. New claims 2-16 have been added. After entry of this paper, claims 2-16 are still pending.

Amendments to the Specification

The Patent Office has objected to the title and has further required correction of the specification to indicate the proprietary nature of various trademarks. Applicant has submitted the requested amendments with this paper, and respectfully requests the Patent Office withdraw this objection.

Double Patenting Rejection

The Patent Office has objected to claim 1 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 22 of U.S. Patent No. 7,774,740. The applicant has filed a terminal disclaimer, and respectfully requests the Patent Office withdraw its nonstatutory double patenting rejection.

Claim Rejections under 35 U.S.C. § 102

The Patent Office has objected to claim 1 as being anticipated by Johnson et al. (U.S. Patent No. 5,923,885). Applicant has cancelled claim 1, and respectfully believes that Johnson does not read on any of Applicant's new claims 2-16.

In light of the above amendments and arguments, applicant respectfully requests the Patent Office withdraw its objections. The applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Appl. No. 11/933,161
Amdt. dated August 11, 2011
Reply to Office Action of February 14, 2011

Remarks/Arguments -- Continued

Respectfully submitted,
NEWMAN & NEWMAN, LLP

By /Randall Moeller/
Randall Moeller
Reg. No. 39776

Electronic Patent Application Fee Transmittal				
Application Number:		11933161		
Filing Date:		31-Oct-2007		
Title of Invention:		APPLICATION SERVER		
First Named Inventor/Applicant Name:		Edward BALASSANIAN		
Filer:		Randall H. Moeller		
Attorney Docket Number:		PA1062US		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1110	1110

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				1110

Electronic Acknowledgement Receipt	
EFS ID:	10720158
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	APPLICATION SERVER
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	55959
Filer:	Randall H. Moeller
Filer Authorized By:	
Attorney Docket Number:	PA1062US
Receipt Date:	11-AUG-2011
Filing Date:	31-OCT-2007
Time Stamp:	18:05:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1110
RAM confirmation Number	4662
Deposit Account	503122
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		11933161_ROA_2011_08_11.pdf	33953 06e7bed440fee6894d29eaa4263428bef3c2dc52	yes	7
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	5	
	Applicant Arguments/Remarks Made in an Amendment		6	7	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30038 9b981277f143ae6c40ffd5a2ee35a9d29643a776	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			63991		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/933,161		Filing Date 10/31/2007		☐ To be Mailed					
APPLICATION AS FILED – PART I														
(Column 1)			(Column 2)			SMALL ENTITY ☒		OR		OTHER THAN SMALL ENTITY				
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)				
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A				N/A					
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A				N/A					
☐ EXAMINATION FEE (37 CFR 1.16(c), (p), or (q))		N/A	N/A		N/A				N/A					
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*		X \$ =				X \$ =					
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*		X \$ =				X \$ =					
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).												
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))														
* If the difference in column 1 is less than zero, enter "0" in column 2.														
APPLICATION AS AMENDED – PART II														
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	08/11/2011	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)				
	Total (37 CFR 1.16(i))	* 15	Minus	** 20	= 0	X \$26 =	0	OR	X \$ =					
	Independent (37 CFR 1.16(h))	* 1	Minus	***3	= 0	X \$110 =	0	OR	X \$ =					
	☐ Application Size Fee (37 CFR 1.16(s))							OR						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR						
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE					
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)				
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =					
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =					
	☐ Application Size Fee (37 CFR 1.16(s))							OR						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR						
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE					
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.														
Legal Instrument Examiner: /TRINA STEPTOE/														

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

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

Application Number 	Application/Control No.	Applicant(s)/Patent under Reexamination	
	11/933,161	BALASSANIAN, EDWARD	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	☐ APPROVED	☒ DISAPPROVED
Date Filed : 8/09/11	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by: The disclaimer fee under 37 CFR 1.20(d) in the amount of \$70.00 has not been submitted nor is there any pre authorization in the application to charge to a deposit account. (See FP 14.24 and 14.26.07) Jean Proctor
--

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

In re Application of: Edward Balasanian

Application No.: 11/933,161

Filed: October 31, 2007

For: APPLICATION SERVER

The owner*, Implicit Networks, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,774,740 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 39776

/Randall Moeller/
Signature

August 9, 2011
Date

Randall Moeller
Typed or printed name

206-274-2821
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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

This collection of information is required by 37 CFR 1.321. 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.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Implicit Networks, Inc.

Application No./Patent No.: 11/933,161

Filed/Issue Date: October 31, 2007

Titled: APPLICATION SERVER

Implicit Networks, Inc., a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- 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 therefore is attached.

OR

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

1. From: Edward Balassanian To: Becomm Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 12264, Frame 0008, or for which a copy thereof is attached.

2. From: Becomm Corporation To: Implicit Networks, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 015765, Frame 0534, or for which a copy thereof is attached.

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.

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

☐ As required by 37 CFR 3.73(b)(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.

/Randall Moeller/

August 9, 2011

Signature

Date

Randall Moeller, Reg. No. 39,776

Attorney

Printed or Typed Name

Title

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.

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:		11933161		
Filing Date:		31-Oct-2007		
Title of Invention:		Server request management		
First Named Inventor/Applicant Name:		Edward BALASSANIAN		
Filer:		Randall H. Moeller/Michael Spain		
Attorney Docket Number:		PA1062US		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or terminal disclaimer	2814	1	70	70
Total in USD (\$)				70

Electronic Acknowledgement Receipt	
EFS ID:	10875725
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	Server request management
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	55959
Filer:	Randall H. Moeller/Michael Spain
Filer Authorized By:	Randall H. Moeller
Attorney Docket Number:	PA1062US
Receipt Date:	02-SEP-2011
Filing Date:	31-OCT-2007
Time Stamp:	17:55:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$70
RAM confirmation Number	4337
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Terminal Disclaimer Filed	Terminal_Disclaimer_and_37_CFR.pdf	269547 02c14e7114d3a49a3a221e1b0d0df94b03092bf7	no	3
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30084 cd7952c7adce44fb6914681dd35d0d75bbe2a0d	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			299631		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



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Bib Data Sheet

CONFIRMATION NO. 3327

SERIAL NUMBER 11/933,161	FILING OR 371(c) DATE 10/31/2007 RULE	CLASS 717	GROUP ART UNIT 2191	ATTORNEY DOCKET NO. PA1062US
APPLICANTS Edward BALASSANIAN, Kirkland, WA;				
** CONTINUING DATA ***** This application is a CON of 11/241,985 10/04/2005 PAT 7,774,740 which is a CON of 09/968,704 10/01/2001 PAT 6,976,248 which is a CON of 09/040,972 03/18/1998 PAT 6,324,685				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY ** ** 11/21/2007				
Foreign Priority claimed ☐ yes ☐ no 35 USC 119 (a-d) conditions ☐ yes ☐ no ☐ Met after met Allowance		STATE OR COUNTRY WA	SHEETS DRAWING 3	TOTAL CLAIMS 1
Verified and Acknowledged Examiner's Signature Initials		INDEPENDENT CLAIMS 1		
ADDRESS 55959				
TITLE Server request management				
FILING FEE RECEIVED 500	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	



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327
55959	7590	09/09/2011		
Newman Du Wors LLP 1201 Third Avenue, Suite 1600 SEATTLE, WA 98101			EXAMINER KHATRI, ANIL	
			ART UNIT 2191	PAPER NUMBER
			MAIL DATE 09/09/2011	DELIVERY MODE PAPER

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

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

<i>Applicant-Initiated Interview Summary</i>	Application No.		Applicant(s)	
	11/933,161		BALASSANIAN, EDWARD	
	Examiner		Art Unit	
	Anil Khatri		2191	

All participants (applicant, applicant's representative, PTO personnel):

(1) Anil Khatri. (3) _____.

(2) Randell Moeller reg. bo. 39,776. (4) _____.

Date of Interview: 30 August 2011.

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: 2-4.

Identification of prior art discussed: 7774740.

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...)

The examiner and attorney discussed the 102, double patenting and terminal disclaimer. The attorney pointed out key features of his invention over prior art "configuring an applet server manager and processing the one or more applet" and amending claims to overcome the prior art. If such an amendment is made, further search would be required and new office action will be forthcoming.

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

/Anil Khatri/ Primary Examiner, Art Unit 2191	
--	--

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.

Application Number 	Application/Control No.	Applicant(s)/Patent under Reexamination	
	11/933,161	BALASSANIAN, EDWARD	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 9/2/11	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Janice Ford

U.S. Patent and Trademark Office



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NOTICE OF ALLOWANCE AND FEE(S) DUE

55959 7590 09/23/2011
Newman Du Wors LLP
1201 Third Avenue, Suite 1600
SEATTLE, WA 98101

EXAMINER

KHATRI, ANIL

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 09/23/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327
TITLE OF INVENTION: SERVER REQUEST MANAGEMENT				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	12/23/2011

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 SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

55959 7590 09/23/2011
Newman Du Wors LLP
1201 Third Avenue, Suite 1600
SEATTLE, WA 98101

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.
-----------------	-------------	----------------------	---------------------	------------------

11/933,161 10/31/2007 Edward BALASSANIAN PA1062US 3327

TITLE OF INVENTION: SERVER REQUEST MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	12/23/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
KHATRI, ANIL	2191	717-177000

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

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

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

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

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

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

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

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

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

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

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information 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.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327
55959	7590	09/23/2011	EXAMINER	
Newman Du Wors LLP 1201 Third Avenue, Suite 1600 SEATTLE, WA 98101			KHATRI, ANIL	
			ART UNIT	PAPER NUMBER
			2191	

DATE MAILED: 09/23/2011

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

The Patent Term Adjustment to date is 664 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 664 day(s).

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 Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

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.

Applicant-Initiated Interview Summary	Application No. 11/933,161	Applicant(s) BALASSANIAN, EDWARD	
	Examiner Anil Khatri	Art Unit 2191	

All participants (applicant, applicant's representative, PTO personnel):

(1) Anil Khatri. (3) _____.

(2) Randal Moeller, reg. bo. 39,776. (4) _____.

Date of Interview: 19 September 2011.

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: USPN 5923885 and 7774740.

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...)

The examiner and attorney discussed the key features of the invention. The examiner suggested and inclusion processing the one or more applets at the applet server manager, wherein processing the one or more applets includes at least one of the following steps: compressing the one or more applets before sending the one or more applets to the one or more client computers, optimizing the one or more applets before sending the one or more applets to the one or more client computers, and verifying the one or more applets before sending the one or more applets to the one or more client computers of a proposed amendment to clarify the invention and to patentably distinguish from the prior art of the record. Applicant's representative agreed with the suggested proposal. If such an amendment is made, further search would be required and see the details in the examiner's amendment attached herewith..

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

/Anil Khatri/ Primary Examiner, Art Unit 2191	
--	--

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.

Notice of Allowability	Application No.	Applicant(s)	
	11/933,161	BALASSANIAN, EDWARD	
	Examiner	Art Unit	
	Anil Khatri	2191	

-- 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 8/11/11.

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 17-29.

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

a) ☐ All b) ☐ Some* c) ☐ None of 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. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.

(b) ☐ 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).

7. ☐ 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. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____ 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. ☐ Notice of Informal Patent Application 6. ☒ Interview Summary (PTO-413), Paper No./Mail Date <u>9/21/11</u> . 7. ☒ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other _____.
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Randall Moeller, registration no. 39,776 on 9/19/11.

The application has been amended as follows:

In Claims

Cancel claims 2-16.

Claim 17

A method for delivering one or more applets to one or more client computers, comprising, in no particular order, the steps of:

- configuring an applet server manager at a server computer to manage at least one request from the one or more client computers for the one or more applets, the applet server manager having access to one or more networks;
- receiving the at least one request at the applet server manager;
- passing the at least one request from the applet server manager to at least one of the one or more networks;

receiving the one or more applets at the applet server manager from the at least one of the one or more networks;

processing the one or more applets at the applet server manager, wherein processing the one or more applets includes at least one of the following steps:
compressing the one or more applets before sending the one or more applets to the one or more client computers,

optimizing the one or more applets before sending the one or more applets to the one or more client computers, and

verifying the one or more applets before sending the one or more applets to the one or more client computers; and

sending the one or more applets from the applet server manager to the one or more client computers.

Claim 18

The method of claim 17 wherein processing the one or more applets further includes discarding at least one of the one or more applets based on one or more policies.

Claim 19

The method of claim 17 wherein processing the one or more applets further includes transforming at least one of the one or more applets by modifying the data in

the at least one of the one or more applets before sending the one or more applets to the one or more client computers.

Claim 20

The method of claim 17 wherein at least one of the one or more networks is a trusted network.

Claim 21

The method of claim 17 wherein at least one of the one or more networks is an untrusted network.

Claim 22

The method of claim 17 wherein the at least one request specifies the name of at least one of the one or more applets using a Uniform Resource Locator.

Claim 23

The method of claim 17 wherein the at least one request specifies at least one of the one or more applets using an HTTP header.

Claim 24

The method of claim 17 wherein the at least one request specifies at least one of the one or more applets using a cookie.

Claim 25

The method of claim 17 wherein processing the one or more applets includes producing at least one of the one or more applets in the form of a web page.

Claim 26

The method of claim 17 wherein processing the one or more applets includes producing at least one of the one or more applets in the form of a portion of a web page.

Claim 27

The method of claim 17 wherein sending the one or more applets includes sending at least one of the one or more applets to the one or more client computers in an HTTP response.

Claim 28

The method of claim 17 wherein the at least one request is processed prior to passing the at least one request from the applet server manager to at least one of the one or more networks.

Claim 29

The method of claim 17 wherein processing the one or more applets further includes performing security verification based on one or more policies.

Allowable Subject Matter

Claims 17-29 (renumbered 1-13) are allowed.

The following is an examiner's statement of reasons for allowance:

The cited art taken alone or in combination does not fairly suggest the claimed invention of server architecture providing application caching and security verification. The prior art teaches managing software distribution across networked computer by providing, software for installing and operating selected software applications on a client

computer that is in communication with a server computer on a computer network and software can be distributed to client computers without the installation and other management difficulties common with managing software on multiple computer systems but silent on configuring an applet server manager at a server computer to manage at least one request from the one or more client computers for the one or more applets, the applet server manager having access to one or more networks, receiving the at least one request at the applet server manager, passing the at least one request from the applet server manager to at least one of the one or more networks, receiving the one or more applets at the applet server manager from the at least one of the one or more networks, processing the one or more applets at the applet server manager, wherein processing the one or more applets includes at least one of the following steps: compressing the one or more applets before sending the one or more applets to the one or more client computers, optimizing the one or more applets before sending the one or more applets to the one or more client computers, verifying the one or more applets before sending the one or more applets to the one or more client computers; and sending the one or more applets from the applet server manager to the one or more client computers. Therefore, it improves on scalability of distributed system architecture that provides a mechanism for client computers to request and execute applets in a safe manner without requiring the client machines to have local resources to compile the code and increase overall system performance and efficiency.

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

Art Unit: 2191

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is (571)272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Anil Khatri/

Primary Examiner, Art Unit 2191

Notice of References Cited	Application/Control No. 11/933,161		Applicant(s)/Patent Under Reexamination BALASSANIAN, EDWARD	
	Examiner Anil Khatri		Art Unit 2191	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,150,015	12-2006	Pace et al.	717/176
*	B	US-6,757,894	06-2004	Eylon et al.	717/177
*	C	US-7,155,715	12-2006	Cui et al.	717/177
*	D	US-7,444,629	10-2008	Chirakansakcharoen et al.	717/166
*	E	US-7,934,212	04-2011	Lakhdhir, Mansoor A.	717/170
*	F	US-7,069,294	06-2006	Clough et al.	709/203
*	G	US-7,991,834	08-2011	Ferris et al.	709/203
*	H	US-6,253,228	06-2001	Ferris et al.	709/203
*	I	US-6,996,817	02-2006	Birum et al.	717/170
*	J	US-5,920,725	07-1999	Ma et al.	717/171
*	K	US-6,105,063	08-2000	Hayes, Jr., Kent Fillmore	709/223
*	L	US-7,721,283	05-2010	Kovachka-Dimitrova et al.	717/177
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Bonisch et al, "Server side compresslets for internet multimedia streams", IEEE, pp 82-86, 1999
	V	Wirthlin et al, "Web based IP evaluation and distribution using applets", IEEE vol. 22, no. 8, pp 985-994, 2003
	W	Ding et al, "Selective Java applet filtering on Internet", IEEE, pp 110-114, 1999
	X	Lai et al, "On the performance of wide area thin client computing", ACM Trans. on Compt. Sys> vo. 24, no. 2, pp 175-209, 2006

*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.



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BIB DATA SHEET

CONFIRMATION NO. 3327

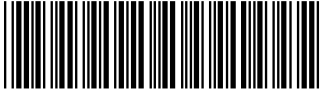
SERIAL NUMBER 11/933,161	FILING or 371(c) DATE 10/31/2007 RULE	CLASS 717	GROUP ART UNIT 2191	ATTORNEY DOCKET NO. PA1062US		
APPLICANTS Edward BALASSANIAN, Kirkland, WA; ** CONTINUING DATA ***** This application is a CON of 11/241,985 10/04/2005 PAT 7,774,740 which is a CON of 09/968,704 10/01/2001 PAT 6,976,248 which is a CON of 09/040,972 03/18/1998 PAT 6,324,685 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** * SMALL ENTITY ** 11/21/2007						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and Acknowledged <u>/ANIL KHATRI/</u> Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY WA	SHEETS DRAWINGS 3	TOTAL CLAIMS 1	INDEPENDENT CLAIMS 1
ADDRESS Newman Du Wors LLP 1201 Third Avenue, Suite 1600 SEATTLE, WA 98101 UNITED STATES						
TITLE Server request management						
FILING FEE RECEIVED 500	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		

Search Notes 	Application/Control No.		Applicant(s)/Patent under Reexamination	
	11/933,161		BALASSANIAN, EDWARD	
	Examiner		Art Unit	
	Anil Khatri		2191	

SEARCHED			
Class	Subclass	Date	Examiner
717	170-177	9/21/11	AK
709	203-204	9/21/11	AK

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner
717	171	9/21/11	AK
709	203	9/21/11	AK

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR
East	9/21/11	AK
ACM/IEEE	9/21/11	AK
inventor/Dp searh	9/21/11	AK

Issue Classification 	Application/Control No. 11/933,161	Applicant(s)/Patent under Reexamination BALASSANIAN, EDWARD
	Examiner Anil Khatri	Art Unit 2191

ISSUE CLASSIFICATION													
ORIGINAL				INTERNATIONAL CLASSIFICATION									
CLASS		SUBCLASS		CLAIMED				NON-CLAIMED					
717		177		G	6	F	9	/445	G	6	F	9	/44
CROSS REFERENCES													
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)												
717	171							/					/
709	203							/					/
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(Assistant Examiner) (Date)	/Anil Khatri/	Total Claims Allowed: 13	
(Legal Instruments Examiner) (Date)		(Primary Examiner) (Date)	O.G. Print Claim(s) 1

☐ 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
	1		31		61		91		121
	2		32		62		92		122
	3		33		63		93		123
	4		34		64		94		124
	5		35		65		95		125
	6		36		66		96		126
	7		37		67		97		127
	8		38		68		98		128
	9		39		69		99		129
	10		40		70		100		130
	11		41		71		101		131
	12		42		72		102		132
	13		43		73		103		133
	14		44		74		104		134
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	16		46		76		106		136
1	17		47		77		107		137
2	18		48		78		108		138
3	19		49		79		109		139
4	20		50		80		110		140
5	21		51		81		111		141
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7	23		53		83		113		143
8	24		54		84		114		144
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12	28		58		88		118		148
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EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	679	(717/170).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L2	483	(717/171).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L3	383	(717/172).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L4	510	(717/173).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L5	771	(717/174).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L6	413	(717/175).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L7	435	(717/176).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L8	452	(717/177).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L9	8589	(709/203).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:09
L10	2464	(709/204).OCLS.	USPAT; USOCR	OR	OFF	2011/09/21 09:10

9/ 21/ 2011 9:10:18 AM



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NOTICE OF ALLOWANCE AND FEE(S) DUE

55959 7590 09/23/2011
Newman Du Wors LLP
1201 Third Avenue, Suite 1600
SEATTLE, WA 98101

EXAMINER

KHATRI, ANIL

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 09/23/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327

TITLE OF INVENTION: SERVER REQUEST MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	12/23/2011

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 SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

55959 7590 09/23/2011
 Newman Du Wors LLP
 1201 Third Avenue, Suite 1600
 SEATTLE, WA 98101

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.
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US	3327

TITLE OF INVENTION: SERVER REQUEST MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	12/23/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
KHATRI, ANIL	2191	717-177000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

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

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

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

(A) NAME OF ASSIGNEE

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

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

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

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

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

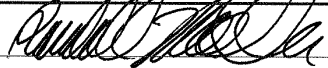
- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 503122 (enclose an extra copy of this form).

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

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature



Date September 26, 2011

Typed or printed name Randall Moeller

Registration No. 39776

This collection of information 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.

Electronic Patent Application Fee Transmittal				
Application Number:		11933161		
Filing Date:		31-Oct-2007		
Title of Invention:		SERVER REQUEST MANAGEMENT		
First Named Inventor/Applicant Name:		Edward BALASSANIAN		
Filer:		Randall H. Moeller/Michael Spain		
Attorney Docket Number:		PA1062US		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	1501	1	1740	1740
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				2040

Electronic Acknowledgement Receipt	
EFS ID:	11047460
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	SERVER REQUEST MANAGEMENT
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	55959
Filer:	Randall H. Moeller/Michael Spain
Filer Authorized By:	Randall H. Moeller
Attorney Docket Number:	PA1062US
Receipt Date:	26-SEP-2011
Filing Date:	31-OCT-2007
Time Stamp:	13:35:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$2040
RAM confirmation Number	21644
Deposit Account	503122
Authorized User	

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

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	11933161_NOA_and_Fees_Duplicate_as_filed.pdf	247224	no	2
			a3a79bb4fbc446234e445fa8fd351ef818444beb		

Warnings:**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	31969	no	2
			32e433e35f5a599b4e87ea3f0ae9703a650b8c2f		

Warnings:**Information:**

Total Files Size (in bytes):			279193
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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



Bib Data Sheet

CONFIRMATION NO. 3327

SERIAL NUMBER 11/933,161	FILING OR 371(c) DATE 10/31/2007 RULE	CLASS 717	GROUP ART UNIT 2191	ATTORNEY DOCKET NO. PA1062US
APPLICANTS Edward BALASSANIAN, Kirkland, WA;				
** CONTINUING DATA ***** This application is a CON of 11/241,985 10/04/2005 PAT 7,774,740 which is a CON of 09/968,704 10/01/2001 PAT 6,976,248 which is a CON of 09/040,972 03/18/1998 PAT 6,324,685				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 11/21/2007				
Foreign Priority claimed ☐ yes ☐ no 35 USC 119 (a-d) conditions ☐ yes ☐ no ☐ Met after met Allowance Verified and Acknowledged		STATE OR COUNTRY WA	SHEETS DRAWING 3	TOTAL CLAIMS 1
INDEPENDENT CLAIMS 1				
EXAMINER'S SIGNATURE _____ INITIALS _____				
ADDRESS 55959				
TITLE SERVER REQUEST MANAGEMENT				
FILING FEE RECEIVED 800	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	



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.
11/933,161	11/08/2011	8056075	PA1062US	3327
55959	7590	10/19/2011		
Newman Du Wors LLP 1201 Third Avenue, Suite 1600 SEATTLE, WA 98101				

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 931 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):

Edward BALASSANIAN, Kirkland, WA;

AO 120 (Rev. 2/99)

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 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 Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 12-00685 JSC	DATE FILED 2/10/12	U.S. DISTRICT COURT Northern District of California, San Francisco Division
PLAINTIFF IMPLICIT NETWORKS INC		DEFENDANT HEWLETT-PACKARD COMPANY
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,675		
2		
3		
4		
5		

In the above—entitled case, the following patent(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 Richard W. Wicking	(BY) DEPUTY CLERK Gloria Acevedo	DATE February 14, 2012
------------------------------------	--	----------------------------------

Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

1 SPENCER HOSIE (CA Bar No. 101777)
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2 DIANE S. RICE (CA Bar No. 118303)
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3 GEORGE F. BISHOP (CA Bar No. 89205)
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8
9 *Attorneys for Plaintiff*
IMPLICIT NETWORKS, INC.

10
11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13
14 IMPLICIT NETWORKS, INC.,

15 Plaintiff,

16 v.

17 HEWLETT-PACKARD COMPANY,

18 Defendant.
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ORIGINAL
FILED

FEB 10 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JSC

CV 12 0635

COMPLAINT AND DEMAND FOR
JURY TRIAL

1 Plaintiff Implicit Networks, Inc. ("Implicit" or "Plaintiff") hereby files its complaint
2 against defendant Hewlett-Packard Company ("HP" or "Defendant"), for patent
3 infringement. For its complaint, Plaintiff alleges, on personal knowledge as to its own acts
4 and on information and belief as to all other matters, as follows:

5 **PARTIES**

6 1. Implicit is a corporation organized under the laws of the State of Washington,
7 with its principal place of business in Seattle, Washington.

8 2. HP is a corporation organized under the laws of the State of Delaware, with its
9 principal place of business in Palo Alto, California.

10 **JURISDICTION AND VENUE**

11 3. This complaint asserts a cause of action for patent infringement under the
12 Patent Act, 35 U.S.C. § 271. This Court has subject matter jurisdiction over this matter by
13 virtue of 28 U.S.C. § 1338(a). Venue is proper in this Court by virtue of 28 U.S.C. § 1391(b)
14 and (c) and 28 U.S.C. § 1400(b), in that HP may be found in this district, has committed acts
15 of infringement in this district, and a substantial part of the events or omissions giving rise to
16 the claim occurred and a substantial part of property that is the subject of the action is
17 situated in this district.

18 4. This Court has personal jurisdiction over HP because Defendant has a place of
19 business in, and provides infringing products and services in, the Northern District of
20 California.

21 **STATEMENT OF FACTS.**

22 **A. Implicit's Server Request Management Patent**

23 5. On March 18, 1998, Edward Balassanian filed the first patent application on
24 his invention of novel methods and systems for serving applets to client computers over the
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1 Internet or other computer networks, and for moving processing of applets to the server-side.
2 This invention solved problems of distributing to numerous, diverse clients the diverse
3 applications those clients demanded, and of accelerating processing and economizing on use
4 of client-side resources by moving processing of applets to the server-side. On October 31,
5 2007, Mr. Balassanian filed the application for what became U.S. Patent No. 8,056,075 (the
6 '075 Patent). The '075 Patent discloses a novel method for delivering applets to client
7 computers from the Internet or other networks, with the use of a server manager that
8 performs server-side processing that includes compressing, optimizing and/or verifying the
9 applets. A true and correct copy of the '075 Patent is attached hereto as Exhibit A.
10

11 **B. HP's Infringement.**

12 6. HP infringes the '075 Patent by, *inter alia*, making and selling products and
13 services, including computer servers such as the HP-UX server, that practice the methods of
14 the '075 Patent. The HP-UX server with Apache-based Web Server is an enterprise-class
15 web server, which provides http web serving. As stated by HP, the HP-UX server with
16 Apache-based Web Server is "Enterprise Ready: The highly scalable HP-UX-11i Apache-
17 based Web Server is always available servicing enterprise requirements for multiple web
18 servers, geographically dispersed servers, and servicing millions of http/https pages and
19 eCommerce transactions 24/7." These HP servers receive requests for web pages and other
20 applets from client computers that are connected to the server over the Internet or other
21 networks. The HP servers forward the client requests, to the Internet or other networks, and
22 receive back the requested web page or other applet. The HP server compresses or otherwise
23 processes the web page or other applet, and returns the applet to the client computer.
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COUNT I

PATENT INFRINGEMENT

1
2
3 7. Plaintiff incorporates by this reference paragraphs 1 through 6 above, as if
4 fully set forth herein.

5 8. On November 8, 2011, United States Patent No. 8,056,075, entitled "Server
6 Request Management," was duly and legally issued.

7 9. Pursuant to 35 U.S.C. Section 282, the '075 Patent is presumed valid.

8 10. Edward Balassanian is the sole inventor of the '075 Patent. This patent has
9 been assigned to Plaintiff. Plaintiff Implicit is the sole legal and rightful owner of the '075
10 Patent.
11

12 11. HP makes, uses, and sells products that infringe the '075 Patent, as alleged
13 above. This conduct constitutes infringement under 35 U.S.C. § 271(a).

14 12. HP has also infringed and is still infringing the '075 Patent in this country,
15 through, *inter alia*, its active inducement of others to make, use, and/or sell the systems,
16 products and methods claimed in one or more claims of the patent. HP supplies infringing
17 products to others, including HP-UX server with Apache-based Web Server. Numerous HP
18 customers directly infringe the '075 Patent. HP's customers directly infringed the '075
19 Patent, and were induced to do so by HP. HP has been selling its infringing products and
20 services for many years. HP continues to sell these products today. HP advertises infringing
21 uses, provides support, and instructs customers to use HP products in an infringing manner.
22 HP knows of the '075 Patent and its contents. HP actively and knowingly encouraged, aided
23 and abetted its customers to directly infringe the '075 Patent. HP offered its infringing
24 products for sale with the intent of promoting their use to infringe, and with that object, HP
25 intentionally encouraged its customers to infringe the '075 Patent by advertising its products
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1 for infringing uses, and instructing its customers how to use the products to engage in
2 infringement. HP specifically intended that its customers infringe the '075 Patent, and knew
3 that its actions would encourage customers to actually infringe the '075 Patent. This conduct
4 constitutes infringement under 35 U.S.C. § 271(b).

5 13. In addition, HP has infringed and is still infringing the '075 Patent in this
6 country through, *inter alia*, providing and selling goods and services including products
7 designed for use in practicing one or more claims of the '075 Patent, where the goods and
8 services constitute a material part of the invention and are not staple articles of commerce,
9 and which have no use other than infringing one or more claims of the '075 Patent. HP's
10 customers commit the entire act of direct infringement. HP has committed these acts with
11 knowledge that the goods and services it provides are specially made for use in a manner that
12 directly infringes the '075 Patent. This conduct constitutes infringement under 35 U.S.C. §
13 271(c).
14

15 14. As a result of the infringement by HP, Plaintiff has been damaged, and will
16 continue to be damaged, until this Defendant is enjoined from further acts of infringement.
17

18 15. HP will continue to infringe unless enjoined by this Court. Plaintiff faces real,
19 substantial and irreparable damage and injury of a continuing nature from infringement for
20 which Plaintiff has no adequate remedy at law.

21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff prays for entry of judgment:
23

- 24 A. that the Patent-in-Suit is valid and enforceable;
25 B. that Defendant has infringed one or more claims of the Patent-in-Suit;
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1 C. that Defendant account for and pay to Plaintiff all damages caused by the
2 infringement of the Patent-in-Suit, which by statute can be no less than a reasonable
3 royalty;

4 D. that Plaintiff be granted pre-judgment and post-judgment interest on the
5 damages caused to them by reason of Defendant's infringement of the Patent-in-Suit;

6 E. that this Court require Defendant to file with this Court, within thirty (30)
7 days after entry of final judgment, a written statement under oath setting forth in detail
8 the manner in which Defendant has complied with the injunction;

9 F. that this be adjudged an exceptional case and the Plaintiff be awarded its
10 attorney's fees in this action pursuant to 35 U.S.C. § 285;

11 G. that this Court award Plaintiff its costs and disbursements in this civil
12 action, including reasonable attorney's fees; and

13 H. that Plaintiff be granted such other and further relief as the Court may
14 deem just and proper under the current circumstances.

15 Dated: February 10, 2012

16 Respectfully submitted,

17
18
19
20 SPENCER HOSIE (CA Bar No. 101777)
shosie@hosielaw.com
21 DIANE S. RICE (CA Bar No. 118303)
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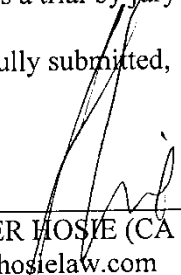
Attorneys for Plaintiff
IMPLICIT NETWORKS, INC.

DEMAND FOR JURY TRIAL

Plaintiff, by its undersigned attorneys, demands a trial by jury on all issues so triable.

Dated: February 10, 2012

Respectfully submitted,



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Attorneys for Plaintiff
IMPLICIT NETWORKS, INC.

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 or equivalent) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5. If the Power of Attorney by Applicant form is not accompanied by this transmittal form or an equivalent, the Power of Attorney will not be recognized in the application.

Application Number	11/933,161
Filing Date	10-31-2007
First Named Inventor	Edward BALASSANIAN
Title	SERVER REQUEST MANAGEMENT
Art Unit	2191
Examiner Name	KHATRI, ANIL
Attorney Docket Number	6743-00303

SIGNATURE of Applicant or Patent Practitioner

Signature	/Dean M. Munyon/	Date	2013-04-04
Name	Dean M. Munyon	Telephone	512-853-8800
Registration Number	42914		

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

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 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.

POWER OF ATTORNEY BY APPLICANT

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

- ☒ I hereby appoint 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 equivalent):

35690

OR

- ☐ I hereby appoint Practitioner(s) named below 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 equivalent):

Name	Registration Number	Name	Registration Number

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

- ☐ Inventor or Joint Inventor
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign
- ☐ 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)

SIGNATURE of Applicant for Patent

Signature		Date	3/29/13
Name	Edward Balassanian	Telephone	
Title and Company	President & CEO, Implicit Networks, 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. Submit multiple forms for more than one signature, see below *.

- ☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 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.

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 Acknowledgement Receipt	
EFS ID:	15436152
Application Number:	11933161
International Application Number:	
Confirmation Number:	3327
Title of Invention:	SERVER REQUEST MANAGEMENT
First Named Inventor/Applicant Name:	Edward BALASSANIAN
Customer Number:	55959
Filer:	Dean M. Munyon/Danielle Kramer
Filer Authorized By:	Dean M. Munyon
Attorney Docket Number:	PA1062US
Receipt Date:	04-APR-2013
Filing Date:	31-OCT-2007
Time Stamp:	16:17:50
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	POA.pdf	70094	no	3
			343708c1cfd66dadbf1a58a651a63042d91a63		

Warnings:

Information:

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
11/933,161	10/31/2007	Edward BALASSANIAN	6743-00303

35690
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398

CONFIRMATION NO. 3327
POA ACCEPTANCE LETTER



Date Mailed: 04/24/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/04/2013.

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.

/atesfai/

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
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/933,161	10/31/2007	Edward BALASSANIAN	PA1062US

55959
Newman Du Wors LLP
1201 Third Avenue, Suite 1600
SEATTLE, WA 98101

CONFIRMATION NO. 3327
POWER OF ATTORNEY NOTICE



Date Mailed: 04/24/2013

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/04/2013.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/atesfai/

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

APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
11/933,161	8056075	2191	9200



Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 126601 on 09/15/2014

- Correspondence Address
- Maintenance Fee Address

The address of record for Customer Number 126601 is:

126601
MHKKG (Implicit/BeLabs)
P.O. Box 398
Austin, TX 78767-0398

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-42-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sophos LTD
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4		
5		

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			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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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

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 2:19-cv-41-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sandvine Corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC	
2 10,027,780	7/17/2018	Implicit, LLC	
3 10,033,839	7/24/2018	Implicit, LLC	
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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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

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-40-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Imperva, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC	
2 10,027,780	7/17/2018	Implicit, LLC	
3 10,033,839	7/24/2018	Implicit, LLC	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
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AO 120 (Rev. 08/10)

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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 2:19-cv-39-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Fortinet, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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2 10,027,780	7/17/2018	Implicit, LLC
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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 2:19-cv-38-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT CA, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
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☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-37-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Juniper Networks, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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3 10,033,839	7/24/2018	Implicit, LLC
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3 10,033,839	7/24/2018	Implicit, LLC
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2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
4		
5		

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
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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-40-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Imperva, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

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TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-41-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sandvine Corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-41-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sandvine Corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Defendant Sandvine Corporation is DISMISSED WITH PREJUDICE.

CLERK <i>David A. O'Toole</i>	(BY) DEPUTY CLERK ch	DATE 5/31/19
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-38-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT CA, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT It is therefore ORDERED that all currently pending claims and counterclaims in Case No. 2:19-cv-00038 are DISMISSED WITHOUT PREJUDICE
--

CLERK <i>David A. O'Toole</i>	(BY) DEPUTY CLERK nkl	DATE 6/27/19
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-42-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sophos LTD
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
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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
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT It is therefore ORDERED that all currently pending claims in between Implicit and Sophos in this matter shall be DISMISSED WITH PREJUDICE.
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CLERK <i>David A. O'Toole</i>	(BY) DEPUTY CLERK nkl	DATE 9/19/19
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TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 2:19-cv-42-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Sophos LTD
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
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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
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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
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TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 _____ for the Western District of Texas _____ on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 6:22-cv-364	DATE FILED 4/11/2022	U.S. DISTRICT COURT for the Western District of Texas
PLAINTIFF IMPLICIT, LLC		DEFENDANT SALESFORCE.COM, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 7,774,740	8/10/2010	Implicit, LLC
2 US 8,056,075	11/8/2011	Implicit, LLC
3 US 6,976,248	12/13/2005	Implicit, LLC
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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
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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

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AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 _____ for the Western District of Texas _____ on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 6:22-cv-686	DATE FILED 6/27/2022	U.S. DISTRICT COURT for the Western District of Texas
PLAINTIFF IMPLICIT, LLC		DEFENDANT PayPal Holdings, Inc; PayPal, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 7,774,740	8/10/2010	Implicit, LLC
2 US 8,056,075	11/8/2011	Implicit, LLC
3 US 6,976,248	12/13/2005	Implicit, LLC
4		
5		

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
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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

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TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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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 Eastern District of Texas, Marshall Division on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:19-cv-39-JRG	DATE FILED 2/4/2019	U.S. DISTRICT COURT Eastern District of Texas, Marshall Division
PLAINTIFF Implicit, LLC		DEFENDANT Fortinet, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,056,075	11/8/2011	Implicit, LLC
2 8,856,779	10/7/2014	Implicit, LLC
3 9,325,740	4/26/2016	Implicit, LLC
4 8,694,683	4/8/2014	Implicit, LLC
5 9,270,790	2/23/2016	Implicit, LLC

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 9,591,104	3/7/2017	Implicit, LLC
2 10,027,780	7/17/2018	Implicit, LLC
3 10,033,839	7/24/2018	Implicit, LLC
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Dismissed - see attached
--

CLERK John A. Cerino	(BY) DEPUTY CLERK /s/ Mark D. Buckson, Jr.	DATE 9/22/2022
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