091108 17119 U.S. PTO

U.S. PTO
12/283332
09/11/2008

PTO/SB/05 (06-07)
Approved for use through 06/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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

# UTILITY PATENT APPLICATION TRANSMITTAL

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

| | |
|---|---|
| *Attorney Docket No.* | 10004-2000112 |
| *First Inventor* | Jonathan S. STEUER |
| *Title* | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| *Express Mail Label No.* | EH282938715US |

## 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* 25 ]
   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* 7 ]
5. **Oath or Declaration** [*Total Sheets* 3 ]
   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 3 pages
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)
   b. Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

*ADDRESS TO:* **Commissioner for Patents**
**P.O. Box 1450**
**Alexandria VA 22313-1450**

## ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers** (cover sheet & document(s))
   Name of Assignee_____
10. ☐ **37 CFR 3.73(b) Statement** *(when there is an assignee)* ☐ **Power of Attorney**
11. ☐ **English Translation Document** *(if applicable)*
12. ☑ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    ☐ Copies of citations attached
    5 pages
13. ☐ **Preliminary Amendment**
14. ☑ **Return Receipt Postcard** (MPEP 503)
    *(Should be specifically itemized)*
15. ☐ **Certified Copy of Priority Document(s)**
    *(if foreign priority is claimed)*
16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
17. ☐ Other:_____

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

☐ Continuation ☑ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 11/139,330

*Prior application information:* *Examiner* P. J. Graham *Art Unit:* 2623

## 19. CORRESPONDENCE ADDRESS

☑ The address associated with Customer Number: 51417 *OR* ☐ Correspondence address below

| | | | | | |
|---|---|---|---|---|---|
| Name | | | | | |
| Address | | | | | |
| City | | State | | Zip Code | |
| Country | | Telephone | | Email | |

| | | | |
|---|---|---|---|
| Signature | | Date | September 11, 2008 |
| Name (Print/Type) | Michael Mauriel | Registration No. (Attorney/Agent) | 44,226 |

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

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

EH282938715US

AMR EX. 2004
*Roku v AMR*
IPR2024-01058

PTO/SB/17 (10-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

*Effective on 12/08/2004.*
*Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).*

# FEE TRANSMITTAL
## For FY 2008

☑ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** ($) 515.00

| Complete if Known | |
|---|---|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Jonathan S. STEUER |
| Examiner Name | Not Yet Assigned |
| Art Unit | Not Yet Assigned |
| Attorney Docket No. | 10004-2000112 |

**METHOD OF PAYMENT** (check all that apply)

☑ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-4242 Deposit Account Name: Mauriel Kapouytian & Treffert LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☑ Credit any overpayments

**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.**

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | |
|---|---|---|---|---|---|---|---|
| **Application Type** | **Fee ($)** | **Small Entity Fee ($)** | **Fee ($)** | **Small Entity Fee ($)** | **Fee ($)** | **Small Entity Fee ($)** | **Fees Paid ($)** |
| Utility | 310 | 155 | 510 | 255 | 210 | 105 | 515.00 |
| Design | 210 | 105 | 100 | 50 | 130 | 65 | |
| Plant | 210 | 105 | 310 | 155 | 160 | 80 | |
| Reissue | 310 | 155 | 510 | 255 | 620 | 310 | |
| Provisional | 210 | 105 | 0 | 0 | 0 | 0 | |

**2. EXCESS CLAIM FEES**

| **Fee Description** | **Fee ($)** | **Small Entity Fee ($)** |
|---|---|---|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 210 | 105 |
| Multiple dependent claims | 370 | 185 |

| **Total Claims** | | **Extra Claims** | **Fee ($)** | | **Fee Paid ($)** |
|---|---|---|---|---|---|
| 4 | - 20 or HP = | 0 | x 25 | = | 0.00 |

HP = highest number of total claims paid for, if greater than 20.

| **Indep. Claims** | | **Extra Claims** | **Fee ($)** | | **Fee Paid ($)** |
|---|---|---|---|---|---|
| 1 | - 3 or HP = | 0 | x 105 | = | 0.00 |

HP = highest number of independent claims paid for, if greater than 3.

| **Multiple Dependent Claims** | |
|---|---|
| **Fee ($)** | **Fee Paid ($)** |
| 185 | 0.00 |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $260 ($130 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).

| **Total Sheets** | | **Extra Sheets** | | **Number of each additional 50 or fraction thereof** | | **Fee ($)** | | **Fee Paid ($)** |
|---|---|---|---|---|---|---|---|---|
| 32 | - 100 = | 0 | / 50 = | 0 | (round **up** to a whole number) x | 130 | = | 0.00 |

**4. OTHER FEE(S)**

| | **Fees Paid ($)** |
|---|---|
| Non-English Specification, $130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): | |

**SUBMITTED BY**

| | | | |
|---|---|---|---|
| Signature | | Registration No. (Attorney/Agent) 44,226 | Telephone 212-529-5131 |
| Name (Print/Type) | Michael Mauriel | | Date September 11, 2008 |

This collection of information is required by 37 CFR 1.136. 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 30 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 Data Sheet

### Application Information

| | |
|---|---|
| Application Type:: | Regular |
| Subject Matter:: | Divisional |
| Suggested Group Art Unit:: | Not Yet Assigned |
| CD-ROM or CD-R?:: | None |
| Sequence submission?:: | None |
| Computer Readable Form (CRF)?:: | No |
| Title:: | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| Attorney Docket Number:: | 10004-2000112 |
| Request for Early Publication?:: | No |
| Request for Non-Publication?:: | No |
| Drawing Sheets:: | 7 |
| Small Entity?:: | Yes |
| Petition included?:: | No |
| Secrecy Order in Parent Appl.?:: | No |

### Applicant Information

| | |
|---|---|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | United States |
| Status:: | Full Capacity |
| Given Name:: | Jonathan |
| Middle Name:: | S. |
| Family Name:: | STEUER |
| City of Residence:: | New York |
| State or Province of Residence:: | NY |
| Country of Residence:: | US |
| Street of mailing address:: | 72 E. 3rd Street #2B |
| City of mailing address:: | New York |
| State or Province of mailing address:: | NY |

| | |
|---|---|
| Postal or Zip Code of mailing address:: | 10003 |

| | |
|---|---|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | United States |
| Status:: | Full Capacity |
| Given Name:: | Christopher |
| Family Name:: | OTTO |
| City of Residence:: | Fremont |
| State or Province of Residence:: | CA |
| Country of Residence:: | US |
| Street of mailing address:: | 68802 Lyra Street |
| City of mailing address:: | Fremont |
| State or Province of mailing address:: | CA |
| Postal or Zip Code of mailing address:: | 94539 |

**Correspondence Information**

| | |
|---|---|
| Customer No.:: | 51417 |

**Representative Information**

| | |
|---|---|
| Customer No.:: | 51417 |

**Domestic Priority Information**

| Application No.: | Relationship: | Priority Application No.: | Priority Filing Date: |
|---|---|---|---|
| This Application | Claims Benefit Under 35 U.S.C. 119(e) to | 60/574,836 | 05/27/2004 |
| This Application | Divisional of | 11/139,330 | 05/26/2005 |

**Foreign Priority Information**

**Assignee Information**

| | |
|---|---|
| Assignee name:: | Anonymous Media, LLC |
| Street of mailing address:: | 72 E. 3rd St., Suite 1B |
| City of mailing address:: | New York |
| State or Province of mailing address:: | NY |
| Postal or Zip Code of mailing address:: | 10003 |

**Media Usage Monitoring and Measurement System and Method**

INVENTORS

Jonathan S. Steuer and Christopher W. Otto

## CROSS REFERENCE TO RELATED APPLICATIONS

**[0001]** This application is a divisional of U.S. Application No. 11/139,330, filed May 26, 2005, which also claims the benefit of U.S. Provisional Application No. 60/574,836, filed May 27, 2004, both hereby incorporated by reference.

## BACKGROUND OF THE INVENTION

**[0002]** Traditional media measurement systems have focused on directly monitoring channels being utilized by audience members. However, as media consumption patterns have become more complex, channel-centric media measurement is inadequate for many purposes. It may be desirable to track usage of particular media content independent of channel. Furthermore, although "channel" identification in a traditional media measurement system may sometimes be limited to radio or television broadcast station, it is increasingly desirable to track usage of media across several types of media delivery vehicles including radio, television, CD, DVD, computer download, portable media players (e.g. MP3 players, iPod), and other vehicles. Furthermore, with respect to tracking consumption of advertisements, it may be inadequate to simply track channel tuning, because, for example, an audience member may mute a broadcast during commercial periods. Thus simply identifying a broadcast channel does not adequately track whether the audience member listened to a particular advertisement.

**[0003]** Some media measurement systems have used codes to "tag" and track particular content. However, such systems are limited in that they can only track content that has been properly encoded.

**[0004]** With the development of more robust content recognition technologies, some content recognition systems have recently been deployed which do not rely

on codes. For example, Philips, Shazam Entertainment, and others have marketed systems for identifying songs played into a mobile phone. Although such systems can be efficiently deployed in the context of song recognition, deploying such systems in the context of media measurement systems poses particular challenges. Continuous searching against a large database of media content can be computationally intensive. Furthermore, such systems, while increasingly robust, still return some erroneous results, particularly in high-noise environments.

**[0005]** At the same time, the media measurement context provides opportunities to utilize data exogenous to a particular audio or video data sample. Such opportunities have thus far been insufficiently exploited for the purpose of efficiently applying existing content recognition technologies in the media measurement context. Thus, an improved media measurement system and method is needed.

## SUMMARY OF THE INVENTION

**[0006]** Some embodiments of the present invention provide a media measurement system and method that enhances recognition (e.g. in terms of accuracy or efficiency) of the content of a media sample by analyzing information exogenous to the sample. Some embodiments of the present invention provide a media measurement system and method that utilizes audience data to enhance content identifications. Some embodiments analyze media player log data to enhance content identification. Other embodiments of the present invention analyze sample sequence data to enhance content identifications. Other embodiments analyze sequence data to enhance content identification and/or to establish channel identification. Yet other embodiments provide a system and method in which sample construction and selection parameters are adjusted based upon identification results. Yet other embodiments provide a method in which play-altering activity of an audience member is deduced from content offset values of identifications corresponding to captured samples. Yet other embodiments provide a monitoring and measurement system in which a media monitoring device is adapted to receive a wireless or non-wireless audio signal from a media player, the audio signal also being received wirelessly by headphones of a user of the monitoring device.

## BRIEF DESCRIPTION OF THE DRAWINGS

**[0007]** The novel features of the invention are set forth in the appended claims. However, for purpose of explanation, several aspects of particular embodiments of the invention are described by reference to the following figures.

**[0008]** **Figure 1** illustrates an exemplary media usage monitoring and measurement system in accordance with aspects of an embodiment of the present invention.

**[0009]** **Figure 2** illustrates a media measurement method in accordance with aspects of an embodiment of the present invention.

**[0010]** **Figure 3** illustrates a process for using and generating information such as that illustrated in **Figure 4** and **Figure 5** and **Figure 3** illustrates an embodiment consistent with aspects of the present invention.

**[0011]** **Figure 4** illustrates a raw play stream generated by a process such as step 207 of **Figure 2**; a clean play stream and clean play list generated by a scrubbing step such as step 209 of **Figure 2** or steps 301, 302, or 305 of **Figure 3**; and channel data associated with two channels.

**[0012]** **Figure 5** illustrates a clean play stream, clean play list, channel data, and a clean play list showing deduced play-altering actions. The illustrated data may be generated by systems and methods in accordance with an embodiment of the present invention such as, for example, system 100 of **Figure 1** method 200 of **Figure 2**, and method 300 of **Figure 3**.

**[0013]** **Figure 6** illustrates timeline structure for data samples generated by system and methods such as module 121 of **Figure 1** and steps 201 and 206 of **Figure 2**.

**[0014]** **Figure 7** shows an example of a computer system that may be used to execute instruction code contained in a computer program product, the computer

program product being in accordance with an embodiment of the present invention.

## DETAILED DESCRIPTION OF THE EXEMPLARY EMBODIMENTS

**[0015]** The following description is presented to enable any person skilled in the art to make and use the invention, and is provided in the context of particular applications and their requirements. Various modifications to the exemplary embodiments will be readily apparent to those skilled in the art, and the generic principles defined herein may be applied to other embodiments and applications without departing from the spirit and scope of the invention. Thus, the present invention is not intended to be limited to the embodiments shown, but is to be accorded the widest scope consistent with the principles and features disclosed herein.

**[0016]** **Figure 1** illustrates an exemplary media usage monitoring and measurement system 1000. System 1000 includes media measurement system 100 and monitoring devices 101 in accordance with aspects of an embodiment of the present invention.

**[0017]** As illustrated, monitoring device 101a includes a microphone 105, a media player port 102, a headphone port 103, and a data upload port 104. A monitored audience member wears monitor 101a during a monitoring period. When the audience member is consuming media from media player 170a without the use of headphones 160a (i.e. if media player 170a has a speaker), monitor 101 captures audio energy acoustically through microphone 105. However, when the audience member desires to use headphones 160a to receive media content from media player 170a (e.g. an MP3 player, iPod, CD player, DVD player, television, radio, computer, or other media player) he or she can plug headphones 160a into headphone port 103 and plug media player 170a into media player port 102. In that case, monitor 101a captures audio energy through media player port 102. Microphone 105 includes a microphone and associated microphone port. However, in alternatives, a monitor may simply have a microphone port into which a microphone may be plugged or linked via wireless connection. Thus the term "microphone port" will herein refer to any electronics capable of receiving

energy captured through a microphone, whether or not a microphone is built into the monitoring device itself.

**[0018]** As another example, headphones 160b are adapted to receive a content signal 171 via wireless transmission 171 from media player 170b. Monitor 101b is adapted to receive the same content signal 171 from media player 170b. In some embodiments, a syncing process allows monitor 101b to adapt along with headphones 160b and media player 170b to changes in signal 171 so that monitor 101b continues to receive the same signal as headphones 160b. In some embodiments, syncing may be accomplished via a wireless and/or automatic process, such as providing a monitor that responsively changes tuning based on tuning changes between the media player and the headphones.

**[0019]** Audio data captured by monitors 101, along with associated monitor data (e.g. device ID) (collectively, "audio data /monitor data" 144) may be uploaded to system 100 through upload port 104, directly, via memory device transfer (e.g. flash memory card, floppy disk, CD, etc.) or through a network such as network 150. The audio data uploaded from a monitor 101 may be raw audio data, or may be audio data that has undergone one of a variety of levels of processing prior to upload. For example, the uploaded audio data may include parameters useable to calculate audio signatures (sometimes referred to as audio fingerprints) and landmarks or other values useful in the content recognition process. Alternatively, the audio data may comprise pre-calculated signatures, landmarks, or other data useful for content recognition. On the other hand, in some embodiments, the uploaded audio data may simply represent a raw signal corresponding to audio energy received at monitor 101.

**[0020]** System 100 is adapted to receive some audience data 143 externally. For example, audience data collected by systems and associated monitors other than those of system 1000 may be utilized by system 100; data based on externally collected and/or externally analyzed demographic, psychographic, or other audience related data might also be received as part of external audience data portion 143. Other audience data may be generated internally by audience data processing module 123 alone or in combination with measurement analysis module 129 and/or other system components.

**[0021]** Also, system 100 is adapted to receive media player log data 146. Media player log data 146 may be generated by a media player such as media player 170a or 170b and sent to system 100 through direct connection, memory device transfer or via network 150. Also, a third party might collect such log data which then may be made available through direct connection, memory device transfer, or via network 150. Media player log data 146 includes data logging content played on the media player from which the log data was generated. Although log data 146 does not necessarily reflect what content was actually heard, to the extent the media player generating the log data is used primarily by the audience member associated with the corresponding monitor 101, it can provide a useful basis for initial testing of captured content as will be described further below.

**[0022]** System 100 is also adapted to receive known content 141 and content meta data 142. Content 141 may include media files associated with a known piece of media content (e.g. a song, movie, commercial, television show, video game, etc.). However, it will be understood by those skilled in the art that "content" in the sense of the known content 141 received by system 100 may, in some embodiments, simply refer to data about signals representing the content and does not necessarily refer to a stored version of the media content itself; e.g. "content" may be stored signatures and landmarks derivable from a song's audio, but not necessarily an audio file useable to play the song itself. On the other hand, in other embodiments, a system such as system 100 may be adapted to receive a useable audio file and then derive data from that file such as signatures, fingerprints, landmarks, etc. that may be readily searched during the content recognition process. Content meta data 142 includes various data relating to content 141. For example, a portion of content 141 might include a particular song as recorded by a particular artist. Corresponding content meta data 142 for that song might include the various albums or other collections in which that song appears; various radio broadcasts (including station and broadcast times) playing the song; movies, advertisements or video games including the song; other songs that have sampled the song; and various other related information. In the context of a television program, meta data also might include, for example, segment identifications and corresponding time lengths. By distinguishing content data

from content meta data in this manner, it is possible to store content data for a single content ID only once, and then add various pieces of meta data as appropriate. For example, a TV program, or program segment, might initially have meta data relating to particular broadcasts. However, at a later date, meta data might be added relating to, for example, a DVD version of the program, without needing to store the program content itself more than once.

**[0023]** Turning to the details of system 100, audio data and monitor data (e.g. device ID) is received at sample control processing module 121. Module 121 provides monitor data, portions of which might be audience data, to processing module 123. Module 121 also divides the audio data into samples and determines which samples should be submitted for further content recognition testing. In alternative embodiments, the audio data may already have been divided into samples prior to receipt by system 100 (e.g. at monitor 101). In such alternatives, a module such as module 121 might either use the provided divisions or combine the data and then re-divide it into samples as determined by the system. Module 121 may be used either to submit a sample to initial test and filtered search module 122 or to content recognition system 124.

**[0024]** Initial test and filtered search module 122 conducts one or more initial identification attempts. Several different types of initial identification attempts might be performed. Module 122 may test a captured sample against content associated with the most recently identified content. As another possible initial test, module 122 may test the sample against content identified from a media player log file. Another initial identification test may be carried out in a variety of ways. For example, filtered search module 122 might use audience data from audience data processing module 123 to form parameters and then pass those parameters to content recognition system 124 which then uses the parameters to conduct a filtered search of its content. Alternatively, module 122 might be adapted to utilize an instance of content recognition system 124 that includes content pre-selected based upon relevant audience data. Some examples of relevant audience data that may be used either to form search parameters or to construct targeted content include:

- age, gender, and other demographic information about the audience member (using the corresponding monitoring device) along with media consumption patterns of other persons sharing similar demographic characteristics

- media consumption patterns of the audience member based on questionnaire input or based on past content identifications associated with that audience member

- media consumption patterns of other audience members who have consumed other media content that has also previously been consumed by the audience member using the corresponding monitoring device

- location of the audience member (alone and/or relative to other audience members)

Of course, the above are just some examples of audience data that may be utilized by system 100.

**[0025]** After completing the initial identification attempt, filtered search module 122 passes the identification result to ID result module 125. If an identification has been made, the result is passed to play stream generator 126 and to sample control processing module 121. If no identification has been made, then content recognition system 124 performs a search using a larger portion of its content to identify the data sample. The result is passed to ID result module 125 which in turn passes the result to play stream generator 126 and to sample control module 121. Content recognition system 124 is adapted to implement one or more known content recognition methods that identify content by extracting parameters from a media signal and applying an algorithm to those parameters to search for a content match. Those skilled in the art will recognize that many such methods and algorithms exist. One such example is described in U.S. patent application 09/839,476 entitled "System and Methods for Recognizing Sound and Music Signals in High Noise and Distortion" by Wang et al. and published June 27, 2002 with publication number US2002/0083060. Aspects of other such examples are described in the following published PCT applications by Konin-

Klijke Philips Electronics N.V.: "Fingerprinting Multimedia Contents" (WO2004/044820, published May 27, 2004), "Fingerprint Extraction" (WO2004/030341 published April 8, 2004), and "Improvements in and Relating to Fingerprint Searching" (WO2004/040475 published May 13, 2004). Such distinct methods and algorithms may have varying degrees of efficiency, accuracy, and applicability to certain types of content (or different settings of a particular algorithm might have different efficiency depending on content type). Thus, in some embodiments, a system such as system 100 may intelligently select among multiple such algorithms (or multiple settings of a single algorithm) based on expected content characteristics. For example, algorithm A might be faster and more accurate at identifying silence than algorithm B, and thus a system such as system 100 of **Figure 1** having a corresponding subsystem for content recognition (such as system 124) might achieve enhanced performance by submitting a sample for processing by algorithm A rather than algorithm B if recent identification results indicate silence. Other differences corresponding to content types (e.g. speaking audio versus music audio) might also be exploited based on prior content identification results to select a most efficient recognition algorithm from a plurality of algorithms. In such an alternative, if the algorithms required different audio data parameters, a monitor might send two sets of parameters for each sample corresponding to each algorithm and then the system would select between the two sets as needed. Alternatively, the two sets of parameters might be calculated by the system based on raw audio data received from a monitoring device.

**[0026]** Play stream generator 126 generates a raw play stream relating a sequence of samples to content identification results (for an example of a portion of a raw play stream, see **Figure 3** and accompanying text). The raw play stream is then processed by play stream scrubber 127 which analyzes the sequence of sample identification results utilizing sequence data processing module 128. Based on analysis of sequence data and, where appropriate, analysis of audience data via interaction with audience data module 123, play stream scrubber 127 generates a clean play stream and clean play list (see **Figure 3** and accompanying text) which can then be used by measurement analysis module 129. Results of the media measurement analysis can be obtained via report generator 130.

**[0027]** In alternative embodiments, many of the system components and corresponding functions performed within a system such as system 100 might instead be implemented on the monitoring devices such as monitoring device 101. For example, many of the functions performed by sample control processing module 121 might instead be performed at a monitoring device. To cite but one example in more detail, if a monitoring device maintains an ongoing reciprocal connection to obtain sample identification results of a media measurement system, then the monitoring device can select which samples to send to the system for recognition analysis. The monitoring device might then also adjust parameters such as sample resolution, the length of a sample time window, and the recognition algorithm selected. This is just one example of how the illustrated embodiment might be modified to shift system components from a central system to a monitoring device. Many other such variations will be apparent to those skilled in the art.

**[0028]** Also, it will be understood that although **Figure 1** illustrates a particular exemplary division and relationship between "modules," the division illustrated may be readily modified without departing from the spirit and scope of the present invention. For example, in various implementations, the illustrated modules may be combined into larger modules or the functions performed may be distributed across several modules. The term "module" and the associated illustrated division of system components is chosen for purposes of ease of description only and does not limit how particular systems consistent with the present invention might be constructed.

**[0029]** **Figure 2** illustrates a media measurement method 200 in accordance with aspects of an embodiment of the present invention. One or more elements of method 200 may be carried out, for example, by system 100 of **Figure 1** or other similar systems. At step 201, method 200 receives audio data from a monitoring device. Step 201 caches a series of samples and determines the sample resolution with which samples are submitted for content identification. In particular, as described further below (see **Figure 4** and accompanying text), sample resolution refers to how many samples in a given sequence of samples are processed for

content identification. Step 201 also determines length, or "time window" of each sample.

**[0030]** At step 210, characteristics of the audio data are analyzed to attempt to identify the source of transmission or storage of the media played by an individual based on audio characteristics of that signal. For example, the process attempts to recognize particular types of encoding or compression, or identifies sound associated with screen refresh on a television or computer monitor, or recognizes compression or frequency range of FM or AM radio, or CD or DVD. If the storage or transmission medium is identified, the results of step 210 can be added to a play list and / or utilized in step 211 to identify channel (see below for further description of step 211).

**[0031]** At step 202, identification of a sample in a series of samples is attempted via initial test methods. In particular, step 202 determines whether the audio data in the tested sample matches data associated with the content ID corresponding to the most recently identified sample. Step 202 may also or instead test the sample against content IDs obtained using data from a media player log file associated with the audience member using the corresponding media monitor. Step 203 determines whether successful identification occurred at step 202. If yes, then the identification result is provided to step 206 and 207. If no, then step 204 searches for a content match against targeted content selected based at least in part upon additional audience data. Step 205 determines whether step 204 obtained an identification. If yes, then the identification result is provided to steps 206 and 207. If no, then step 208 searches for a content match against a larger portion of the content. With respect to steps 202, 204, and 208, there are two possible results: an identification has been made or no identification has been made. No identification at steps 202 and 204 leads to the further identification attempt at step 208. Whatever the result is at step 208 (identification or no identification) that result is passed to steps 207 and 206.

**[0032]** At step 206, an identification result is used to adjust sampling control and selection parameters for one or more subsequent samples. Parameters that might be adjusted include resolution, backtrack selection, sample time window, or recognition algorithm selected. For example, if a sample has been identified

successfully, and the identification indicates a match with the prior sample, the sampling resolution might be decreased from 1/5 to 1/10, meaning that, in a sequence of samples, nine samples rather than four are skipped before selecting the next sample to analyze for identification. As another example, if an identification result does not match the result of the prior sample identified, then step 206 might initiate a back track analysis and select an intervening sample that has not yet been analyzed. Step 201 would then pass the sample selected from backtracking to step 202 for attempted identification. As another example, resolution might be increased when recent identification results suggest an extended period of silence or absence of known content.

**[0033]** As yet another example, once media content for a limited series of samples has been identified, the time window size for each sample might be decreased from, for example, 5 seconds to 3 seconds. This would mean that samples submitted for attempted identification would be shorter in length. This can create efficiencies because once the content is identified, the process needs only to detect a change in content, and this can, in some cases, be accomplished utilizing a smaller amount of audio data, thereby preserving system resources.

**[0034]** Adjustment of sampling parameters is described further below in the context of **Figure 5** and accompanying text.

**[0035]** Continuing with the description of **Figure 2**, step 207 generates a raw play stream indicating a series of samples and corresponding identification results. Step 209 scrubs the raw play stream based upon sample sequence data (described further below in the context of **Figures 3-4** and accompanying text) and based upon audience data. The resulting clean play stream may be converted to a play list listing the content captured and indicating the order in which it was captured. Step 209 attempts to identify the channel by searching known channel data to find an apparent content sequence match to the play list. If the storage or transmission medium of the captured sample has been identified at step 210, that information may be made available for step 211 and allows step 211 to use that information to filter its search of channel data (e.g., only search channel data including CD channels, or only including radio broadcast channels, etc.). If step 211 successfully identifies the channel, information such as content sequence data for

the identified channel may be used by step 212 to further scrub or rescrub the play stream, particularly with respect to any apparently incorrect content identifications that could not be corrected based upon sample sequence data as utilized in step 209.

**[0036]** **Figure 3** illustrates a process 300 for using and generating information such as that illustrated in **Figure 4** and **Figure 5**. Some of the functions accomplished by process 300 are similar to functions accomplished by steps 207, 209, 211, and 212 of **Figure 2**. Process 300 illustrates a more detailed example of an embodiment consistent with aspects of the present invention.

**[0037]** Referring to process 300, depending on available information, either a play stream is made available to step 301 or a play list is made available to step 302. Step 301 prepares a play stream for further processing necessary for channel matching by scrubbing (i.e. reviewing for missing or incorrect data) the play stream using non-channel data. Step 302 prepares a play list for further processing necessary for channel matching by scrubbing (i.e. reviewing for missing or incorrect data) the play list using non-channel data. With respect to steps 301 and 302, the non-channel data selected might be selected particularly for the purpose of better preparing the play stream or play list for a channel matching process. Step 303 receives either a raw (i.e. " not scrubbed") play stream or play list directly or receives a scrubbed play stream or play list from step 301 or 302. If necessary, step 303 converts received data to a format useful in matching to a channel (e.g. converts a play stream to a play list where a play list format is useful for channel matching, or converts a play stream or play list to a mathematical representation that is useful for channel matching).

**[0038]** Step 304 attempts to match the play stream or play list (or corresponding data format representing the play stream or play list) against known channel data to identify a channel (e.g., an album, samples of an album presented for marketing—e.g. on a web page—, radio broadcast, television broadcast, theater version of a movie, DVD version of a movie, etc.) associated with the elements of the play list or play stream. Step 306 determines whether a channel match was achieved. If yes, then step 305 uses channel data and non-channel data to scrub or further scrub the play stream or play list for purposes of creating a

clean play list. If the play list or play stream has already been scrubbed with non-channel data in either step 301 and 302, then the play stream or play list may not need to be further scrubbed with non-channel data at step 305. In that case, step 305 just uses channel data to further scrub the play stream or play list. However, it is possible that scrubbing the play list or play stream with non-channel data for purposes of creating data useful for channel matching will be somewhat different than doing so for purposes of creating a clean play list, thus non-channel data is referenced again in the illustration of claim 305.

**[0039]** If step 306 determines that a channel match was not achieved at step 304, then step 307 scrubs the play stream or play list with non-channel data to create a clean play list. Step 309 determines whether including deduced user actions on the clean play list is desired. If yes, then step 308 creates a clean play list including deduced user actions. If no, then step 310 creates the clean play list without including deduced user actions.

**[0040]** **Figure 4** illustrates Raw Play Stream 410 generated by a process such as step 207 of **Figure 2**; Clean Play Stream 450 and Clean Play List 490 generated by a scrubbing step such as step 209 of **Figure 2** or steps 301, 302, or 305 of **Figure 3**; Channel Data 470 and Channel Data 490. Referring to **Figure 4**, Raw Play Stream 410 itemizes a sequence of analyzed samples and relates that sequence to corresponding identification results in the content ID column. The content ID result indicates either a reference corresponding to a particular piece of content or indicates that no identification was made. The example in **Figure 4** assumes that no user play-altering activities took place and this example does not rely on content offset data in scrubbing the raw play stream to obtain a clean play list. However, note that in other examples, such as that of **Figure 5**, sample sequence data ("ssd") includes content offset data. For purposes of presenting and analyzing sample sequence data as described herein, the times in list 410 may be relative to an arbitrary value (e.g. "$t_0$") rather than representing an absolute time; however, in many instances, a log time will in fact indicate the actual time the sample started to be captured.

**[0041]** Sample sequence data may be used to "scrub" Raw Play Stream 410. By analyzing the sequence of data on Raw Play Stream, it is possible to locate and

correct any identifications that are likely to be incorrect or to supply missing identifications where the system has not otherwise been able to provide an identification.

**[0042]** Sample sequence data can be used to derive portions of Clean Play Stream 450 from raw play list 410 in the following manner: Referring to Raw Play Stream 410, the content IDs associated with samples 1, 3, 4, 6, and 7 all indicate the same media content referenced as "song51." The content ID value associate with sample 2 indicates that no content has yet been successfully associated with that sample and the content ID value associated with sample 5 indicates "movie81." Given this pattern of sample sequence data, it is reasonable to assume that the person using the corresponding monitor listened to song51 through the time period associated with the audio data of samples 1-7, and thus, the "scrubbed" version of the play stream, i.e. Clean Play Stream 450, indicates song51 for each of samples 1-7.

**[0043]** Information about the sequence of content in a play stream can be used to generate a play list and identify a channel, and the identified channel data can also potentially be used to help further "scrub" a play stream. For example, the sequence of consumed content represented on Play Stream 450 is searched against known channel data (e.g. particular CD albums, broadcasts, or other particular storage or transmission media carrying a particular sequence of content). In this example, simplified for illustrative purposes, known channel data includes channel data 470, associated with channel ID "radio 35," and channel data 480, associated with channel ID "album12." Referring to channel data 470, each row relates a content ID to a start time and end time. In this example, start and end times are referenced with respect to an arbitrary start time value "C(0)." For some channels (e.g. CDs, DVDs, video games) only such arbitrary reference times will be available. For other channels (e.g. broadcasts, concerts, etc.), absolute time might be both available and useful. However, for the purpose of the analysis illustrated in this example, times that are relative only and not necessarily absolute are sufficient.

**[0044]** With respect to further "scrubbing" the Raw Play Stream 410, in this example, channel data may be used to correct the apparent misidentification of

sample 29. Note that the sample sequence data alone in this example does not provide a clear basis for correcting sample 29. Sample 28 is identified as "ad49," sample 29 as "song81," and sample 30 as "song 35." However, given the sequence "song21, ad49, and song35" is associated with a known sequence of the radio broadcast referenced as "radio 35," there is a basis in channel data 470 for believing that the proper content ID for sample 29 is "song35" rather than "song81." Thus, Clean Play Stream 450 indicates a change relative to Raw Play Stream 410 with respect to the content ID for sample 29. Note that a clean play stream and clean play list are not necessarily generated sequentially. For example, to the extent a channel identification and associated channel data are necessary to "scrub" a raw play stream, portions of a clean play list may be determined as part of obtaining data necessary to make channel selection. In the present example, "radio 35" is identified based on a particular content sequence, and that information helps populate Clean Play Stream 450 with a corrected content ID value for sample 29 relative to the sample 29 content ID value on Raw Play Stream 410.

**[0045]** Audience data may also be used in the "scrubbing" process. For example, if "song81" is radically different from the user's known consumption habits and "song35" is within the user's known consumption habits, another basis might be provided for suspecting that "song35" rather than "song81" is the correct content ID for sample 29 of Play Stream 410.

**[0046]** It will be understood by those skilled in the art that in the context of data sets that might, in alternative examples, make up a "raw play stream," "a clean play stream," or a "clean play list," the particular organization, division, and content of the data may vary considerably from that illustrated in **Figure 4** (as well as that illustrated in **Figure 5** below) without departing from the spirit and scope of the present invention. To cite but one example, such play streams and/or play lists might include several data fields in addition to those illustrated. Moreover, the illustrated data sets might not be collected in the same table but, depending upon database architecture, might be spread out in different tables and/or relational structures. Furthermore, the data sets similar to those illustrated might not be stored at all in a database but rather might be generated on the fly

and then discarded as mere intermediate steps to generating a particular report that the system is asked to produce. These and other variations will be readily apparent to those skilled in the art. The examples shown are chosen primarily for usefulness in illustrating aspects of a particular embodiment. While they are useful in illustrating certain underlying principles of certain aspects of the present invention, they should not be considered, in and of themselves, to limit the scope of the invention.

**[0047]** **Figure 5** illustrates Clean Play Stream 510, Clean Play List 560, Channel Data 570, and Clean Play List 590 showing deduced play-altering actions. The illustrated data may be generated by systems and methods in accordance with an embodiment of the present invention such as, for example, system 100 of **Figure 1** method 200 of **Figure 2**, and method 300 of **Figure 3**. Aside from the traditional time shifting activity of, for example, recording a television broadcast and playing it at a later time, various play-altering activities may be undertaken by an audience member. For example a media player may be paused, reversed, fast forwarded, and some media players have modes in which skipping back or forward in played content can occur almost instantly, including within the smallest time division useful for a particular data set (e.g., less than five seconds, less than one second, etc.). Generally, these activities of manipulating the pace and order in which media is consumed will be referenced as audience play-altering actions or activities. These activities may be deduced, for example, during scrubbing step 209 of **Figure 2**, or, as illustrated more expressly, during step 308 of **Figure 3**.

**[0048]** Continuing with the description of **Figure 5**, Play Stream 510 presents a series of log times, content IDs, and content offsets. In the illustrated example, times given in the log time column begins with $t_0$ and ends with $t_0$+19. Each log time indicates a time at which capture of the analyzed sample began, where $t_0$ simply represents a beginning time for samples on Play Stream 510. Each content ID indicates an identifier of the content that has been identified as corresponding to the captured sample. In the example illustrated, "TV program 27" refers to a TV program segment and "TV program 28" refers to another program segment of the same program. "Ad23" and "ad25," on the other hand, refer to separate

advertisements. Each content offset value represents a time offset from the beginning of a particular piece of content. For example, row 8 of Play Stream 510 corresponds to a sample whose beginning is located 9 time units from the beginning of TV program 27, thus the content offset is referenced as (0)+9.

**[0049]** Play List 560 contains a row for each internally continuous media consumption event. The start log time and end log time for each such event are listed in each row. If an entire piece of content (e.g. a TV program segment, or an entire TV ad) is listened to without interruption, that would correspond to a row of Play List 560. On the other hand, if the data from Play Stream 510 suggests a discontinuity within consumption of a particular piece of content, such discontinuities form boundaries between consumption events that form rows of List 560. The meaning of these concepts may be clarified by discussing further details of the illustrated example.

**[0050]** Discontinuities in consumption of the identified media may be identified by comparing the progression of sample log times to progression of corresponding content offset times in Play Stream 510. For example, referring to rows 7 and 8 of play stream 510, log times progress from $t_0$+6 to $t_0$+7; however, the corresponding content offsets progress, with respect to the start of TV program 27, from (0)+3 to (0)+9. Had the media consumption from one sample to the next been continuous, one would expect that the second offset value (in row 8) would have been (0)+4 rather than (0)+9. Therefore, a boundary between media consumption events can be deduced. Thus, rows 3 and 4 of List 560 indicate two consumption events with respect to the same piece of media content (TV program 27). By contrast, row 1 and row 2 of Play Stream 510 are, on Play List 560, collapsed into a single row (row 1) because the content offset progression from row 1 to row 2 of Play Stream 510 suggests continuous consumption of the same piece of media content.

**[0051]** Referring to Play List 560, the "end log time" of one event also defines the "start log time" of the next event. In other examples, particularly if continuous time is not assumed, a play list might be constructed using start log times that are different than the end log time of the previous consumption event.

**[0052]** Referring to Clean Play List With Deduced Actions 590, it can be seen that a play list can be constructed that supplements the information in Play List 560 with information about the apparent actions of the audience member. Rows 2, 4, 6, 8, and 11 of List 590 include such information about deduced actions.

**[0053]** To the extent such play-altering actions occur within the same piece of content, audience member actions may be deduced without content sequence data for a particular channel. For example, referring to rows 2, 3, 4, 5, and 6, of Play Stream 510, the content offset values of rows 2 and 6 indicate advancing for one time unit within TV program 27 while no content ID (or corresponding offset value) is available for rows 3-5. From this information, and the fact that log times of rows 3-5 together correspond to progression through three time units, it is reasonable to deduce that the audience member paused a media player for three time units from log time $t_0$+2 to log time $t_0$+5. That deduced action is recorded in row 2 of Play List 590.

**[0054]** On the other hand, in other contexts, it may be necessary to refer to content sequence data for a particular channel to be sufficiently confident in deducing the details of an audience member's play-altering activity. For example, referring to Play Stream 510, data in rows 15-17 indicate one or more consumption discontinuities in which a play-altering action appears to have crossed a content boundary. Row 15 indicates consumption of the beginning of ad23; row 16 indicates no identified content, and row 17 indicates consumption of ad24 from a point two time units after the beginning of that ad. From this information alone, it is difficult or impossible to determine how much play-altering activity occurred and whether any content pieces were skipped altogether. However, content sequence data for an identified channel may be used to supplement the information gap. Data 570 lists content sequence data for a channel identified as "TV C4." "TV C4" may be identified during a method portion such as step 211 of process 200 of **Figure 2** as previously described. Channel data may be searched that includes the content identified in Play Stream 510 or Play List 560. A channel whose content sequence matches or closely matches content on such a stream or play list may be identified as the channel that delivered the consumed content. In this case, Play Stream 510 and Play List 560

include content associated with the following IDs: TV program 27, ad23, ad25, and TV program 28. Because channel data for "TV C4" indicates a sequence of: TV program 27, ad23, ad24, ad25, and TV program 28, for purposes of this example, it can reasonably be assumed that the media depicted on Stream 510, List 560, and List 590 was originally delivered to the relevant media player by channel "TV C4." In real world contexts, however, it is quite possible that more data would have to be obtained (e.g. a matching more entries on a play list entries against a longer series of content sequence data of a channel) in order to be reasonably confident that the channel has been correctly identified. The amount of data matched in the illustrated example has been chosen primarily for ease of illustration.

**[0055]** Sequence Data 570 for channel TV C4 indicates that ad23 as broadcast lasted three time units (see row 2), ad25 as broadcast lasted three time units (see row 4), and between ad23 and ad25, another ad, ad24, was broadcast and lasted three time units. From this information, and the information in either Play Stream 510 or Play list 560, it can be deduced that the audience member heard the very beginning of ad23, but then fast forwarded seven time units (during the span of 1 time unit based on the log time data) to just past the beginning of ad25. This deduced action is recorded in row 11 of List 590.

**[0056]** It should be noted that, to the extent actions take less than a single time unit, rows may be added to List 590 relative to List 560 to record such actions. For example, referring to row 4 of List 590, because no log time elapsed between the end of the event in row 3 and the beginning of the event in row 5, row 4 has been added showing the "skip forward 5 units." That the user "skipped" forward rather than "fast" forwarded can be deduced from the fact that while there is no content ID gap between rows 3 and 4 of List 560, there is a gap in the content offset times for those rows. Thus, though the log times and content ID alone suggest continuous consumption, the gap in offset times suggests a "skip" forward that took the same or less time than the length of a single time unit.

**[0057]** Those skilled in the art will recognize that the method aspects just described in the context of generating and using Stream 510, List 560, Data 570, and List With Deduced Actions 590 reflect just one example of how play-altering

actions might be deduced using systems and methods consistent with those of the present invention. To cite but one example, rather than explicitly generate a play list, mathematical representations of play stream data and content sequence data may be used to identify discontinuities and deduce play-altering activities. To cite but one other example, play-altering might be deduced from a pre-generated play list including content offset data without needing to analyzing play stream data from which the play list was generated.

**[0058]** **Figure 6** illustrates timeline structure for data samples generated by system and methods such as module 121 of **Figure 1** and steps 201 and 206 of **Figure 2**.

**[0059]** As illustrated, sample set 600 reflects a division of audio data into sixteen samples, three of which are selected for analysis. The samples selected for recognition analysis are referenced generally as the "$n_0^{th}$," $n_1^{th}$," and "$n_2^{th}$" samples. Samples between the selected samples are not separately numbered, but are marked off between vertical lines along the horizontal length of timelines structure 600 as illustrated. Each sample has a sample time window length "i." Furthermore, the sample set has varying "resolutions" including $r_0$=1/5 between the $n_0^{th}$ and $n_1^{th}$ samples and $r_1$=1/10 between the $n_1^{th}$ and the $n_2^{th}$ samples. In other words, "resolution" here refers to the portion of samples being selected during a period of time. In the present example, a process portion such as steps 201 and 206 of process 200 of **Figure 2** has, based on the identification results of the $n_0^{th}$ and $n_1^{th}$ samples, adjusted the resolution from 1/5 to 1/10. This could occur, for example, as previously described, because the $n_0^{th}$ and $n_1^{th}$ samples match the same content ID and process 200 determines that the likelihood that the next selected sample using a resolution of 1/5 would also match justifies decreasing the resolution to 1/10 so that the next sample selected for analysis is the $n_2^{th}$. However, if the $n_2^{th}$ sample does not match the $n_1^{th}$ sample, then process 200 can make a backtrack decision and go back in the series of samples to select, for example, the $(n_1 + 6)^{th}$ sample for content recognition analysis in order to pinpoint more closely where in the play stream the content change occurred. The order in which samples are selected for analysis in this example is illustrated by arrows 1, 2, and 3 in **Figure 6**.

**[0060]** Although not illustrated in **Figure 6**, as previously described, steps 201 and 206 of method 200 can also determine based on identification results the time window length can be adjusted. In the context of Figure 6, this would correspond to changing the value of "i," the time window length of a particular sample.

**[0061]** **Figure 7** shows an example of a computer system 700 that may be used to execute instruction code contained in a computer program product 760 in accordance with an embodiment of the present invention. Computer program product 760 comprises executable code in an electronically readable medium that may instruct one or more computers such as computer system 700 to perform processing that implements the system 100 of **Figure 1** and/or accomplishes the exemplary method 200 of **Figures 2**. The electronically readable medium may be any medium that either stores or carries electronic signals (including signals referred to as electrical signals and signals referred to as electromagnetic signals) and may be accessed locally or remotely, for example via a network connection. The executable instruction code in an electronically readable medium directs the illustrated computer system 700 to carry out various exemplary tasks described herein. The executable code for directing the carrying out of tasks described herein would be typically realized in software. However, it will be appreciated by those skilled in the art, that computers might utilize code realized in hardware to perform many or all of the identified tasks without departing from the present invention. Those skilled in the art will understand that many variations on executable code may be found that implement exemplary methods within the spirit and the scope of the present invention.

**[0062]** The code or a copy of the code contained in computer program product 760 may be stored in memory 710 for execution by processor 720. Computer system 700 also includes I/O subsystem 730 and peripheral devices 740. I/O subsystem 730, peripheral devices 740, processor 720, and memory 710 are coupled via bus 750.

**[0063]** Those skilled in the art will appreciate computer system 700 illustrates just one example of a system in which a computer program product in accordance with an embodiment of the present invention may be implemented. To cite but one example of an alternative embodiment, execution of instructions contained in

a computer program product in accordance with an embodiment of the present invention may be distributed over multiple computers, such as, for example, over the computers of a distributed computing network.

**[0064]** Although particular embodiments have been described in detail and certain variants have been noted, various other modifications to the embodiments described herein may be made without departing from the spirit and scope of the present invention. Thus, the invention is limited only by the appended claims.

## CLAIMS

What is claimed is:

1. A media measurement method comprising:

generating a raw play stream of content identification results corresponding to a sequence of data samples; and

using sample sequence data to identify a channel corresponding to the samples.

2. The method of claim 1 further comprising:

converting the raw play stream to a format usable for searching channel data to identify a channel to associate with content of the play stream.

3. The method of claim 2 wherein the raw play stream is converted to a play list.

4. The method of claim 2 wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream.

## ABSTRACT OF THE DISCLOSURE

Media monitoring and measurement systems and methods are disclosed. Some embodiments of the present invention provide a media measurement system and method that utilizes audience data to enhance content identifications. Some embodiments analyze media player log data to enhance content identification. Other embodiments of the present invention analyze sample sequence data to enhance content identifications. Other embodiments analyze sequence data to enhance content identification and/or to establish channel identification. Yet other embodiments provide a system and method in which sample construction and selection parameters are adjusted based upon identification results. Yet other embodiments provide a method in which play-altering activity of an audience member is deduced from content offset values of identifications corresponding to captured samples. Yet other embodiments provide a monitoring and measurement system in which a media monitoring device is adapted to receive a wireless or non-wireless audio signal from a media player, the audio signal also being received wirelessly by headphones of a user of the monitoring device.

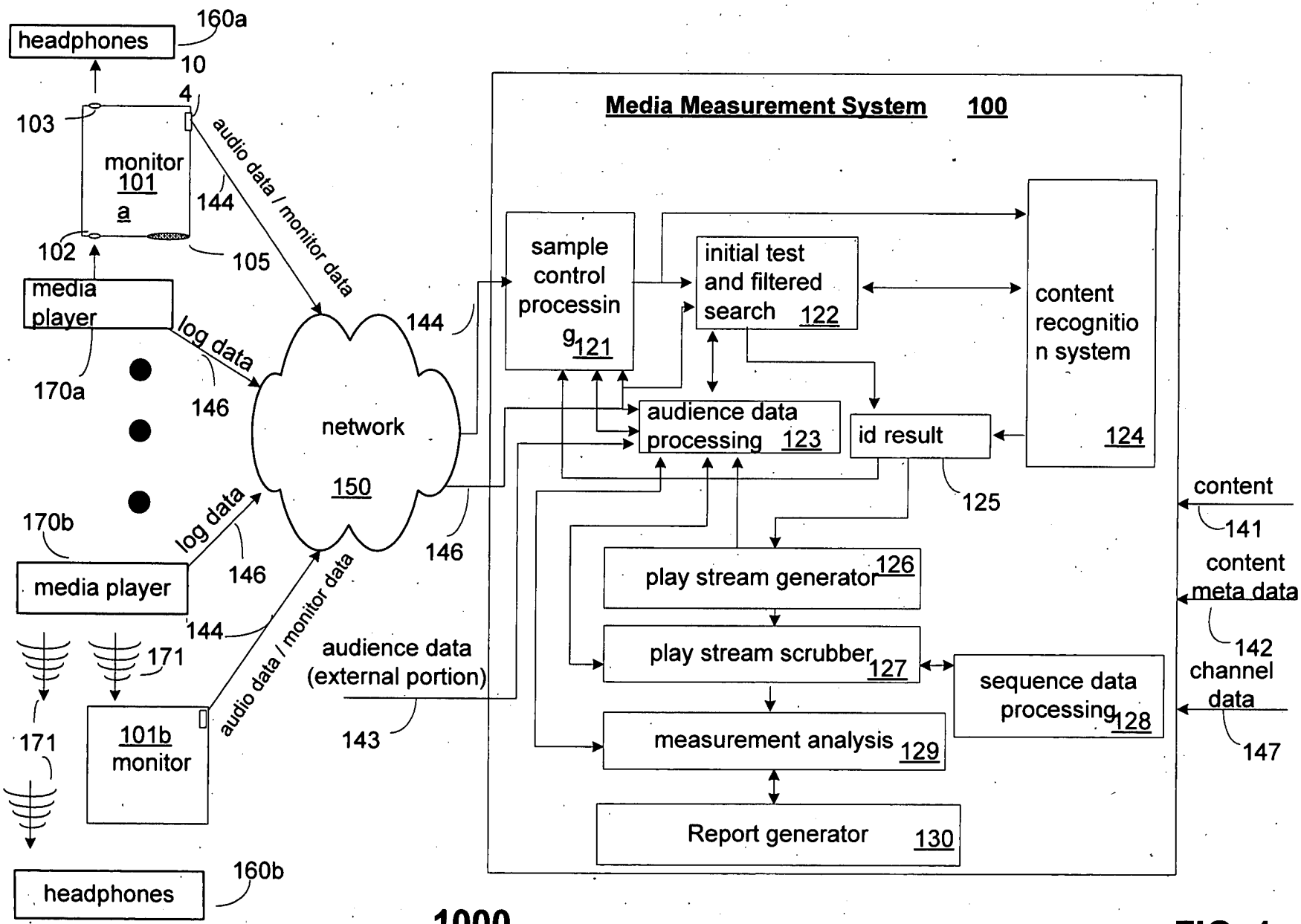



FIG. 1

Title: Media Usage Monitoring and Measurement System and Method
Application No.: Not Yet Assigned
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 1 of 7

0031

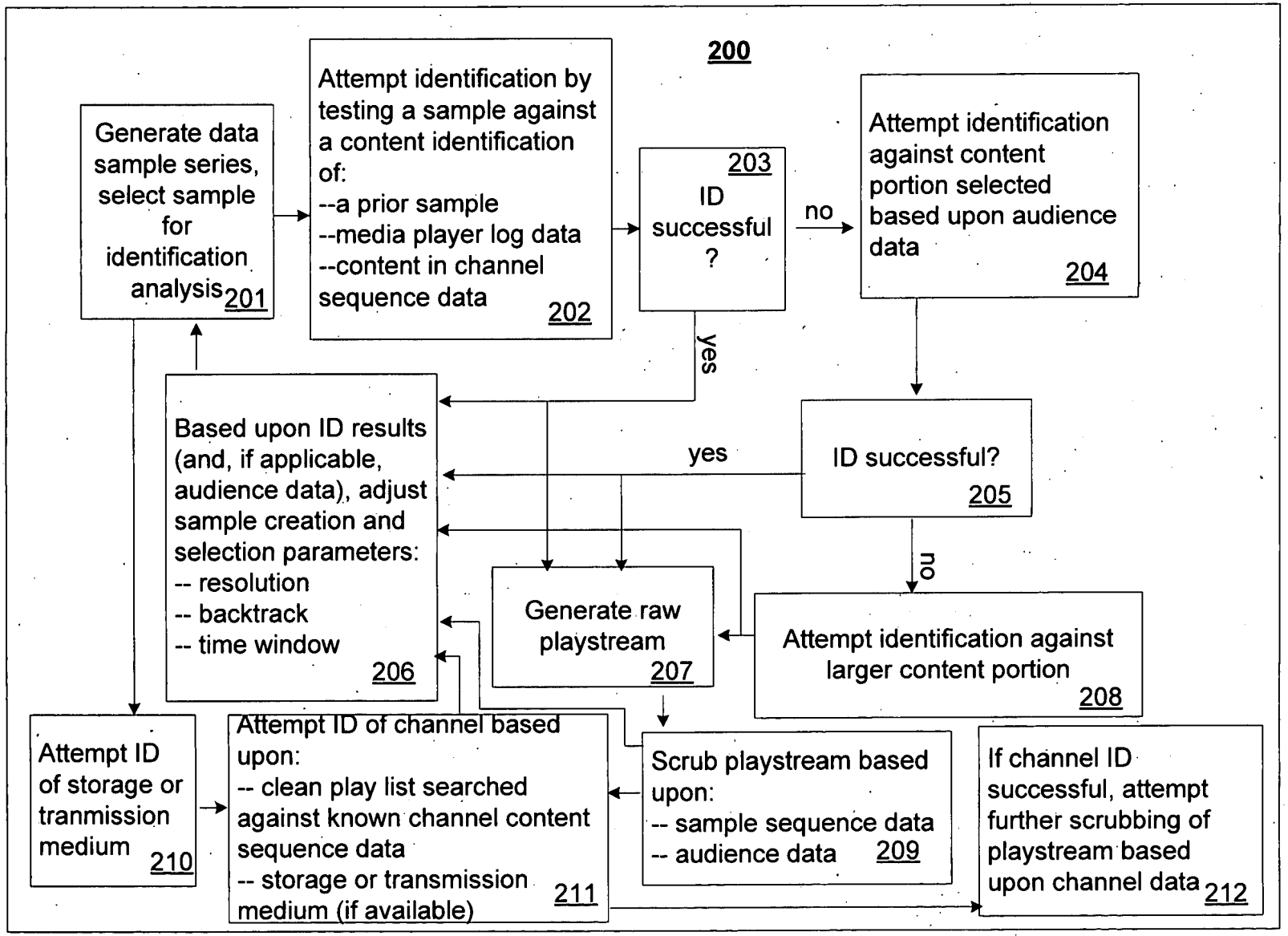

200
Generate data sample series, select sample for identification analysis 201
Attempt identification by testing a sample against a content identification of:
--a prior sample
--media player log data
--content in channel sequence data
202
203
ID successful ?
no
Attempt identification against content portion selected based upon audience data
204
yes
Based upon ID results (and, if applicable, audience data), adjust sample creation and selection parameters:
-- resolution
-- backtrack
-- time window
206
yes
ID successful?
205
no
Generate raw playstream
207
Attempt identification against larger content portion
208
Attempt ID of storage or tranmission medium
210
Attempt ID of channel based upon:
-- clean play list searched against known channel content sequence data
-- storage or transmission medium (if available)
211
Scrub playstream based upon:
-- sample sequence data
-- audience data
209
If channel ID successful, attempt further scrubbing of playstream based upon channel data
212

FIG. 2

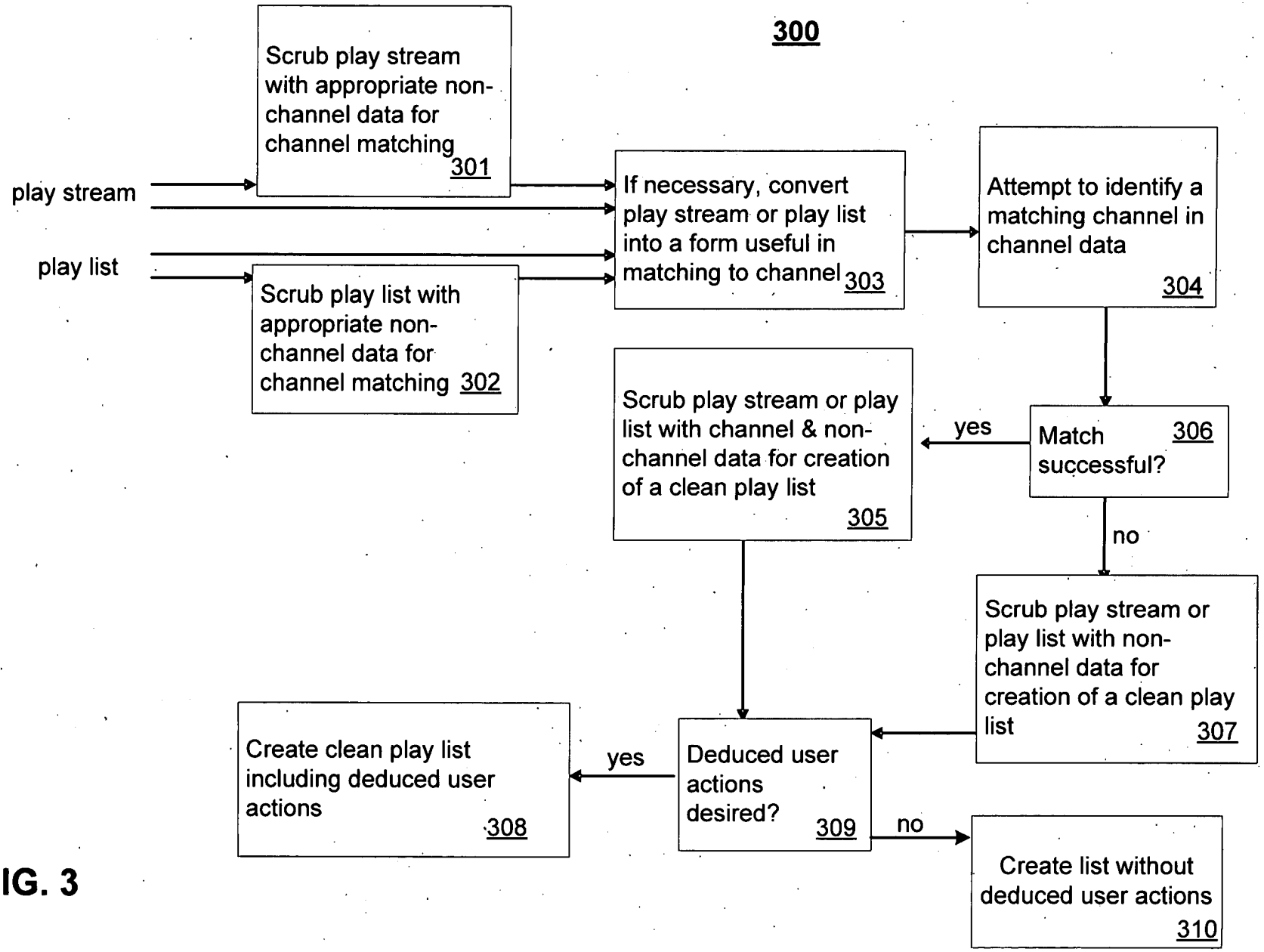

300
play stream
play list
Scrub play stream with appropriate non-channel data for channel matching 301
Scrub play list with appropriate non-channel data for channel matching 302
If necessary, convert play stream or play list into a form useful in matching to channel 303
Attempt to identify a matching channel in channel data 304
Match successful? 306
yes
Scrub play stream or play list with channel & non-channel data for creation of a clean play list 305
no
Scrub play stream or play list with non-channel data for creation of a clean play list 307
Deduced user actions desired? 309
yes
Create clean play list including deduced user actions 308
no
Create list without deduced user actions 310

FIG. 3

410

**Raw Play Stream**

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | none |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | movie 81 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | none |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | TVprgm58 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song81 |
| 30 | $t_0$+29 | song35 |

ssd

450

**Clean Play Stream**

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | song51 |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | song51 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | song72 |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | song65 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song35 |
| 30 | $t_0$+29 | song35 |

470

**Channel Data for "radio 35"**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+6 | song21 |
| 2 | C(0)+6 | C(0)+8 | ad49 |
| 3 | C(0)+8 | C(0)+13 | song35 |

480

**Channel Data for "album 12"**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+7 | song51 |
| 2 | C(0)+7 | C(0)+13 | song72 |
| 3 | C(0)+13 | C(0)+23 | song65 |
| 4 | C(0)+23 | C(0)+30 | song29 |

490

**Clean Play List**

| row | start log time | end log time | content ID | Channel ID |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+7 | song51 | album12 |
| 2 | $t_0$+7 | $t_0$+13 | song71 | album12 |
| 3 | $t_0$+13 | $t_0$+20 | song65 | album12 |
| 4 | $t_0$+20 | $t_0$+26 | song21 | radio35 |
| 5 | $t_0$+26 | $t_0$+28 | ad49 | radio35 |
| 6 | $t_0$+28 | $t_0$+30 | song34 | radio35 |

ssd = "sample sequence data"

FIG. 4

0034

510

**Clean Playstream**

| row | log time | content ID | content offset |
|---|---|---|---|
| 1 | $t_0$ | TVprgm 27 | (0) |
| 2 | $t_0$+1 | TVprgm 27 | (0)+1 |
| 3 | $t_0$ +2 | none | n/a |
| 4 | $t_0$+3 | none | n/a |
| 5 | $t_0$+4 | none | n/a |
| 6 | $t_0$+5 | TVprgm 27 | (0)+2 |
| 7 | $t_0$+6 | TVprgm 27 | (0)+3 |
| 8 | $t_0$+7 | TVprgm27 | (0)+9 |
| 9 | $t_0$+8 | TVprgm27 | (0)+10 |
| 10 | $t_0$+9 | TVprgm27 | (0)+9 |
| 11 | $t_0$+10 | TVprgm27 | (0)+10 |
| 12 | $t_0$+11 | none | n/a |
| 13 | $t_0$+12 | TVprgrm27 | (0)+29 |
| 14 | $t_0$+13 | TVprgrm27 | (0)+30 |
| 15 | $t_0$+14 | ad23 | (0) |
| 16 | $t_0$+15 | none | n/a |
| 17 | $t_0$+16 | ad25 | (0)+2 |
| 18 | $t_0$+17 | TVprgm28 | (0) |
| 19 | $t_0$+18 | TVprgm28 | (0)+1 |
| 20 | $t_0$+19 | TVprgrm28 | (0)+2 |

560

**Clean Play List**

| row | start log time | end log time | content ID | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | none | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 5 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+11 | $t_0$+12 | none | n/a |
| 7 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 8 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 9 | $t_0$+15 | $t_0$+16 | none | n/a |
| 10 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 11 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

570

**Channel Data for TV C4**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+31 | TVprgrm27 |
| 2 | C(0)+31 | C(0)+34 | ad23 |
| 3 | C(0)+34 | C(0)+37 | ad24 |
| 4 | C(0)+37 | C(0)+40 | ad25 |
| 5 | C(0)+40 | C(0)+50 | TVprgrm28 |

590

**Clean Play List with Deduced Actions**

| row | log time | end log time | content ID and <deduced action> | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | <pause for 3 units> | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+7 | <skip frwrd 5 units> | n/a |
| 5 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+9 | $t_0$+9 | <skip bckwrd 2 units> | n/a |
| 7 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 8 | $t_0$+11 | $t_0$+12 | <fast frwrd 18 units> | n/a |
| 9 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 10 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 11 | $t_0$+15 | $t_0$+16 | <fast frwrd 7 units> | n/a |
| 12 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 13 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

**FIG. 5**

Title: Media Usage Monitoring and Measurement System and Method
Application No.: Not Yet Assigned
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 5 of 7

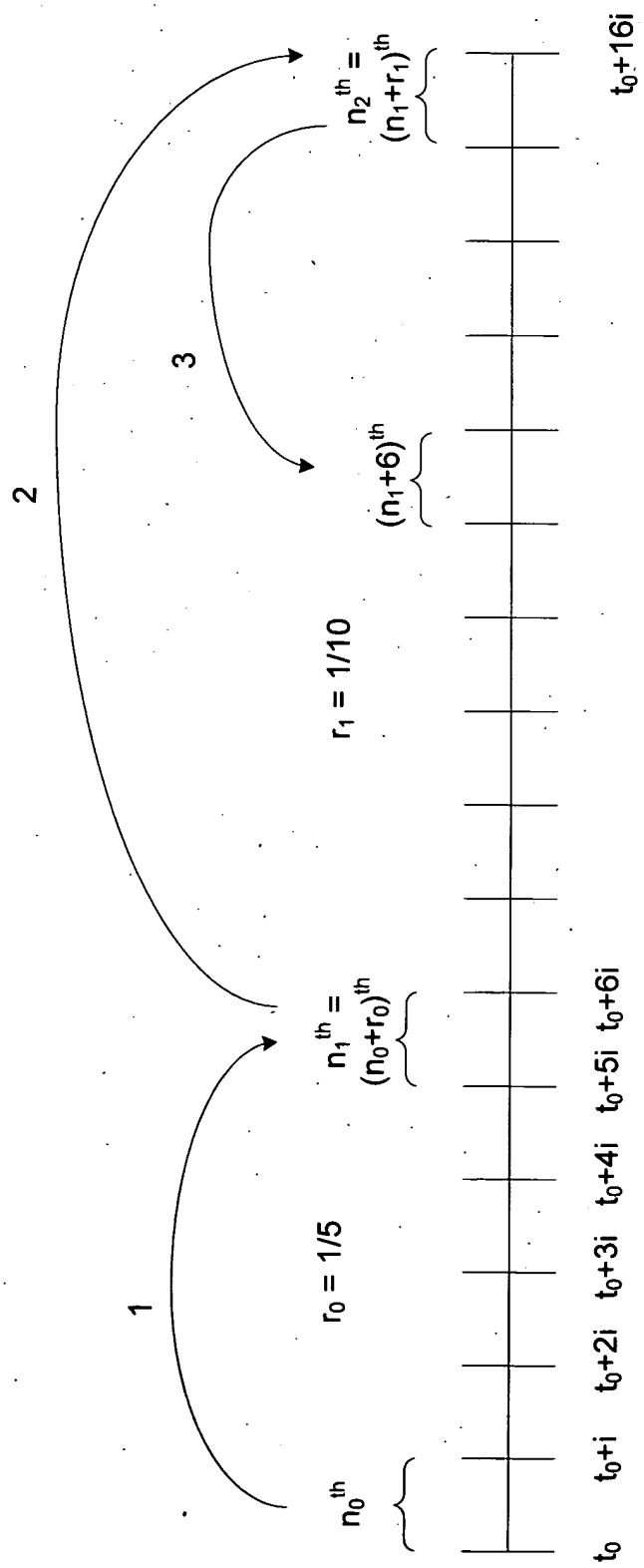

1
2
3
$n_0^{th}$
$r_0 = 1/5$
$n_1^{th} = (n_0+r_0)^{th}$
$r_1 = 1/10$
$(n_1+6)^{th}$
$n_2^{th} = (n_1+r_1)^{th}$
$t_0$
$t_0+i$
$t_0+2i$
$t_0+3i$
$t_0+4i$
$t_0+5i$
$t_0+6i$
$t_0+16i$
600

FIG. 6

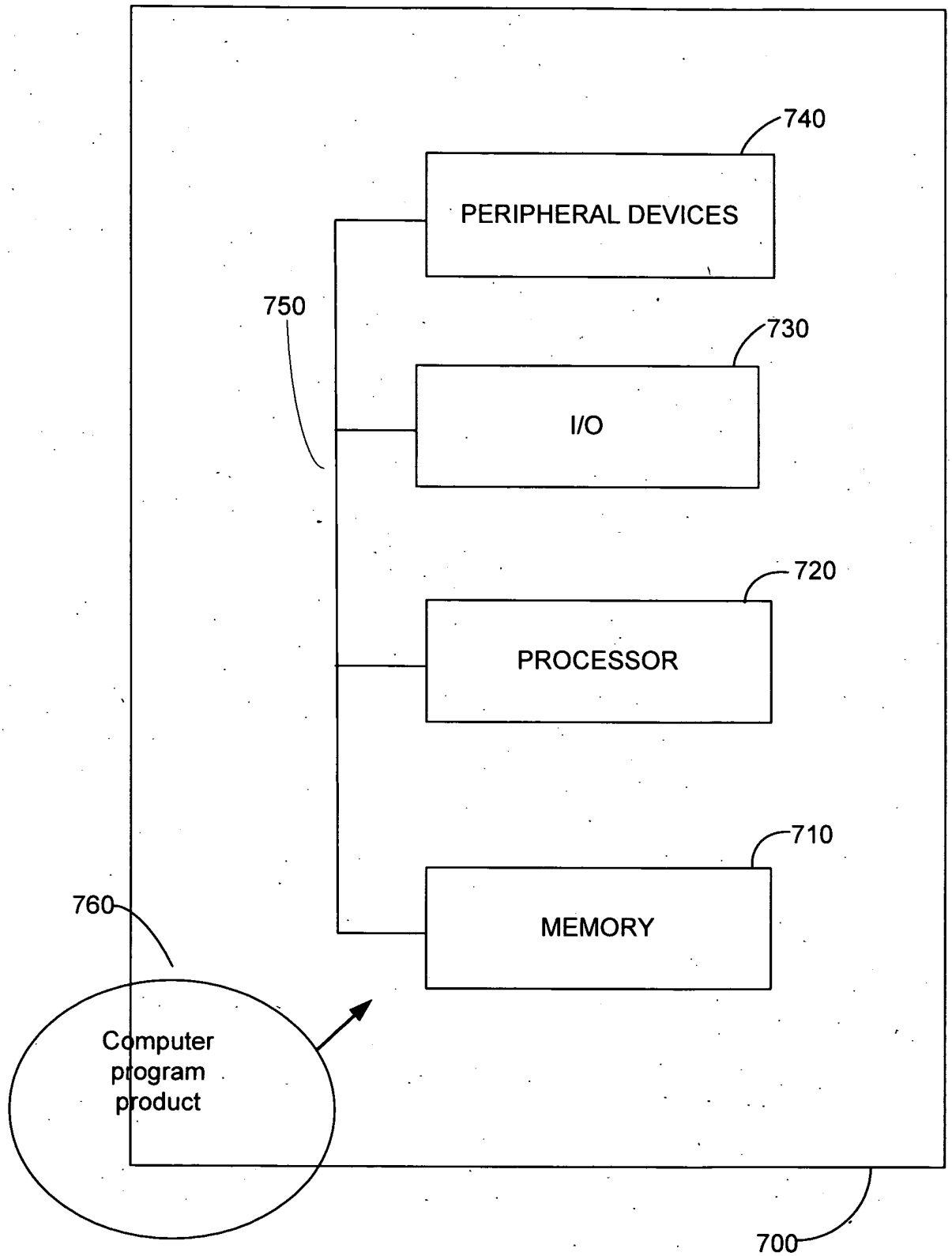

740
PERIPHERAL DEVICES
750
730
I/O
720
PROCESSOR
710
MEMORY
760
Computer program product
700

**FIG. 7**

COPY

Customer Number: 51417
Attorney Docket No. 1004-2000100

COMBINED DECLARATION FOR A PATENT APPLICATION
AND POWER OF ATTORNEY

As the below-named inventor, I hereby declare that:

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

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD**

the specification of which:

(check one) [ ] is attached hereto.
[X] was filed as U.S. application Ser. No. **11/139,330** on **May 26, 2005**
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 do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 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 filed by me on the same subject having a filing date before that of the application on which priority is claimed:

| | | | Priority Claimed |
|---|---|---|---|
| **NONE** | | | [ ] [ ] |
| (Number) | (Country) | (Day/Month/Year filed) | Yes No |

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

| **60/574,836** | **May 27, 2004** | **Pending (as of May 26, 2005)** |
|---|---|---|
| (Application Serial No.) | (Filing Date) | (Status: pending/expired) |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States Patent application(s), or under § 365(c) of any PCT international applications designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| **None** | | |
|---|---|---|
| (Application Serial No.) | (Filing Date) | (Status: patented/pending/abandoned) |

I hereby appoint the following Attorneys and/or agents to prosecute this application and any continuation or divisional applications based hereon, and to transact all business in the Patent and Trademark Office connected therewith:

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from the assignee, if any, of the undersigned as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the registered practitioner(s) identified by Customer No. 51417 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, whose firm name, mailing address, telephone number, and facsimile number for this application are:

MAURIEL PATENT PRACTICE
168 Second Ave., Box 352
New York, NY 10003
Telephone: (212) 529-5131
Fax No.: (212) 529-5132

**Send all official correspondence to:**

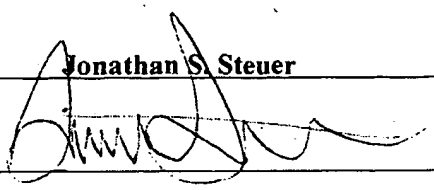
**Michael Mauriel**
**Mauriel Patent Practice**
**168 Second Ave., Box 352**
**New York, NY 10003**

Direct telephone calls to:

Michael Mauriel
telephone: (212) 529-5131
telecopier: (212) 529-5132

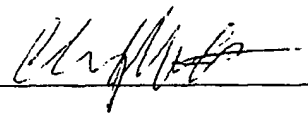
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment,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

Full name of first inventor **Jonathan S. Steuer**

First inventor's signature  July 26, 2005
date

Residence **New York, NY (USA)**
Citizenship **USA**
Post Office Address **72 E. 3rd St., #2B, New York, NY 10003-0206**

Full name of second inventor **Christopher W. Otto**

Second inventor's signature  July 26, 2005
date

Residence **Fremont, CA (USA)**
Citizenship **USA**
Post Office Address **68802 Lyra St., Fremont, CA 94539**

PATENT
Docket No. 10004-2000112

**CERTIFICATE OF DEPOSIT VIA EXPRESS MAIL DELIVERY**

Date of Deposit: September 11, 2008

I hereby certify that this correspondence is being deposited via Express Mail Label No. EH282938715US to the United States Patent and Trademark Office on the date indicated below and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Victoria A. Wilson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jonathan S. STEUER et al.

Serial No.: Not Yet Assigned

Filing Date: Concurrently Herewith

For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A and B. The Examiner is requested to make these documents of record. To the extent required, copies of references have already been provided in the prosecution of related US Application No. 11/139,330.

This Information Disclosure Statement is submitted:

☒ **With the application; accordingly, no fee or separate requirements are required.**

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of * is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A and B, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: September 11, 2008

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 2

| Complete if Known | |
|---|---|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Jonathan S. STEUER |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | | US- 3,919,479 | 11-11-1975 | Moon et al. | |
| | | US- 4,677,466 | 06-30-1987 | Lert et al. | |
| | | US- 4,697,209 | 09-29-1987 | Kiewit et al. | |
| | | US- 5,594,934 | 01-14-1997 | Lu et al. | |
| | | US- 5,945,988 | 08-31-1999 | Williams et al. | |
| | | US- 6,513,161 B2 | 01-28-2003 | Wheeler et al. | |
| | | US- 6,990,453 B2 | 06-27-2002 | Wang | |
| | | US- 2002/0010919 A1 | 01-24-2002 | Lu et al. | |
| | | US- 2002/0059577 A1 | 05-16-2002 | Lu et al. | |
| | | US- 2002/0072982A1 | 06-13-2002 | Barton et al. | |
| | | US- 2002/0161741A1 | 10-31-2002 | Wang et al. | |
| | | US- 2004/0122679 A1 | 06-24-2004 | Neuhauser et al. | |
| | | US- 2006/0059277 A1 | 03-16-2006 | Zito et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | WO 2004/040475 A2 | 05-13-2004 | Koninklijke Philips N.V. | All | |
| | | WO 03/091990 A1 | 11-06-2003 | Shazam Entertainment, LTD | All | |
| | | WO 02/27600 A2 | 04-04-2002 | Shazam Entertainment, LTD | All | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2 of 2

| *Complete if Known* | |
|---|---|
| **Application Number** | Not Yet Assigned |
| **Filing Date** | Concurrently Herewith |
| **First Named Inventor** | Jonathan S. STEUER |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| | | Arbitron, "The Portable People Meter System," www.arbitron.com/protable_people_meters/ppm_system.htm, downloaded on April 25, 2005. | |
| | | HEDGES, M. "New measurement devices raise new questions. Will we ever know who's listening?" www.followthemedia.com/number/devices01082004.htm, August 1, 2004. | |
| | | Gertner, J. "Watching What You Watch," New York Times Magazine, April 10, 2005. | |
| | | GFK AG, "Gfk unveils its multi-talented new MediaWatch," press release, June 14, 2004. | |
| | | Nielsen Media Research, "Active/Passive Metering begins July 2004," August 6, 2003. | |
| | | Nielsen Media Research, "Summary Report of the Active/Passive (A/P) Meter Regional Test," November 11, 2002. | |
| | | Philips Research, "Audio Fingerprinting for automatic music recognition," brochure, www.content.identification.philips.com, downloaded March 9, 2005 | |
| | | PINTO, A. "Mediawatch meters a complex mix of media, passively," www.Indiantelevision.com/headlines/y2k5/feb/feb177.htm, February 19, 2005. | |
| | | | |
| | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

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

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

09/15/2008 SDENBOB3 00000007 12283332

| | |
|---|---|
| 01 FC:2011 | 155.00 OP |
| 02 FC:2111 | 255.00 OP |
| 03 FC:2311 | 105.00 OP |

PTO-1556
(5/87)

*U.S. Government Printing Office: 2002- 489-267/69033

PTO/SB/06 (10-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

# PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 12283332

## APPLICATION AS FILED – PART I

| FOR | (Column 1) NUMBER FILED | (Column 2) NUMBER EXTRA | SMALL ENTITY RATE ($) | SMALL ENTITY FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | OTHER THAN SMALL ENTITY FEE ($) |
|---|---|---|---|---|---|---|---|
| BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A | N/A | $155 | | N/A | $310 |
| SEARCH FEE (37 CFR 1.16(k), (l), or (m)) | N/A | N/A | N/A | $255 | | N/A | $510 |
| EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A | N/A | $105 | | N/A | $210 |
| TOTAL CLAIMS (37 CFR 1.16(i)) | 4 minus 20 = | * 0 | X $25 = | | OR | X $50 = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | 1 minus 3 = | * 0 | X $105 = | | | X $210 = | |
| APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is $260 ($130 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). | | $130 | | | $260 | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | $185 | | | $370 | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | 515 | | TOTAL | |

## APPLICATION AS AMENDED – PART II

AMENDMENT A

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | SMALL ENTITY ADDITIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | OTHER THAN SMALL ENTITY ADDITIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(i)) | * | Minus | ** | = | X $25 = | | OR | X $50 = | |
| Independent (37 CFR 1.16(h)) | * | Minus | *** | = | X $105 = | | OR | X $210 = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | | | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | $185 | | OR | $370 | |
| | | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

AMENDMENT B

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | SMALL ENTITY ADDITIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | OTHER THAN SMALL ENTITY ADDITIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(i)) | * | Minus | ** | = | X $25 = | | OR | X $50 = | |
| Independent (37 CFR 1.16(h)) | * | Minus | *** | = | X $105 = | | OR | X $210 = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | | | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | $185 | | OR | $370 | |
| | | | | | 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.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 |

**CONFIRMATION NO. 6705**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

**FORMALITIES LETTER**

*OC00000032385412*

Date Mailed: 10/03/2008

# NOTICE TO FILE CORRECTED APPLICATION PAPERS

***Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. 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 required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) ALL.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

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.

/mkoroma/

---

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 | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | TOT CLAIMS | IND CLAIMS |
|---|---|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 2623 | 515 | 10004-2000112 | 4 | 1 |

**CONFIRMATION NO. 6705**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

**FILING RECEIPT**

*OC000000032385411*

Date Mailed: 10/03/2008

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 submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

**Applicant(s)**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

**Assignment For Published Patent Application**

Anonymous Media, LLC, New York, NY

**Power of Attorney:** The patent practitioners associated with Customer Number 51417

**Domestic Priority data as claimed by applicant**

This application is a DIV of 11/139,330 05/26/2005

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 10/01/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/283,332**

**Projected Publication Date:** To Be Determined - pending completion of Corrected Papers

**Non-Publication Request:** No

**Early Publication Request:** No
** **SMALL ENTITY** **

**Title**

Media usage monitoring and measurement system and method

**Preliminary Class**

725

## 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 AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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

PTO/SB/21 (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OFFICE USPTO
OCT 27 2008
PATENT & TRADEMARK OFFICE

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|---|---|
| Total Number of Pages in This Submission | 12 |

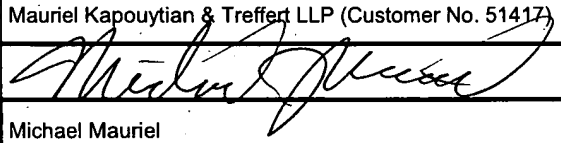
| | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. STEUER |
| Art Unit | 2623 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

## ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☑ Drawing(s) - 7 Sheets
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):
  1. Copy of Notice to File Corrected Application Papers - 2 pages
  2. Communication - 2 pages
  3. Return receipt postcard.

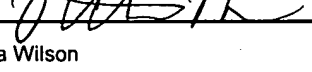
Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|---|---|---|---|
| Firm Name | Mauriel Kapouytian & Treffert LLP (Customer No. 51417) | | |
| Signature |  | | |
| Printed name | Michael Mauriel | | |
| Date | October 23, 2008 | Reg. No. | 44,226 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|---|---|---|---|
| Signature |  | | |
| Typed or printed name | Victoria Wilson | Date | October 23, 2008 |

This collection of information is required by 37 CFR 1.5. 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 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 |

**CONFIRMATION NO. 6705**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

OIPE IAP18 OCT 27 2008 PATENT & TRADEMARK OFFICE

**FORMALITIES LETTER**

*OC00000032385412*

Date Mailed: 10/03/2008

# NOTICE TO FILE CORRECTED APPLICATION PAPERS

***Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. 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 required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) ALL.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

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.

/mkoroma/

---

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

OCT 27 2008
PATENT & TRADEMARK OFFICE

**Certificate of Mailing Via First-Class Mail**
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
Dated: October 23, 2008 Signature: (Victoria Wilson)

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:
Jonathan S. STEUER et al.

Application No.: 12/283,332

Group Art Unit: 2623

Filing Date: September 11, 2008

Examiner: Not Yet Assigned

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

## COMMUNICATION

**Mail Stop Missing Parts**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The enclosed replacement drawings are identical to those filed with the original application. At the time of filing, the drawings that were submitted on September 11, 2008 contained no visible markings that would render them unacceptable as stated in the Notice to File Corrected Application Papers. In a previous application, we were told by a USPTO representative that the problem with the drawings likely resulted from poor scanning of the drawings after receipt of the application at the USPTO. We were encouraged to resubmit the drawings in hopes that a better scan will be obtained. Accordingly, we re-submit the attached drawings which have not been changed in any way since the original filing.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: October 23, 2008

Respectfully submitted,

By _____

Michael Mauriel
Registration No.: 44,226
Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
(212) 529-5131
Attorney(s) for Applicant

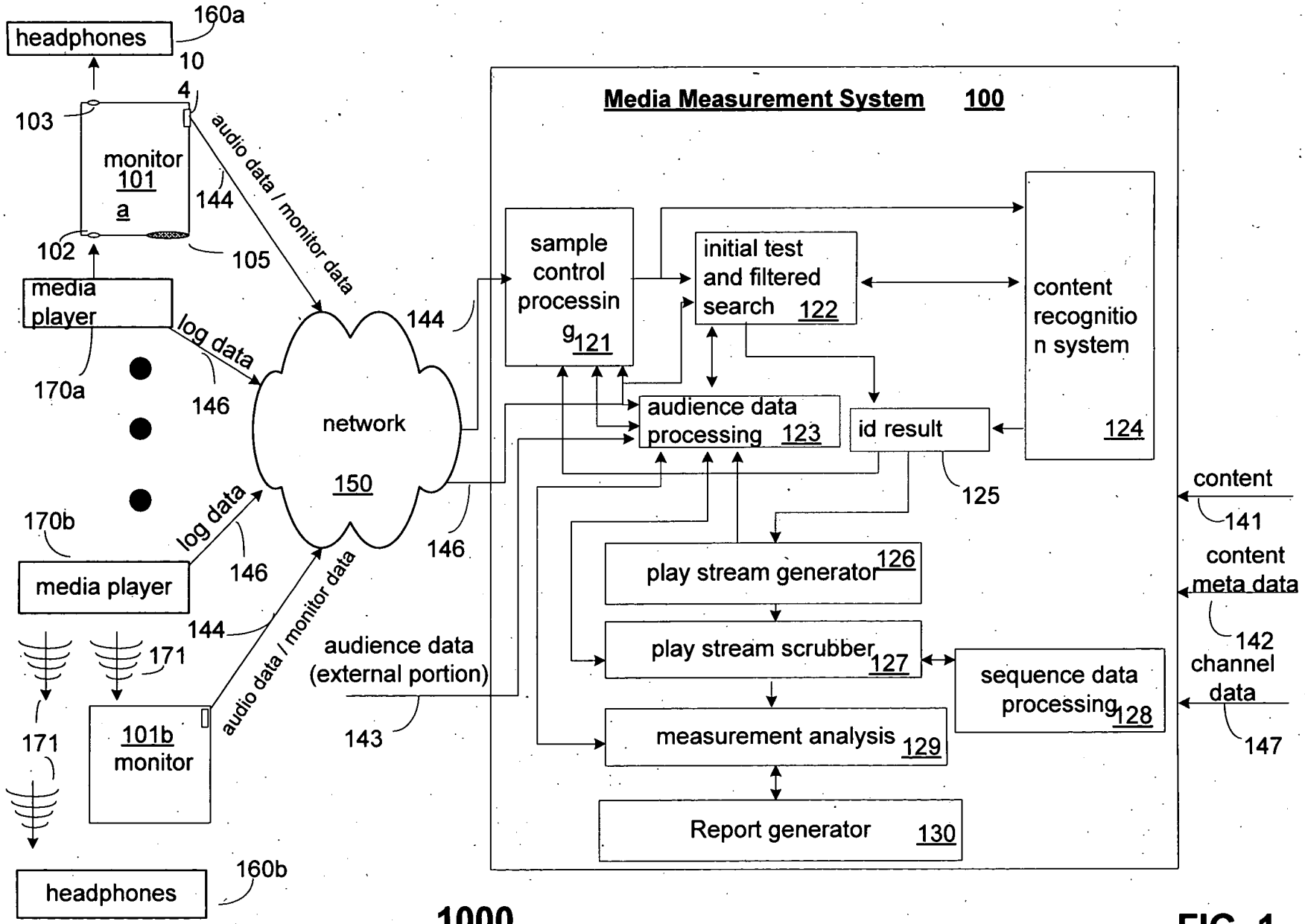



FIG. 1

REPLACEMENT DRAWINGS
Title: Media Usage Monitoring and Measurement System and Method
Application No.: 12/283,332
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 1 of 7

0058

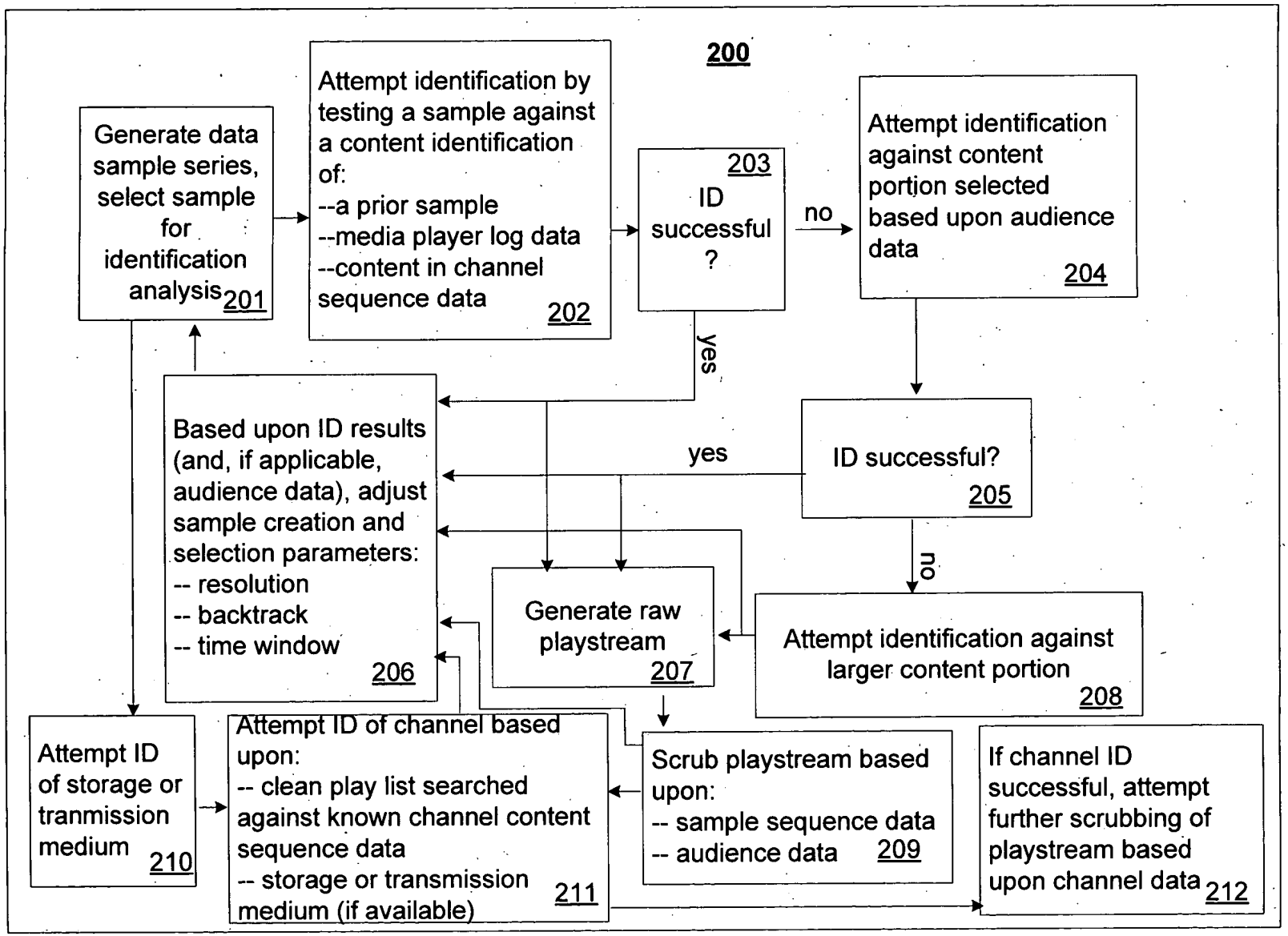

200
Generate data sample series, select sample for identification analysis 201
Attempt identification by testing a sample against a content identification of:
--a prior sample
--media player log data
--content in channel sequence data
202
203
ID successful ?
no
Attempt identification against content portion selected based upon audience data
204
yes
Based upon ID results (and, if applicable, audience data), adjust sample creation and selection parameters:
-- resolution
-- backtrack
-- time window
206
yes
ID successful?
205
no
Generate raw playstream
207
Attempt identification against larger content portion
208
Attempt ID of storage or tranmission medium
210
Attempt ID of channel based upon:
-- clean play list searched against known channel content sequence data
-- storage or transmission medium (if available)
211
Scrub playstream based upon:
-- sample sequence data
-- audience data
209
If channel ID successful, attempt further scrubbing of playstream based upon channel data
212

FIG. 2

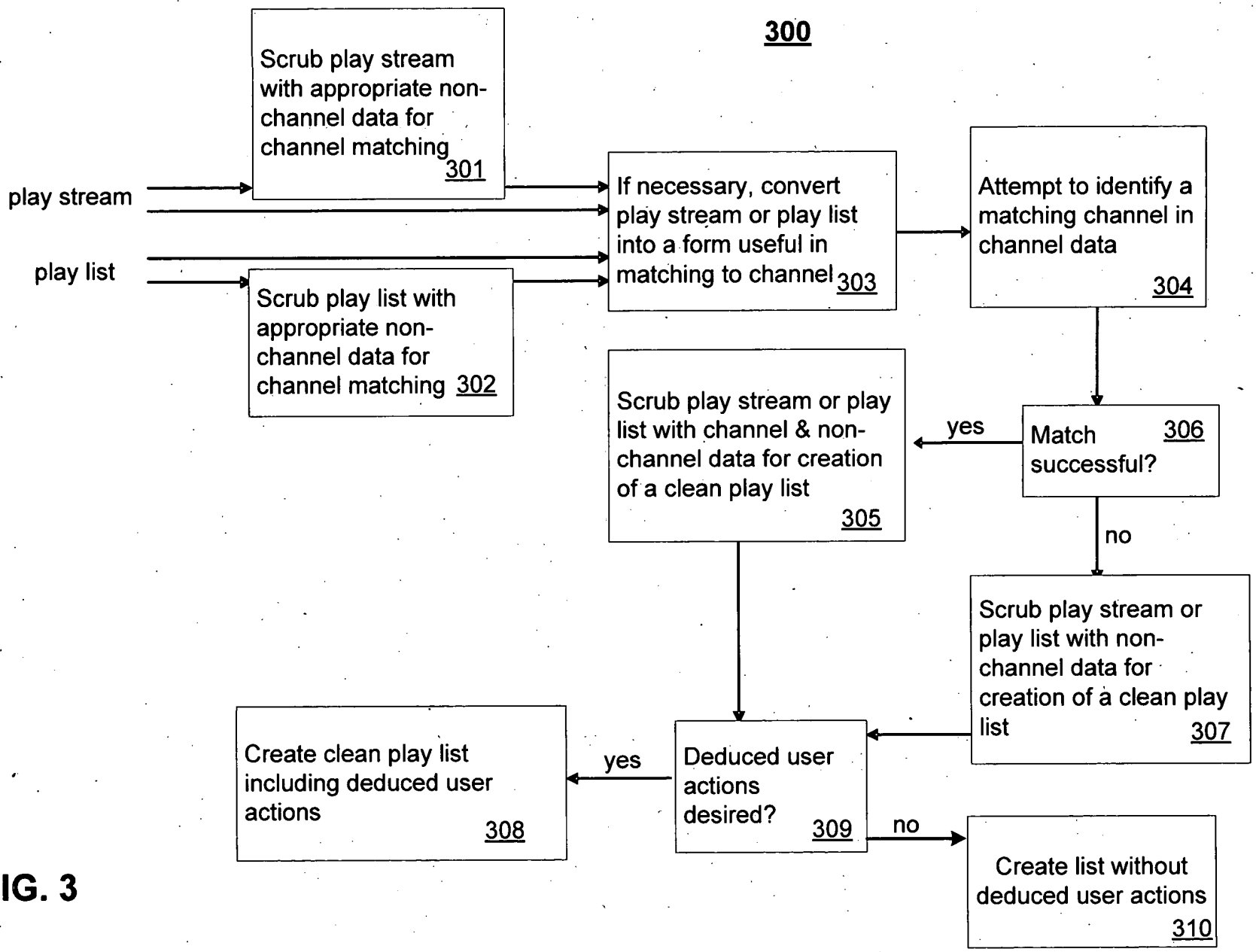



FIG. 3

REPLACEMENT DRAWINGS
Title: Media Usage Monitoring and Measurement System and Method
Application No.: 12/283,332
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 3 of 7

0090

410

**Raw Play Stream**

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | none |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | movie 81 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | none |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | TVprgm58 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song81 |
| 30 | $t_0$+29 | song35 |

ssd

450

**Clean Play Stream**

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | song51 |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | song51 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | song72 |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | song65 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song35 |
| 30 | $t_0$+29 | song35 |

ssd = "sample sequence data"

470

**Channel Data for "radio 35"**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+6 | song21 |
| 2 | C(0)+6 | C(0)+8 | ad49 |
| 3 | C(0)+8 | C(0)+13 | song35 |

480

**Channel Data for "album 12"**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+7 | song51 |
| 2 | C(0)+7 | C(0)+13 | song72 |
| 3 | C(0)+13 | C(0)+23 | song65 |
| 4 | C(0)+23 | C(0)+30 | song29 |

490

**Clean Play List**

| row | start log time | end log time | content ID | Channel ID |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+7 | song51 | album12 |
| 2 | $t_0$+7 | $t_0$+13 | song71 | album12 |
| 3 | $t_0$+13 | $t_0$+20 | song65 | album12 |
| 4 | $t_0$+20 | $t_0$+26 | song21 | radio35 |
| 5 | $t_0$+26 | $t_0$+28 | ad49 | radio35 |
| 6 | $t_0$+28 | $t_0$+30 | song34 | radio35 |

**FIG. 4**

**REPLACEMENT DRAWINGS**
Title: Media Usage Monitoring and Measurement System and Method
Application No.: 12/283,332
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
**Sheet 4 of 7**

0061

510

**Clean Playstream**

| row | log time | content ID | content offset |
|---|---|---|---|
| 1 | $t_0$ | TVprgm 27 | (0) |
| 2 | $t_0$+1 | TVprgm 27 | (0)+1 |
| 3 | $t_0$ +2 | none | n/a |
| 4 | $t_0$+3 | none | n/a |
| 5 | $t_0$+4 | none | n/a |
| 6 | $t_0$+5 | TVprgm 27 | (0)+2 |
| 7 | $t_0$+6 | TVprgm 27 | (0)+3 |
| 8 | $t_0$+7 | TVprgm27 | (0)+9 |
| 9 | $t_0$+8 | TVprgm27 | (0)+10 |
| 10 | $t_0$+9 | TVprgm27 | (0)+9 |
| 11 | $t_0$+10 | TVprgm27 | (0)+10 |
| 12 | $t_0$+11 | none | n/a |
| 13 | $t_0$+12 | TVprgrm27 | (0)+29 |
| 14 | $t_0$+13 | TVprgrm27 | (0)+30 |
| 15 | $t_0$+14 | ad23 | (0) |
| 16 | $t_0$+15 | none | n/a |
| 17 | $t_0$+16 | ad25 | (0)+2 |
| 18 | $t_0$+17 | TVprgm28 | (0) |
| 19 | $t_0$+18 | TVprgm28 | (0)+1 |
| 20 | $t_0$+19 | TVprgrm28 | (0)+2 |

560

**Clean Play List**

| row | start log time | end log time | content ID | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | none | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 5 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+11 | $t_0$+12 | none | n/a |
| 7 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 8 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 9 | $t_0$+15 | $t_0$+16 | none | n/a |
| 10 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 11 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

570

**Channel Data for TV C4**

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+31 | TVprgrm27 |
| 2 | C(0)+31 | C(0)+34 | ad23 |
| 3 | C(0)+34 | C(0)+37 | ad24 |
| 4 | C(0)+37 | C(0)+40 | ad25 |
| 5 | C(0)+40 | C(0)+50 | TVprgrm28 |

590

**Clean Play List with Deduced Actions**

| row | log time | end log time | content ID and <deduced action> | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | <pause for 3 units> | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+7 | <skip frwrd 5 units> | n/a |
| 5 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+9 | $t_0$+9 | <skip bckwrd 2 units> | n/a |
| 7 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 8 | $t_0$+11 | $t_0$+12 | <fast frwrd 18 units> | n/a |
| 9 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 10 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 11 | $t_0$+15 | $t_0$+16 | <fast frwrd 7 units> | n/a |
| 12 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 13 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

FIG. 5

0062

REPLACEMENT DRAWINGS

Title: Media Usage Monitoring and Measurement System and Method
Application No.: 12/283,332
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 5 of 7

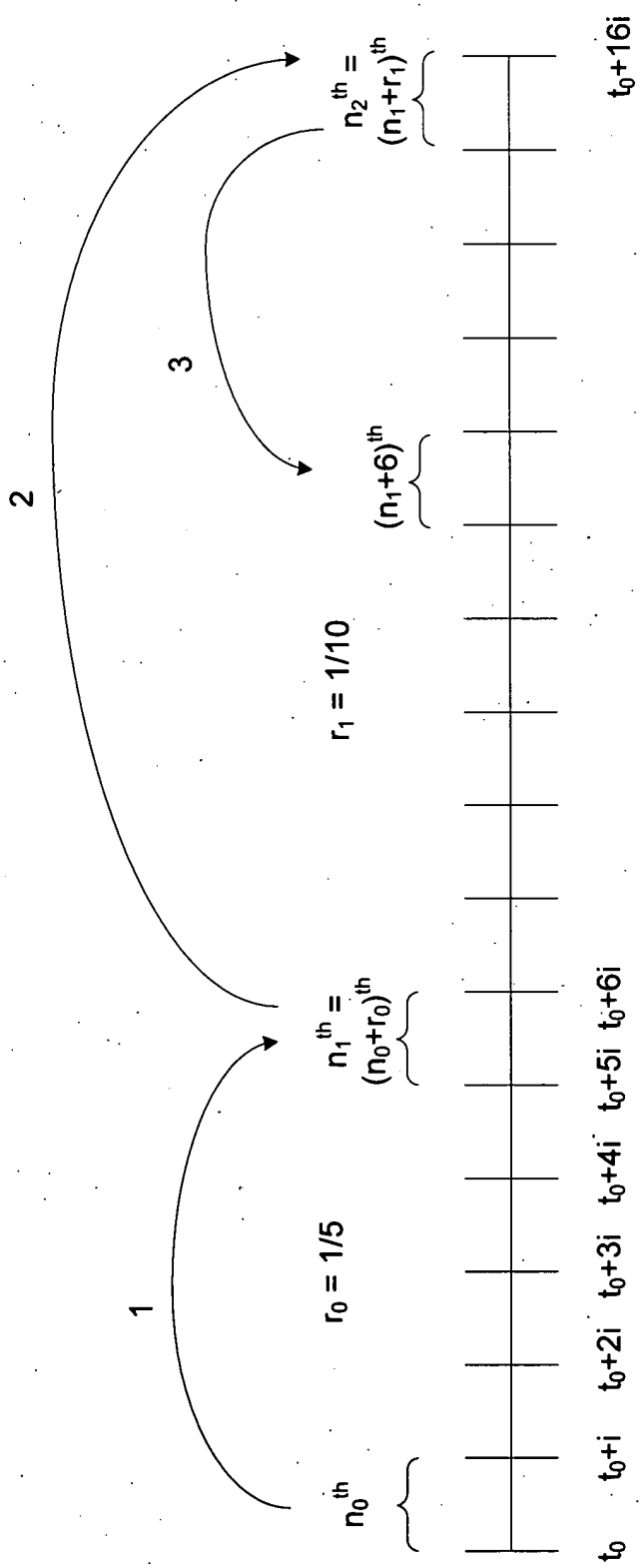

1
2
3
$r_0 = 1/5$
$r_1 = 1/10$
$n_0^{th}$
$n_1^{th} = (n_0+r_0)^{th}$
$n_2^{th} = (n_1+r_1)^{th}$
$(n_1+6)^{th}$
$t_0$
$t_0+i$
$t_0+2i$
$t_0+3i$
$t_0+4i$
$t_0+5i$
$t_0+6i$
$t_0+16i$
600

FIG. 6

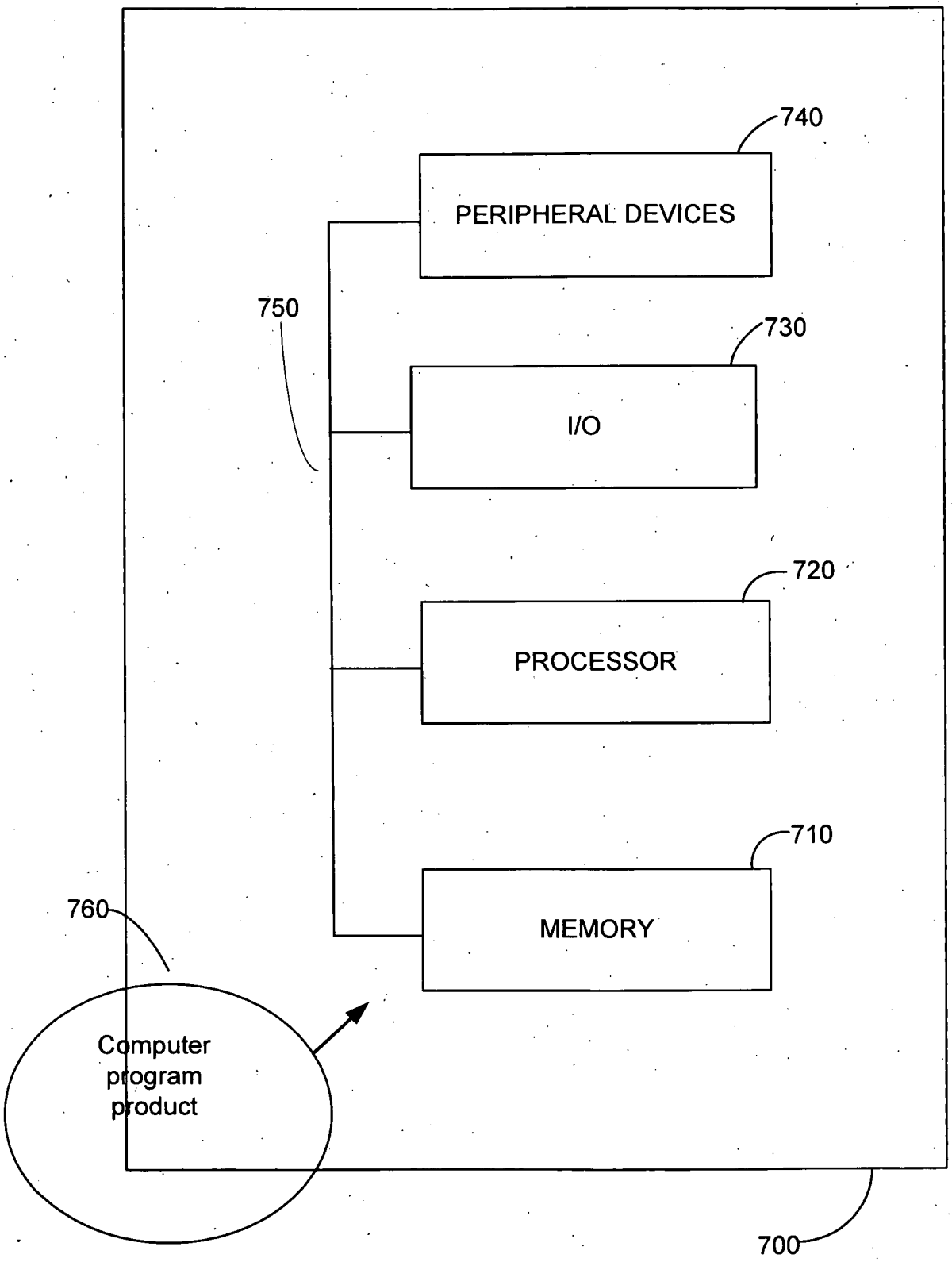

740
PERIPHERAL DEVICES
750
730
I/O
720
PROCESSOR
710
MEMORY
760
Computer program product
700

FIG. 7

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 |
|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 |

**CONFIRMATION NO. 6705**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

**FORMALITIES LETTER**

*OC000000033039901*

Date Mailed: 11/12/2008

# NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 10/27/2008 to the Notice to File Missing Parts (Notice) mailed 10/03/2008 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136(a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

**Items Required to Avoid Abandonment:**

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

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

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) ALL.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

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.

/thailemariam/

---

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

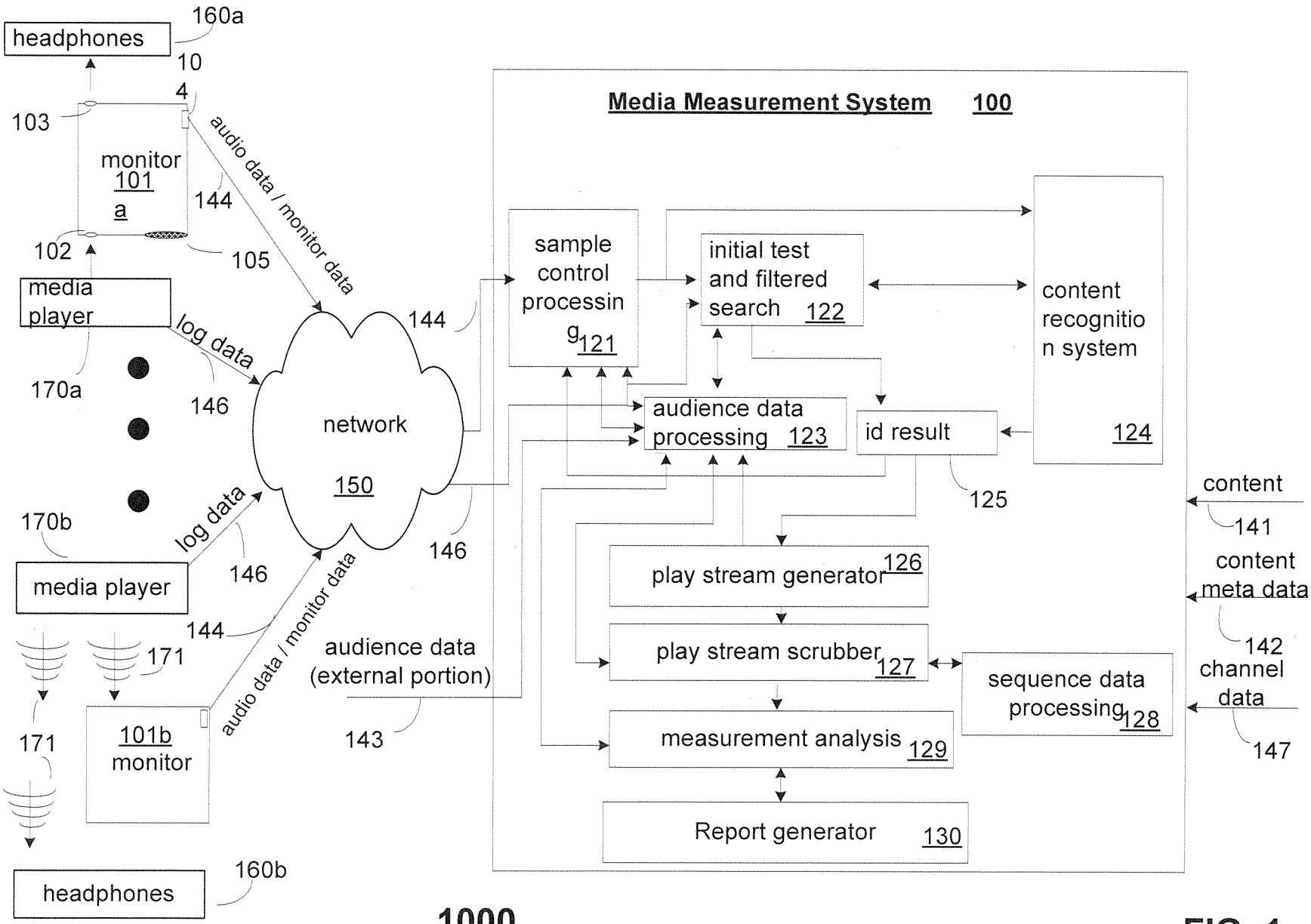



FIG. 1

REPLACEMENT DRAWINGS
Title: Media Usage Monitoring and Measurement System and Method
Application No.: 12/283,332
Inventor: Jonathan S. STEUER et al.
Attorney Docket No.: 10004-2000112
Sheet 1 of 7

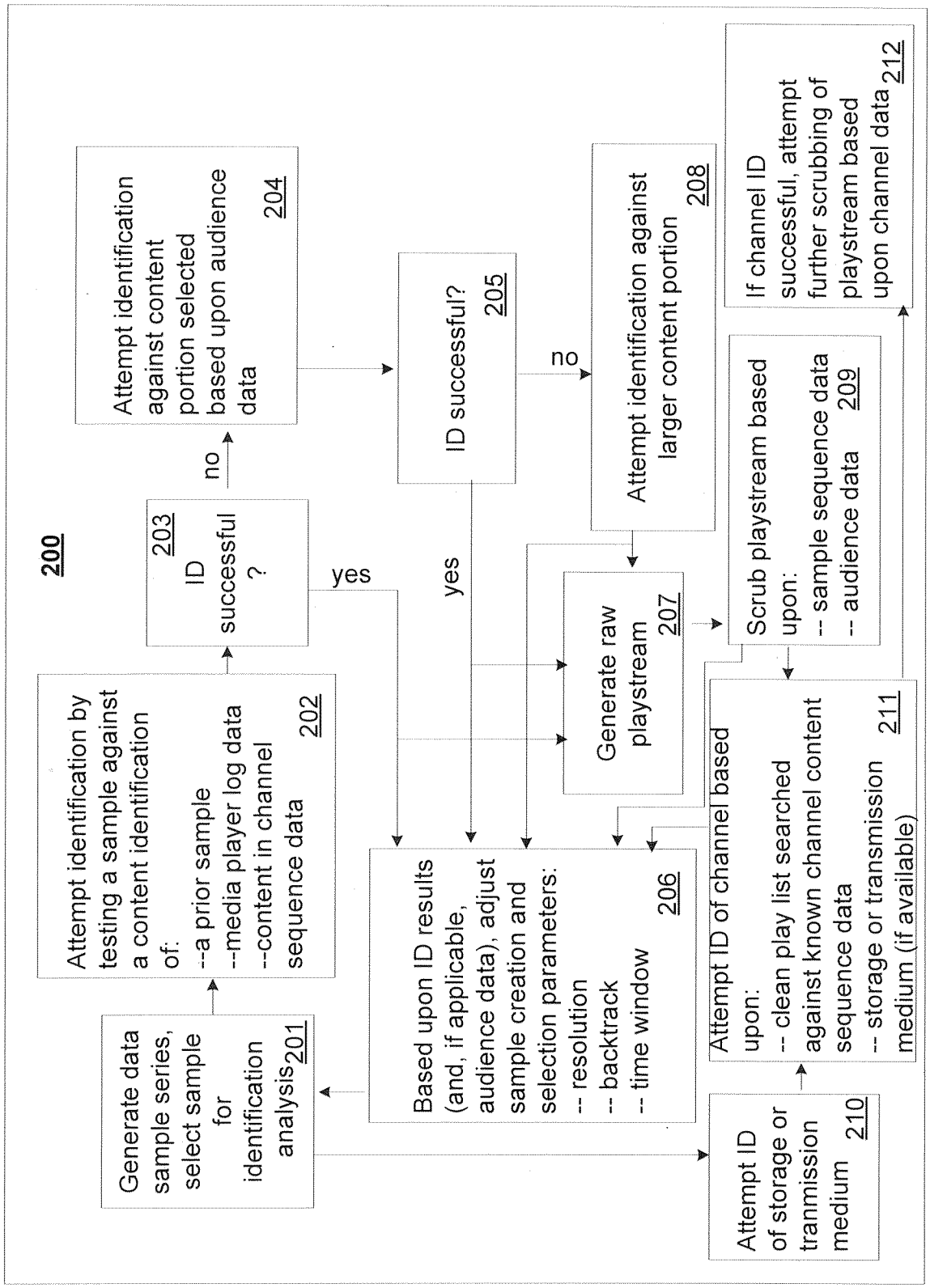

200
Generate data sample series, select sample for identification analysis 201
Attempt identification by testing a sample against a content identification of:
--a prior sample
--media player log data
--content in channel sequence data 202
ID successful ? 203
yes
no
Attempt identification against content portion selected based upon audience data 204
ID successful? 205
yes
no
Based upon ID results (and, if applicable, audience data), adjust sample creation and selection parameters:
-- resolution
-- backtrack
-- time window 206
Generate raw playstream 207
Attempt identification against larger content portion 208
Scrub playstream based upon:
-- sample sequence data
-- audience data 209
Attempt ID of storage or tranmission medium 210
Attempt ID of channel based upon:
-- clean play list searched against known channel content sequence data
-- storage or transmission medium (if available) 211
If channel ID successful, attempt further scrubbing of playstream based upon channel data 212

FIG. 2

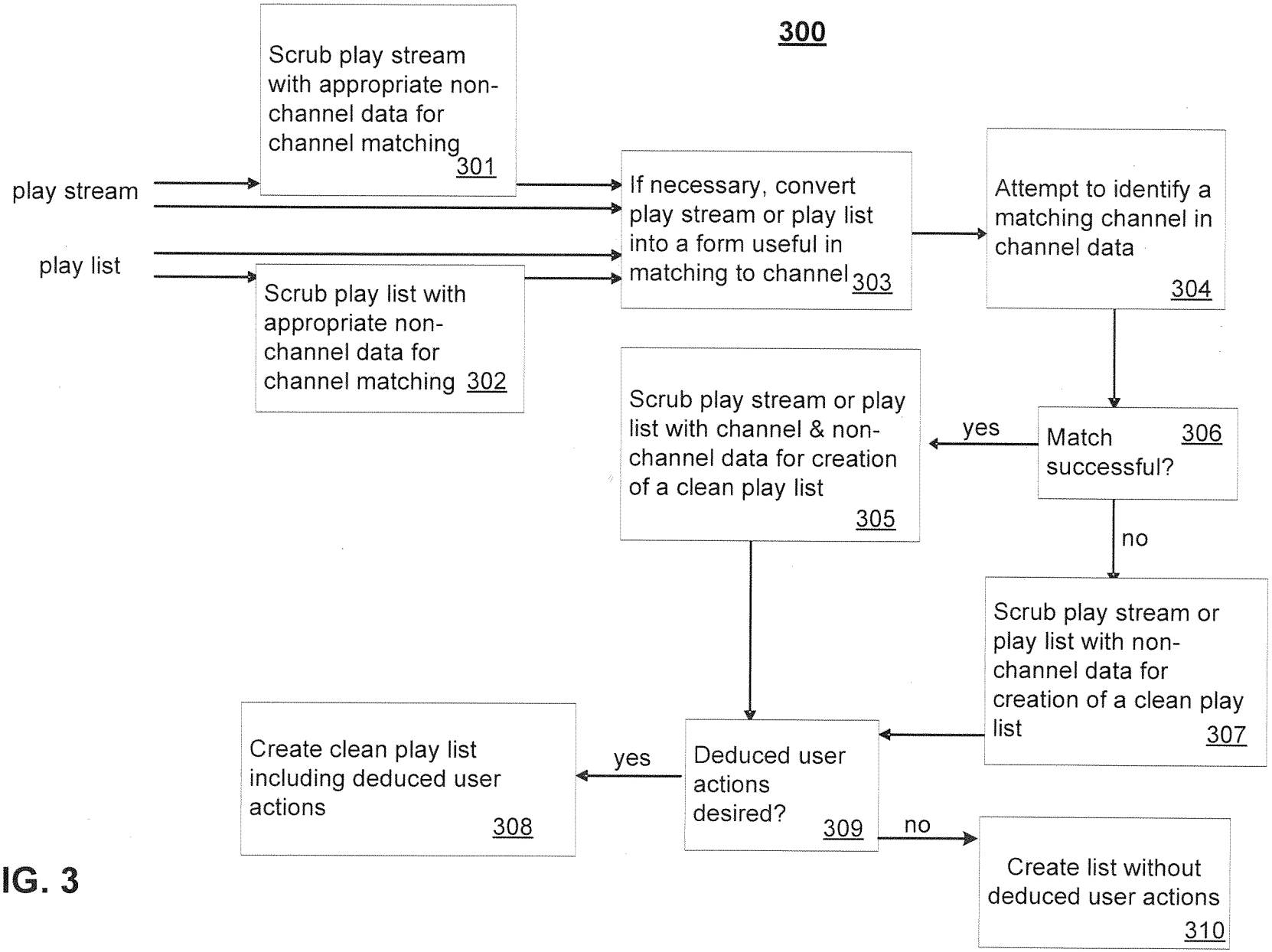

300
Scrub play stream with appropriate non-channel data for channel matching 301
play stream
play list
Scrub play list with appropriate non-channel data for channel matching 302
If necessary, convert play stream or play list into a form useful in matching to channel 303
Attempt to identify a matching channel in channel data 304
Match successful? 306
yes
Scrub play stream or play list with channel & non-channel data for creation of a clean play list 305
no
Scrub play stream or play list with non-channel data for creation of a clean play list 307
Deduced user actions desired? 309
yes
Create clean play list including deduced user actions 308
no
Create list without deduced user actions 310

FIG. 3

0070

410

Raw Play Stream

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | none |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | movie 81 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | none |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | TVprgm58 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song81 |
| 30 | $t_0$+29 | song35 |

ssd

450

Clean Play Stream

| row | log time | content ID |
|---|---|---|
| 1 | $t_0$ | song 51 |
| 2 | $t_0$+1 | song51 |
| 3 | $t_0$ +2 | song51 |
| 4 | $t_0$+3 | song51 |
| 5 | $t_0$+4 | song51 |
| 6 | $t_0$+5 | song51 |
| 7 | $t_0$+6 | song51 |
| 8 | $t_0$+7 | song72 |
| 9 | $t_0$+8 | song72 |
| 10 | $t_0$+9 | song72 |
| 11 | $t_0$+10 | song72 |
| 12 | $t_0$+11 | song72 |
| 13 | $t_0$+12 | song72 |
| 14 | $t_0$+13 | song65 |
| 15 | $t_0$+14 | song65 |
| 16 | $t_0$+15 | song65 |
| 17 | $t_0$+16 | song65 |
| 18 | $t_0$+17 | song65 |
| 19 | $t_0$+18 | song65 |
| 20 | $t_0$+19 | song65 |
| 21 | $t_0$+20 | song21 |
| 22 | $t_0$+21 | song21 |
| 23 | $t_0$+22 | song21 |
| 24 | $t_0$+23 | song21 |
| 25 | $t_0$+24 | song21 |
| 26 | $t_0$+25 | song21 |
| 27 | $t_0$+26 | ad49 |
| 28 | $t_0$+27 | ad49 |
| 29 | $t_0$+28 | song35 |
| 30 | $t_0$+29 | song35 |

ssd = “sample sequence data”

470

Channel Data for “radio 35”

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+6 | song21 |
| 2 | C(0)+6 | C(0)+8 | ad49 |
| 3 | C(0)+8 | C(0)+13 | song35 |

480

Channel Data for “album 12”

| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+7 | song51 |
| 2 | C(0)+7 | C(0)+13 | song72 |
| 3 | C(0)+13 | C(0)+23 | song65 |
| 4 | C(0)+23 | C(0)+30 | song29 |

490

Clean Play List

| row | start log time | end log time | content ID | Channel ID |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+7 | song51 | album12 |
| 2 | $t_0$+7 | $t_0$+13 | song71 | album12 |
| 3 | $t_0$+13 | $t_0$+20 | song65 | album12 |
| 4 | $t_0$+20 | $t_0$+26 | song21 | radio35 |
| 5 | $t_0$+26 | $t_0$+28 | ad49 | radio35 |
| 6 | $t_0$+28 | $t_0$+30 | song34 | radio35 |

FIG. 4

510

**Clean Playstream**

| row | log time | content ID | content offset |
|---|---|---|---|
| 1 | $t_0$ | TVprgm 27 | (0) |
| 2 | $t_0$+1 | TVprgm 27 | (0)+1 |
| 3 | $t_0$ +2 | none | n/a |
| 4 | $t_0$+3 | none | n/a |
| 5 | $t_0$+4 | none | n/a |
| 6 | $t_0$+5 | TVprgm 27 | (0)+2 |
| 7 | $t_0$+6 | TVprgm 27 | (0)+3 |
| 8 | $t_0$+7 | TVprgm27 | (0)+9 |
| 9 | $t_0$+8 | TVprgm27 | (0)+10 |
| 10 | $t_0$+9 | TVprgm27 | (0)+9 |
| 11 | $t_0$+10 | TVprgm27 | (0)+10 |
| 12 | $t_0$+11 | none | n/a |
| 13 | $t_0$+12 | TVprgrm27 | (0)+29 |
| 14 | $t_0$+13 | TVprgrm27 | (0)+30 |
| 15 | $t_0$+14 | ad23 | (0) |
| 16 | $t_0$+15 | none | n/a |
| 17 | $t_0$+16 | ad25 | (0)+2 |
| 18 | $t_0$+17 | TVprgm28 | (0) |
| 19 | $t_0$+18 | TVprgm28 | (0)+1 |
| 20 | $t_0$+19 | TVprgrm28 | (0)+2 |

560

**Clean Play List**

| row | start log time | end log time | content ID | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | none | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 5 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+11 | $t_0$+12 | none | n/a |
| 7 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 8 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 9 | $t_0$+15 | $t_0$+16 | none | n/a |
| 10 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 11 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

570

**Channel Data for TV C4**

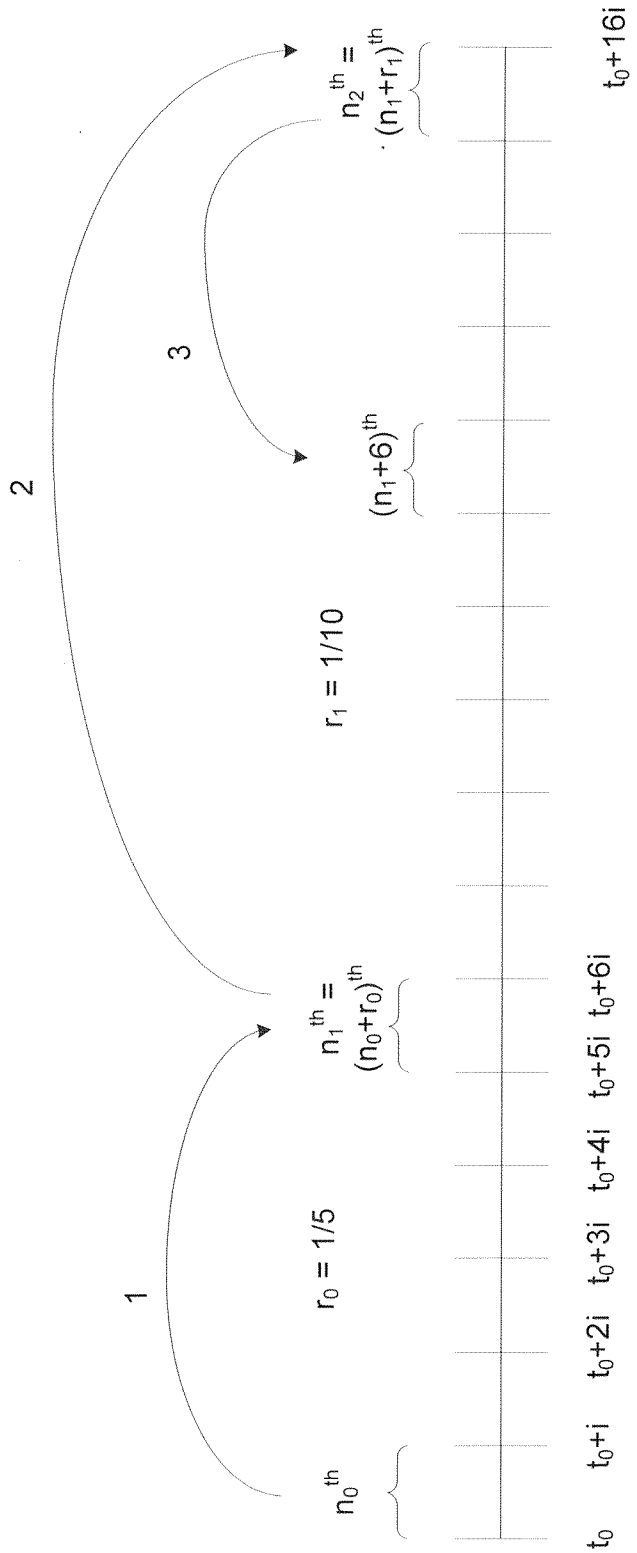
| row | start time | end time | content ID |
|---|---|---|---|
| 1 | C(0) | C(0)+31 | TVprgrm27 |
| 2 | C(0)+31 | C(0)+34 | ad23 |
| 3 | C(0)+34 | C(0)+37 | ad24 |
| 4 | C(0)+37 | C(0)+40 | ad25 |
| 5 | C(0)+40 | C(0)+50 | TVprgrm28 |

590

**Clean Play List with Deduced Actions**

| row | log time | end log time | content ID and <deduced action> | content offset |
|---|---|---|---|---|
| 1 | $t_0$ | $t_0$+2 | TVprgrm27 | (0) |
| 2 | $t_0$+2 | $t_0$+5 | <pause for 3 units> | n/a |
| 3 | $t_0$+5 | $t_0$+7 | TVprgrm27 | (0)+2 |
| 4 | $t_0$+7 | $t_0$+7 | <skip frwrd 5 units> | n/a |
| 5 | $t_0$+7 | $t_0$+9 | TVprgrm27 | (0)+9 |
| 6 | $t_0$+9 | $t_0$+9 | <skip bckwrd 2 units> | n/a |
| 7 | $t_0$+9 | $t_0$+11 | TVprgrm27 | (0)+9 |
| 8 | $t_0$+11 | $t_0$+12 | <fast frwrd 18 units> | n/a |
| 9 | $t_0$+12 | $t_0$+14 | TVprgrm27 | (0)+29 |
| 10 | $t_0$+14 | $t_0$+15 | ad23 | (0) |
| 11 | $t_0$+15 | $t_0$+16 | <fast frwrd 7 units> | n/a |
| 12 | $t_0$+16 | $t_0$+17 | ad25 | (0)+2 |
| 13 | $t_0$+17 | $t_0$+20 | TVprgrm28 | (0) |

**FIG. 5**


1
2
3
$r_0 = 1/5$
$r_1 = 1/10$
$n_0^{th}$
$n_1^{th} = (n_0+r_0)^{th}$
$n_2^{th} = (n_1+r_1)^{th}$
$(n_1+6)^{th}$
$t_0$
$t_0+i$
$t_0+2i$
$t_0+3i$
$t_0+4i$
$t_0+5i$
$t_0+6i$
$t_0+16i$

600

FIG. 6

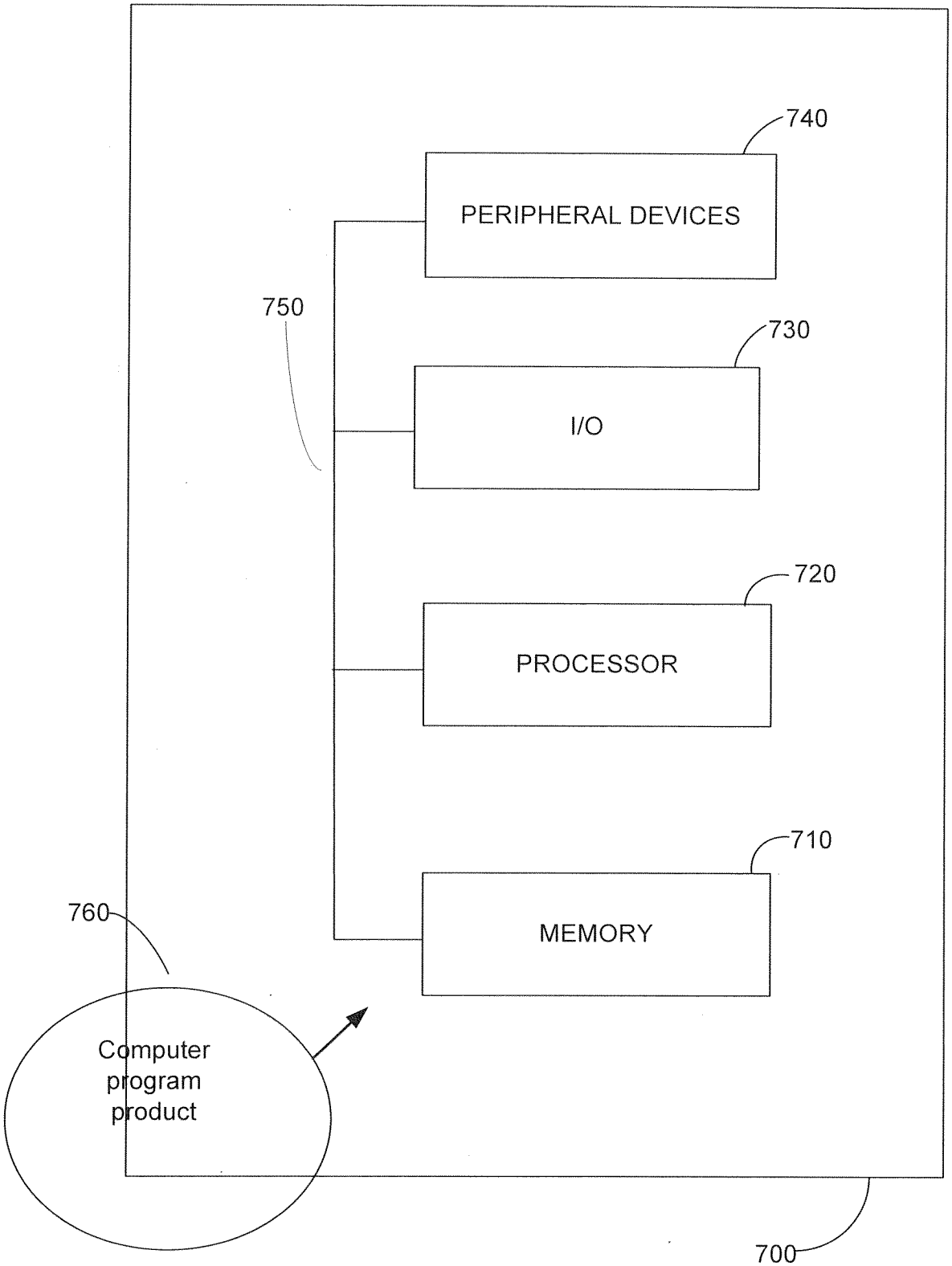

740
PERIPHERAL DEVICES
750
730
I/O
720
PROCESSOR
710
MEMORY
760
Computer program product
700

FIG. 7

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 4363951 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 26-NOV-2008 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 16:27:07 |
| **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 | Applicant Response to Pre-Exam Formalities Notice | 100042000112ReplacementDrwgsnewscan.pdf | 642225<br>edfc34b93ab15023e9e3e2b12bdd52fff56352fe | no | 7 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |

| | |
|---|---|
| **Total Files Size (in bytes):** | 642225 |

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

**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING or 371(c) DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | TOT CLAIMS | IND CLAIMS |
|---|---|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 2423 | 515 | 10004-2000112 | 4 | 1 |

**CONFIRMATION NO. 6705**

**UPDATED FILING RECEIPT**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

*OC000000033431014*

Date Mailed: 12/05/2008

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 submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

**Applicant(s)**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

**Assignment For Published Patent Application**

Anonymous Media, LLC, New York, NY

**Power of Attorney:** The patent practitioners associated with Customer Number 51417

**Domestic Priority data as claimed by applicant**

This application is a DIV of 11/139,330 05/26/2005

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 10/01/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/283,332**

**Projected Publication Date:** 03/19/2009

**Non-Publication Request:** No

**Early Publication Request:** No
** **SMALL ENTITY** **

**Title**

Media usage monitoring and measurement system and method

**Preliminary Class**

725

## 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 AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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

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 |
|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 |

**CONFIRMATION NO. 6705**

**PUBLICATION NOTICE**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

*OC00000035078674*

**Title:**Media usage monitoring and measurement system and method

**Publication No.**US-2009-0076812-A1
**Publication Date:**03/19/2009

## NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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

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

---

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

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2626 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | A | US- 5,758,257 | 05-26-1998 | Herz et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 6775148 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 08-JAN-2010 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 14:05:41 |
| **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 | Transmittal Letter | 100042000112IDS.pdf | 176258<br>94513452fcfd271a1e2d0f2b43de82171b856699 | no | 3 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |

| | | | | | |
|---|---|---|---|---|---|
| 2 | Information Disclosure Statement (IDS) Filed (SB/08) | 100042000112SB08A.pdf | 128413<br>3d05c61b77e17d7349c878ff3604b6ea5f5a34ec | no | 1 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |
| This is not an USPTO supplied IDS fillable form | |
| **Total Files Size (in bytes):** | 304671 |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Not Yet Assigned |
| Jonathan S. STEUER et al. | Group Art Unit: 2626 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted:

☐ With the application; accordingly, no fee or separate requirements are required.

☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of * is enclosed.
- ☐ A fee is required. .
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below.

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. **50-4242**, referencing docket no. 10004-2000112.

Dated: January 8, 2010

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2626 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 7444353 | 10-28-2008 | Chen et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 8452959 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 20-SEP-2010 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 14:55:44 |
| **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 | | 100042000112SIDS2.pdf | 364777<br>b465010ce2b54cc621d737680966d17fd7716b5f | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Filed (SB/08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 364777 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Not Yet Assigned |
| Jonathan S. Steuer et al. | Group Art Unit: 2626 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted:

☐ With the application OR This Information Disclosure Statement is submitted before the mailing of a first Office action after the filing of a Request for Continued Examination under § 1.114 (filed concurrently herewith) in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required .

☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ The fee set forth in 37 CFR 1.17p is paid herewith.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: September 16, 2010

Respectfully submitted,

By: _____
Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 5095382 | 03-10-1992 | Abe, Kesasku | |
| | 2 | US- 5512933 | 04-30-1996 | Wheatley et al. | |
| | 3 | US- 7483975 | 01-27-2009 | Kolessar et al. | |
| | 4 | US- 2002/0038456 | 03-28-2002 | Hansen et al. | |
| | 5 | US- 2002/0083060 | 06-27-2002 | Wang et al. | |
| | 6 | US- 2004/0224638 | 11-11-2004 | Fadell et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 9034247 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 14-DEC-2010 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 17:23:30 |
| **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 | | 100042000112SIDS.pdf | 425773<br>04000000e43f5087a26a39dd971724a5929f4051 | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Filed (SB/08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 425773 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Chenea Smith |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted:

☐ With the application OR This Information Disclosure Statement is submitted before the mailing of a first Office action after the filing of a Request for Continued Examination under § 1.114 (filed concurrently herewith) in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required .

☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.**

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ The fee set forth in 37 CFR 1.17p is paid herewith.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: December 14, 2010

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PTO/SB/80 (11-08)
Approved for use through 11/30/2011. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# 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: 51417

*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 | | | |
| Address | | | |
| City | | State | Zip |
| Country | | | |
| Telephone | | Email | |

Assignee Name and Address:
Anonymous Media Research, LLC
72 E. 3rd St., Suite 1B, NY, NY 10003

**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 | 1 DEC 2010 |
| Name | Jonathan S. Steuer | Telephone | 866 295 2662 |
| Title | MANAGER & 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.*

PTO/SB/96 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Jonathan S. Steuer et al.

Application No./Patent No.: 12/283,332 Filed/Issue Date: September 11, 2008

Titled:
MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

Anonymous Media Research, LLC , a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. [X] 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. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Jonathan S. Steuer and Christopher W. Otto To: Anonymous Media, LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 016861, Frame 0088, or for which a copy thereof is attached.

2. From: Anonymous Media, LLC To: Anonymous Media Research, LLC

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, 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).

[X] 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.

Signature — December 16, 2010 (Date)

Michael Mauriel, Reg. No. 44,226 — Attorney for Applicants

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.*

COPY

# ASSIGNMENT

THIS ASSIGNMENT, by Anonymous Media LLC, a limited liability company organized under the laws of Delaware and having its registered office at 72 East 3rd Street, Apartment 2B, New York, NY 10003-0206 (hereinafter referred to as the "assignor") witnesseth:

WHEREAS, said assignor is the owner, by prior assignment from the inventors, of certain patent applications for Letters Patent for a Media Usage Monitoring and Measurement System, including at least the following applications:

| COUNTRY | APPLICATION NUMBER | FILING DATE |
|---|---|---|
| US | 11/139,330 | May 26, 2005 |
| US | 12/283,353 | September 11, 2008 |
| US | 12/283,354 | September 11, 2008 |
| US | 12/283,332 | September 11, 2008 |
| US | 12/283,355 | September 11, 2008 |
| US | 12/283,333 | September 11, 2008 |
| US | 12/954,604 | November 24, 2010 |
| PCT | PCT/US05/18934 | May 27, 2005 |
| EP | 05755114.5 | May 27, 2005 |
| AU | 2005251196 | May 27, 2005 |

(collectively, "The Patent Applications").

WHEREAS, Anonymous Media Research LLC, a limited liability company organized under the laws of Delawarea and having a place of business at 72 East 3rd Street, Apartment 2B, New York, NY 10003-0206 (hereinafter referred to as the "assignee") is desirous of confirming its acquisition of the entire right, title and interest in and to The Patent Applications, and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, in consideration of One Dollar ($1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignor has sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to The Patent Applications for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would has been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, said assignor hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignor are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignor have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignor hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignor will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation in part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignor hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

Assignor has caused this Patent Assignment to be duly executed by a duly authorized representative on its behalf:

ANONYMOUS MEDIA, LLC

By: _____ Date: 1 DEC 2010

Jonathan Steuer, Manager

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 9066945 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 17-DEC-2010 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 18:05:22 |
| **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 | 1000420001POA.pdf | 163821<br>5ad6f0573adc8f0e42a698a4fa67eb92ce2add12 | no | 1 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |

| | | | | | |
|---|---|---|---|---|---|
| 2 | Assignee showing of ownership per 37 CFR 3.73(b). | 100042000112Statement373b.pdf | 343892<br>f74441a62b2a8f8720756636bb90647db3174feb | no | 3 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |
| **Total Files Size (in bytes):** | 507713 |

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

**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 02/02/2011

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |
| **ART UNIT** | **PAPER NUMBER** |
| 2421 | |
| **MAIL DATE** | **DELIVERY MODE** |
| 02/02/2011 | 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) | |
|---|---|---|---|
| | 12/283,332 | STEUER ET AL. | |
| | Examiner | Art Unit | |
| | CHENEA P. SMITH | 2421 | |

*-- 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 *11 September 2008*.

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) *1-4* 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) *1-4* 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 *11 September 2008* 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

### Claim Rejections - 35 USC § 103

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

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

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (US20070143777, hereinafter Wang) in view of Hansen et al. (US20020038456, hereinafter Hansen). Note: Wang incorporates by reference Wang et al. (US20020083060, hereinafter Wang '060), see Wang [0022]),

Regarding claim 1, Wang discloses a media measurement method (see Wang, Figs. 1 and 2) comprising:

generating raw content identification results (see incorporated by reference patent application Wang '060, [0081], lines 26-30) corresponding to a sequence of data samples (see Wang '060, [0090], lines 1-3); and

using sample sequence data to identify a channel corresponding to the samples (see Wang, [0018], lines 1-3, [0022], lines 1-6 and ]0024], lines 1-13).

Wang does not specifically disclose a play stream of results.

In an analogous art relating to a system for providing media to a user, Hansen discloses a play stream of results (see Hansen, [0027], lines 2-6).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Wang's system to include the limitations as taught by Hansen for the advantage of providing an improved system for recognizing media and its source in which the results of identification are provided in an economically viable and continuous manner (see Hansen, [0009])

Regarding claim 2, Wang in view of Hansen discloses converting the raw play stream to a format usable for searching channel data to identify a channel to associate with content of the play stream (see Wang '060, [0080], [0082]-[0084]).

Regarding claim 3, Wang in view of Hansen discloses wherein the raw play stream is converted to a play list (see Hansen, [0099], lines 1-7).

Regarding claim 4, Wang in view of Hansen discloses wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream (see Wang '060, [0080], [0082]-[0084]).

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENEA P. SMITH whose telephone number is (571)272-9524. The examiner can normally be reached on 8:00 am - 4:00 pm, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. 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.

/FARZANA HOSSAIN/
Primary Examiner, Art Unit 2424

/CHENEA P SMITH/
Examiner, Art Unit 2421

| Notice of References Cited | Application/Control No. 12/283,332 | Applicant(s)/Patent Under Reexamination STEUER ET AL. | |
|---|---|---|---|
| | Examiner CHENEA P. SMITH | Art Unit 2421 | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|---|---|---|---|
| * | A | US-2007/0143777 | 06-2007 | Wang, Avery Li-Chun | 725/018 |
| * | B | US-2002/0083060 | 06-2002 | Wang et al. | 707/10 |
| * | C | US-2002/0038456 | 03-2002 | Hansen et al. | 725/46 |
| | D | US- | | | |
| | E | US- | | | |
| | F | US- | | | |
| | G | US- | | | |
| | H | US- | | | |
| | I | US- | | | |
| | J | US- | | | |
| | K | US- | | | |
| | L | US- | | | |
| | M | US- | | | |

**FOREIGN PATENT DOCUMENTS**

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

**NON-PATENT DOCUMENTS**

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

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

| Index of Claims | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA P SMITH | 2421 |

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

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

| CLAIM | | DATE | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Final | Original | 01/13/2011 | | | | | | | | |
| | 1 | ✓ | | | | | | | | |
| | 2 | ✓ | | | | | | | | |
| | 3 | ✓ | | | | | | | | |
| | 4 | ✓ | | | | | | | | |

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 2

| Complete if Known | |
|---|---|
| Application Number | Not Yet Assigned |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Jonathan S. STEUER |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | | US- 3,919,479 | 11-11-1975 | Moon et al. | |
| | | US- 4,677,466 | 06-30-1987 | Lert et al. | |
| | | US- 4,697,209 | 09-29-1987 | Kiewit et al. | |
| | | US- 5,594,934 | 01-14-1997 | Lu et al. | |
| | | US- 5,945,988 | 08-31-1999 | Williams et al. | |
| | | US- 6,513,161 B2 | 01-28-2003 | Wheeler et al. | |
| | | US- 6,990,453 B2 | 06-27-2002 | Wang | |
| | | US- 2002/0010919 A1 | 01-24-2002 | Lu et al. | |
| | | US- 2002/0059577 A1 | 05-16-2002 | Lu et al. | |
| | | US- 2002/0072982A1 | 06-13-2002 | Barton et al. | |
| | | US- 2002/0161741A1 | 10-31-2002 | Wang et al. | |
| | | US- 2004/0122679 A1 | 06-24-2004 | Neuhauser et al. | |
| | | US- 2006/0059277 A1 | 03-16-2006 | Zito et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | WO 2004/040475 A2 | 05-13-2004 | Koninklijke Philips N.V. | All | |
| | | WO 03/091990 A1 | 11-06-2003 | Shazam Entertainment, LTD | All | |
| | | WO 02/27600 A2 | 04-04-2002 | Shazam Entertainment, LTD | All | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 12/07/2010 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2 of 2

| *Complete if Known* | |
|---|---|
| **Application Number** | Not Yet Assigned |
| **Filing Date** | Concurrently Herewith |
| **First Named Inventor** | Jonathan S. STEUER |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| | | Arbitron, "The Portable People Meter System," www.arbitron.com/protable_people_meters/ppm_system.htm, downloaded on April 25, 2005. | |
| | | HEDGES, M. "New measurement devices raise new questions. Will we ever know who's listening?" www.followthemedia.com/number/devices01082004.htm, August 1, 2004. | |
| | | Gertner, J. "Watching What You Watch," New York Times Magazine, April 10, 2005. | |
| | | GFK AG, "Gfk unveils its multi-talented new MediaWatch," press release, June 14, 2004. | |
| | | Nielsen Media Research, "Active/Passive Metering begins July 2004," August 6, 2003. | |
| | | Nielsen Media Research, "Summary Report of the Active/Passive (A/P) Meter Regional Test," November 11, 2002. | |
| | | Philips Research, "Audio Fingerprinting for automatic music recognition," brochure, www.content.identification.philips.com, downloaded March 9, 2005 | |
| | | PINTO, A. "Mediawatch meters a complex mix of media, passively," www.Indiantelevision.com/headlines/y2k5/feb/feb177.htm, February 19, 2005. | |
| | | | |
| | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 12/07/2010 |
|---|---|---|---|

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

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| L1 | 1 | "20070143777".pn. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:38 |
| L2 | 9 | ("20020143530" \| "20020083060" \| "5339430" \| "5768382" \| "5970143" \| "6484315" \| "6941275" \| "7174293" \| "7194752").PN. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:40 |
| L3 | 4830973 | @ad<"20040527" | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:40 |
| L4 | 10 | 1 2 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:40 |
| L5 | 9 | 3 and 4 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:41 |
| L6 | 7 | 5 and (channel$1 station$1 source$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 07:41 |
| L7 | 1 | "20020083060".pn. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:07 |
| L8 | 258 | (search$3 near result$1) with ((play near list$1) playlist$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:37 |
| L9 | 77 | 3 and 8 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:38 |
| L10 | 24847 | "725".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:38 |
| L11 | 3 | 9 and 10 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:38 |
| L12 | 150039 | "455".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:38 |
| L13 | 0 | 9 and 12 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 08:38 |
| L14 | 1 | 4 and ((play near list$1) playlist$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 09:17 |
| L15 | 0 | "20020038456".pn. and ((play near list$1) playlist $1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 09:23 |
| L16 | 1 | "20020038456".pn. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/13 09:23 |
| S1 | 6 | ((JONATHAN) near2 (STEUER)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:09 |
| S2 | 15 | ((CHRISTOPHER) near2 (OTTO)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:10 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S3 | 15 | S1 S2 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO | OR | OFF | 2010/10/06 20:10 |
| S4 | 1 | shazaam | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO | OR | OFF | 2010/10/06 20:11 |
| S5 | 87 | shazam | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:11 |
| S6 | 4826660 | @ad<"20040527" | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:11 |
| S7 | 37 | S5 and S6 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:12 |
| S8 | 89933 | (music song$1 segment$1 clip$4) with (recogni$6 identif$8) | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:37 |
| S9 | 147 | (stor$3 sav$3 archiv$3) near2 (unidentified un $1identified) | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:37 |
| S10 | 38 | S8 and S9 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:37 |
| S11 | 16 | S6 and S10 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:38 |
| S12 | 2 | ("4,450,531" "4,843,562").pn. | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:43 |
| S13 | 0 | S12 and unidentified | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:43 |
| S14 | 0 | S12 and un$1identified | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 20:43 |
| S15 | 221 | compar$5 with (mis $1identified misidentified (incorrect$2 near identif $8)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 21:05 |
| S16 | 117 | S6 and S15 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 21:05 |
| S17 | 6 | S8 and S16 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 21:05 |
| S18 | 111 | S16 not S17 | US-PGPUB; USPAT; USOCR | OR | OFF | 2010/10/06 21:07 |
| S19 | 4830969 | @ad<"20040527" | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S20 | 24824 | "725".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S21 | 149890 | "455".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S22 | 173302 | S20 S21 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S23 | 79762 | S19 and S22 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S24 | 4696 | sequenc$3 with (determin $6 near2 (source$1 channel $1 station$1 originat$3)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S25 | 2329 | sequenc$3 with (determin $6 near (source$1 channel $1 station$1 originat$3)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S26 | 252 | S23 and S25 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S27 | 23 | S20 and S26 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:39 |
| S28 | 5958 | (determin$6 with (channel $1 station$1) with tun$3) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:48 |
| S29 | 1801 | S23 and S28 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:48 |
| S30 | 12201 | S19 and S20 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:48 |
| S31 | 762 | S28 and S30 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:48 |
| S32 | 209 | (determin$6 near (channel $1 station$1) near tun$3) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:49 |
| S33 | 87 | S23 and S32 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:49 |
| S34 | 17149 | (recogni$7) near (media video$1 song$1 music program$1 broadcast$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:50 |
| S35 | 1 | S33 and S34 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:50 |
| S36 | 697 | S23 and S34 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:51 |
| S37 | 420 | S30 and S34 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:51 |
| S38 | 5 | (recogni$7) near sample$1 near (video$1 song$1 music program$1 broadcast $1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:52 |
| S39 | 4565 | (recogni$7) with (sequenc $3 sample$1) with (video $1 song$1 music program $1 broadcast$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:52 |
| S40 | 0 | S33 and S39 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:52 |
| S41 | 113 | S23 and S39 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:52 |
| S42 | 0 | S32 and S41 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:52 |
| S43 | 397 | ((broadcast$1 program$1) near (lineup$1 (line near up $1) line$1up$1)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:54 |
| S44 | 4 | S32 and S43 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:54 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S45 | 2 | S19 and S44 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:54 |
| S46 | 14 | S39 and S43 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:56 |
| S47 | 1 | S19 and S46 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:56 |
| S48 | 1000 | matlock | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:57 |
| S49 | 0 | S32 and S48 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:57 |
| S50 | 168 | ((broadcast$1 program$1) near (lineup$1 (line near up $1) line$1up$1)) and ((identif$8 recogniz$6) near (channel$1 station $1)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:58 |
| S51 | 43 | S19 and S50 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 10:59 |
| S52 | 4830969 | @ad<"20040527" | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:56 |
| S53 | 24824 | "725".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:57 |
| S54 | 149890 | "455".clas. | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:57 |
| S55 | 49680 | S62 and S52 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:57 |
| S56 | 171 | S53 and S55 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:57 |
| S57 | 532 | S54 and S55 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:57 |
| S58 | 2547 | S67 and S52 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 13:00 |
| S59 | 64 | S53 and S58 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 13:00 |
| S60 | 18 | S52 and S68 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 13:04 |
| S61 | 18 | S52 and S68 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:04 |
| S62 | 85162 | (identif$8 recogniz$6) near (sequenc$3) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:56 |
| S63 | 397 | ((broadcast$1 program$1) near (lineup$1 (line near up $1) line$1up$1)) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:58 |
| S64 | 2 | 9 and S63 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:58 |
| S65 | 0 | 10 and S63 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:58 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S66 | 13 | 8 and S63 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 12:59 |
| S67 | 4159 | ((identif$8 recogniz$6) near (sequenc$3)) with (music$1 song$1 video$1 program$4 broadcast$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 13:00 |
| S68 | 28 | compar$3 with sequenc$3 with (lineup$1 (line near up $1) line$1up$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 13:04 |
| S69 | 29 | compar$3 with sequenc$3 with (lineup$1 (line near up $1) line$1up$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:04 |
| S70 | 28671051 | @ad<"20040527" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:05 |
| S71 | 26225 | "725".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:05 |
| S72 | 171711 | "455".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:05 |
| S73 | 19 | S69 and S70 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:05 |
| S74 | 6 | compar$3 with sampl$3 with (lineup$1 (line near up $1) line$1up$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:06 |
| S75 | 4 | S70 and S74 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:07 |
| S76 | 2 | recogniz$6 near (channel $1 near (line$1up$1 (line near up$1) lineup$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:08 |
| S77 | 2 | S71 and S76 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:08 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S78 | 0 | recogniz$6 near ((broadcast$3 program$4 tv) near (line$1up$1 (line near up$1) lineup$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:09 |
| S79 | 1 | recogniz$6 with ((broadcast $3 program$4 tv) near (line $1up$1 (line near up$1) lineup$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:09 |
| S80 | 1 | recogniz$6 with ((broadcast $3 program$4 tv show$1) near (line$1up$1 (line near up$1) lineup$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:09 |
| S81 | 228605 | recogniz$6 with (broadcast $3 program$4 tv show$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:10 |
| S82 | 23598 | recogniz$6 near (broadcast $3 program$4 tv show$1 music song$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:10 |
| S83 | 31376 | compar$3 near2 (channel $1 station$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:10 |
| S84 | 195 | S82 and S83 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:10 |
| S85 | 119 | S70 and S84 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:10 |
| S86 | 16 | S71 and S85 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:11 |
| S87 | 80 | occurr$5 with (correspond $3 near (channel$1 station $1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:44 |
| S88 | 36 | S70 and S87 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:44 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S89 | 3 | S88 and S71 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:44 |
| S90 | 1308 | infer$4 near (channel$1 station$1 source$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:46 |
| S91 | 628 | S70 and S90 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:46 |
| S92 | 10 | S71 and S91 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:46 |
| S93 | 819 | (infer$5 not inferior) near (channel$1 station$1 source$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:47 |
| S94 | 395 | S70 and S93 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:47 |
| S95 | 9 | S94 and S71 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:47 |
| S96 | 44 | S94 and S72 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:47 |
| S97 | 52 | S95 S96 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:47 |
| S98 | 194994 | "348".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:54 |
| S99 | 23 | S93 and S98 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:54 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S100 | 14 | S70 and S99 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:54 |
| S101 | 43 | (sequenc$3 near sampl$3) with (infer$5 not inferior) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:56 |
| S102 | 18 | S70 and S101 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:56 |
| S103 | 16 | (sequenc$3 near (occurr$5 segment$1)) with (infer$5 not inferior) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:57 |
| S104 | 7 | S70 and S103 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:58 |
| S105 | 111113 | (sequenc$3 with occurr$5) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 13:59 |
| S106 | 197160 | (sequenc$3 with occur$6) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB | OR | OFF | 2011/01/12 14:00 |
| S107 | 15842 | (recogni$7) near (video$1 song$1 music program$1 broadcast$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:01 |
| S108 | 1142 | S106 and S107 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:01 |
| S109 | 677 | S70 and S108 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:01 |
| S110 | 29 | S71 and S109 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:01 |
| S111 | 0 | (compar$3 with sewuenc $3 with determin$5 with channel$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:14 |
| S112 | 351 | (compar$3 with sequenc$3 with determin$5 with channel$1) | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:14 |
| S113 | 209 | S112 and S70 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:14 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S114 | 2 | S113 and S71 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:15 |
| S115 | 33 | S113 and S72 | US-PGPUB; USPAT; USOCR | OR | OFF | 2011/01/12 14:16 |

**1/13/2011 9:36:14 AM**
**C:\Documents and Settings\csmith3\My Documents\EAST\Workspaces\Steuer 354 FAOM.wsp**

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. 6705**

| SERIAL NUMBER | FILING or 371(c) DATE<br>RULE | CLASS | GROUP ART UNIT | ATTORNEY DOCKET NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 725 | 2421 | 10004-2000112 |

**APPLICANTS**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

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

This application is a DIV of 11/139,330 05/26/2005

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
10/01/2008

| Foreign Priority claimed ☐ Yes ☑ No<br>35 USC 119(a-d) conditions met ☐ Yes ☐ No<br>Verified and Acknowledged /CHENEA SMITH/ Examiner's Signature | ☐ Met after Allowance<br>Initials | STATE OR COUNTRY | SHEETS DRAWINGS | TOTAL CLAIMS | INDEPENDENT CLAIMS |
|---|---|---|---|---|---|
| | | NY | 7 | 4 | 1 |

**ADDRESS**

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003
UNITED STATES

**TITLE**

Media usage monitoring and measurement system and method

| FILING FEE RECEIVED | | |
|---|---|---|
| 515 | FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following: | ☐ All Fees<br>☐ 1.16 Fees (Filing)<br>☐ 1.17 Fees (Processing Ext. of time)<br>☐ 1.18 Fees (Issue)<br>☐ Other _____<br>☐ Credit |

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | ~~2626~~ 2421 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| /C.S./ | A | US- 5,758,257 | 05-26-1998 | Herz et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3] Number[4] Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 12/07/2010 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| /C.S./ | 1 | US- 5095382 | 03-10-1992 | Abe, Kesasku | |
| /C.S./ | 2 | US- 5512933 | 04-30-1996 | Wheatley et al. | |
| /C.S./ | 3 | US- 7483975 | 01-27-2009 | Kolessar et al. | |
| /C.S./ | 4 | US- 2002/0038456 | 03-28-2002 | Hansen et al. | |
| /C.S./ | 5 | US- 2002/0083060 | 06-27-2002 | Wang et al. | |
| /C.S./ | 6 | US- 2004/0224638 | 11-11-2004 | Fadell et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 12/18/2010 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

| Search Notes | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | Examiner | Art Unit |
| | CHENEA P SMITH | 2421 |

## SEARCHED

| Class | Subclass | Date | Examiner |
|---|---|---|---|
| | | | |

## SEARCH NOTES

| Search Notes | Date | Examiner |
|---|---|---|
| EAST search results included | 1/13/2011 8:35:18 AM | CS |
| Inventor search included - see search results printout | 1/13/2011 8:35:20 AM | CS |
| 725/$$, 455/$$ - text search only, see search results printout | 1/13/2011 8:35:26 AM | CS |
| Consulted Chris Grant for possible101 issues | 1/31/2011 10:00:25 AM | CS |

## INTERFERENCE SEARCH

| Class | Subclass | Date | Examiner |
|---|---|---|---|
| | | | |

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | ~~2623~~ 2421 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| /C.S./ | 1 | US- 7444353 | 10-28-2008 | Chen et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 12/07/2010 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 5,437,050 | 07-25-1995 | Lamb et al. | |
| | 2 | US- 2003/0009469 | 01-09-2003 | Platt et al. | |
| | 3 | US- 2004/0001161 | 01-01-2004 | Herley, Cormac | |
| | 4 | US- 2005/0086682 | 04-21-2005 | Burges et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 9790535 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 01-APR-2011 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 13:24:48 |
| **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 | | 100042000112SIDS4.pdf | 52589<br>efc125aba7dd5f8331832040aa718a97d561cca1 | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Filed (SB/08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 52589 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea P. |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted:

☐ With the application OR This Information Disclosure Statement is submitted before the mailing of a first Office action after the filing of a Request for Continued Examination under § 1.114 (filed concurrently herewith) in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required .

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**

☐ The fee set forth in 37 CFR 1.17p is paid herewith.

☒ **A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.**

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: March 31, 2011

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Jonathan S. Steuer

Application No.: 12/283,332 Group Art Unit: 2421

Filing Date: September 11, 2008 Examiner: Smith, Chenea

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**AMENDMENT UNDER 37 CFR § 1.111**

**Mail Stop Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office Action dated February 2, 2011 (Paper No. 20110113) for which a response was due on May 2, 2011. Submitted herewith is a petition and fee for obtaining a TWO MONTH extension of time, thereby extending the deadline for response to July 5, 2011. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

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

Remarks begin on page 3 of this paper.

## AMENDMENTS TO THE CLAIMS

Please amend the claims as follows, where additions are underlined and deletions are indicated by ~~strikethrough~~ or enclosed in [[double brackets]]:

Claim 1 (Currently Amended): A media measurement method comprising:

generating a ~~raw~~ play stream of content identification results corresponding to a sequence of data samples; and

using ~~sample sequence data~~ an order of at least two different content identifiers in the play stream to identify a channel corresponding to the samples.

Claim 2 (Currently Amended): The method of claim 1 further comprising:

converting ~~the~~ a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

Claim 3 (Original): The method of claim 2 wherein the raw play stream is converted to a play list.

Claim 4 (Original): The method of claim 2 wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream.

## REMARKS

Claims 1-4 were and are pending and remain under consideration in the present application. Of the claims currently under consideration, claims 1 and 2 have been amended.

Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added. Entry of the above-mentioned amendments is respectfully requested.

### Telephone Interviews of June 28 and 29, 2011

The Examiner and the Primary Examiner conducted a telephone interview with the inventors and Applicants' attorney on Tuesday, June 28, 2011 regarding several cases (including the present case) and the Examiner conducted a follow-up telephone interview with Applicants' attorney on Wednesday June 29, 2011 to specifically finish addressing this case. Applicants thank the Examiner and the Primary Examiner for taking the time to discuss this case.

As indicated in the Examiner's Interview Summary, the following agreement was reached: "The proposed amendment of 'using an order of at least two different content identifiers in the play stream to identify a channel corresponding to the captured samples' overcomes the art rejection of record."

### Rejections under 35 USC § 103

As agreed to in the Telephone Interview referenced above, the proposed amendment to claim 1 has been made and claim 1 is now allowable over the prior art of record. Claims 2-4 depend from claim 1 and claim 2 has been amended to conform with the amendment of claim 1. Because claims 2-4 depend from claim 1, they are allowable for at least the same reason. Applicants respectfully request that the rejections of those claims be removed.

## CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: June 30, 2011

Respectfully submitted,

By: /Michael Mauriel/ Reg. No. 44,226

Michael Mauriel
Registration No.: 44,226
Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, New York 10028
(212) 529-5131
Attorney(s) for Applicant

PTO/SB/22 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARMENT OF COMMERCE
Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| **PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**<br>**FY 2009**<br>***(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)*** | Docket Number (Optional)<br>10004-2000112 |
|---|---|
| Application Number 12/283,332 | Filed September 11, 2008 |
| For MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |
| Art Unit 2421 | Examiner Smith, Chenea |

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):

| | | Fee | Small Entity Fee | |
|---|---|---|---|---|
| ☐ | One month (37 CFR 1.17(a)(1)) | $130 | $65 | $ |
| ☑ | Two months (37 CFR 1.17(a)(2)) | $490 | $245 | $ 245.00 |
| ☐ | Three months (37 CFR 1.17(a)(3)) | $1110 | $555 | $ |
| ☐ | Four months (37 CFR 1.17(a)(4)) | $1730 | $865 | $ |
| ☐ | Five months (37 CFR 1.17(a)(5)) | $2350 | $1175 | $ |

☑ 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 50-4242.

**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.**

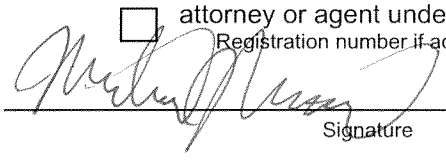
I am the

☐ 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 44,226

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____



Signature — June 30, 2011 (Date)

Michael Mauriel (Typed or printed name) — 212-529-5131 (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 _____ forms are submitted.

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.*

# Electronic Patent Application Fee Transmittal

| | |
|---|---|
| **Application Number:** | 12283332 |
| **Filing Date:** | 11-Sep-2008 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Filer:** | Michael John Mauriel/JAMIE LEATH |
| **Attorney Docket Number:** | 10004-2000112 |

Filed as Small Entity

## Utility under 35 USC 111(a) Filing Fees

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Basic Filing:** | | | | |
| **Pages:** | | | | |
| **Claims:** | | | | |
| **Miscellaneous-Filing:** | | | | |
| **Petition:** | | | | |
| **Patent-Appeals-and-Interference:** | | | | |
| **Post-Allowance-and-Post-Issuance:** | | | | |
| **Extension-of-Time:** | | | | |
| Extension - 2 months with $0 paid | 2252 | 1 | 245 | 245 |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Miscellaneous:** | | | | |
| | | | **Total in USD ($)** | **245** |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 10433523 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/JAMIE LEATH |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 30-JUN-2011 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 18:35:51 |
| **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 | $245 |
| RAM confirmation Number | 8279 |
| Deposit Account | |
| Authorized User | |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| 1 | | 10004-2000112_Resp_for_OA_mailed_2-2-2011_SIGNED.pdf | 78955<br>ed8c1710e156629a2b204a7ee4c197be3af337a0 | yes | 4 |

| Multipart Description/PDF files in .zip description | | |
|---|---|---|
| **Document Description** | **Start** | **End** |
| Amendment/Req. Reconsideration-After Non-Final Reject | 1 | 1 |
| Claims | 2 | 2 |
| Applicant Arguments/Remarks Made in an Amendment | 3 | 4 |

**Warnings:**

**Information:**

| | | | | | |
|---|---|---|---|---|---|
| 2 | Extension of Time | 10004-2000112_Pet_Ext_Time_06-30-2011.pdf | 149496<br>d8e12778d12b32c2054e76e2da5e221bda124e64 | no | 1 |

**Warnings:**

**Information:**

| | | | | | |
|---|---|---|---|---|---|
| 3 | Fee Worksheet (SB06) | fee-info.pdf | 29567<br>79f141183e92c85371560b982feeea8a79d1357e | no | 2 |

**Warnings:**

**Information:**

| | |
|---|---|
| **Total Files Size (in bytes):** | 258018 |

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

**<u>New Applications Under 35 U.S.C. 111</u>**
**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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 | Filing Date | ☐ To be Mailed |
|---|---|---|
| 12/283,332 | 09/11/2008 | |

## APPLICATION AS FILED – PART I

| FOR | (Column 1) NUMBER FILED | (Column 2) NUMBER EXTRA | SMALL ENTITY ☒ RATE ($) | SMALL ENTITY ☒ FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | OTHER THAN SMALL ENTITY FEE ($) |
|---|---|---|---|---|---|---|---|
| ☐ BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A | N/A | | | N/A | |
| ☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m)) | N/A | N/A | N/A | | | N/A | |
| ☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A | N/A | | | N/A | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = | * | X $ = | | OR | X $ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = | * | X $ = | | | X $ = | |
| ☐ APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | |
| ☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | | | TOTAL | |

## APPLICATION AS AMENDED – PART II

| AMENDMENT | 06/30/2011 | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | SMALL ENTITY ADDITIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | OTHER THAN SMALL ENTITY ADDITIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total (37 CFR 1.16(i)) | * 4 | 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)) | | | | | | | | | |
| | ☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | | | OR | | |
| | | | | | | TOTAL ADD'L FEE | 0 | OR | TOTAL ADD'L FEE | |

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

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

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

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

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

Legal Instrument Examiner:
/RUBY JOHNSON/

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

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

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 7,038,619 B2 | 05-02-2006 | Percy et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3] Number[4] Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 10484125 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 08-JUL-2011 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 20:32:07 |
| **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 | | 100042000112SIDS5.pdf | 57351<br>c61672c9bc1248e7cf767595b76a723c76cf6cb1 | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Form (SB08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 57351 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea P. |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted:

☐ With the application OR This Information Disclosure Statement is submitted before the mailing of a first Office action after the filing of a Request for Continued Examination under § 1.114 (filed concurrently herewith) in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required .

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**

☐ The fee set forth in 37 CFR 1.17p is paid herewith.

☒ **A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.**

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: 7-8-2011

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 07/20/2011

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 07/20/2011 | 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.

| Interview Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 12/283,332 | STEUER ET AL. | |
| | Examiner | Art Unit | |
| | CHENEA SMITH | 2421 | |

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

(1) *CHENEA SMITH*.

(2) *Jason Salce*.

(3) *Mike Mauriel*.

(4) *Chris Otto, Jonathan Steuer*.

Date of Interview: *6/28/2011*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1*.

Identification of prior art discussed: *Wang '777 and Wang '060 (both of record), and Kolessar (of record)*.

Agreement with respect to the claims f)☐ was reached. g)☒ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Discussed differences between Applicants' invention and the Wang disclosures. Discussed Applicants definition of "channel". Discussed proposed amendments to the claims. An agreement was not reached. A subsequent interview will be held to further discuss proposed amendments*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

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. See Summary of Record of Interview requirements on reverse side or on attached sheet.

| /Jason P Salce/<br>Primary Examiner, Art Unit 2421 | 6/29/2011 |
|---|---|

# 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 08/17/2011

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 08/17/2011 | 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.

| Interview Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 12/283,332 | STEUER ET AL. | |
| | Examiner | Art Unit | |
| | CHENEA SMITH | 2421 | |

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

(1) *CHENEA SMITH*. (3)_____.

(2) *Mike Mauriel*. (4)_____.

Date of Interview: *29 June 2011*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☒ Personal [copy given to: 1)☐ applicant 2)☒ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1*.

Identification of prior art discussed: *Wang 060 and Wang 777 (both of record*.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Discussed additional proposed amendments to the claims. The proposed amendment of "using an order of at least two different content identifiers in the playstream to identify a channel corresponding to the captured samples" overcomes the art rejection of record*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

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. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/KRISTINE KINCAID/
Supervisory Patent Examiner, Art Unit 2421

# 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.

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---|---|---|---|
| 12/283,332 | 11 September 2008 | STEUER ET AL. | 10004-2000112 |

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

| EXAMINER | |
|---|---|
| CHENEA SMITH | |
| **ART UNIT** | **PAPER** |
| 2421 | 20110804 |

**DATE MAILED:**

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

**Commissioner for Patents**

Please see attached Interview Summary

/CHENEA SMITH/
Examiner, Art Unit 2421

PTO-90C (Rev.04-03)

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | 1 | WO 2005/006768 A1 | 01-20-2005 | Lee et al. | | |
| | 2 | WO 2005/036877 A1 | 04-21-2005 | Deng, Kevin | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 11185102 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 13-OCT-2011 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 20:22:37 |
| **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 | | 100042000112SIDS6.pdf | 71747<br>90cb0961ac3bf276a800925bbb17a4a1d9ca8cd5 | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Form (SB08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 71747 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea P. |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

☐ With the application OR This Information Disclosure Statement is submitted before the mailing of a first Office action after the filing of a Request for Continued Examination under § 1.114 (filed concurrently herewith) in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required .

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**

☐ The fee set forth in 37 CFR 1.17p is paid herewith.

☒ **A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.**

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**.

Dated: October 10, 2011

Respectfully submitted,

By: _____
Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 5,436,653 | 07-1995 | Ellis et al. | |
| | 2 | US- 2004/0001161 | 01-2004 | Herley, Cormac | |
| | 3 | US- 2002/0072982 | 06-2002 | Barton et al. | |
| | 4 | US- 2008/0154401 A1 | 06-2008 | Wang, Avery Li-Chun | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | 5 | WO 2005036877 A1 | 04-2005 | Deng, Kevin | | |
| | 6 | WO 2005006768 A1 | 01-2005 | Lee et al. | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Patent Application Fee Transmittal

| | |
|---|---|
| **Application Number:** | 12283332 |
| **Filing Date:** | 11-Sep-2008 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Attorney Docket Number:** | 10004-2000112 |

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:** | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Miscellaneous:** | | | | |
| Submission- Information Disclosure Stmt | 1806 | 1 | 180 | 180 |
| | | **Total in USD ($)** | | **180** |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 12088273 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 15-FEB-2012 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 20:51:21 |
| **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 | $180 |
| RAM confirmation Number | 7437 |
| Deposit Account | |
| Authorized User | |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| 1 | | 100042000112SIDS7.pdf | 47817<br>f2bc4de242bd3efe11f39576f748021ab827c3cf | yes | 5 |

| Multipart Description/PDF files in .zip description | | |
|---|---|---|
| **Document Description** | **Start** | **End** |
| Transmittal Letter | 1 | 4 |
| Information Disclosure Statement (IDS) Form (SB08) | 5 | 5 |

**Warnings:**

**Information:**

| | | | | | |
|---|---|---|---|---|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 29643<br>473386a39b610cfb033777ca15ae976015ab8ce9 | no | 2 |

**Warnings:**

**Information:**

| **Total Files Size (in bytes):** | 77460 |
|---|---|

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make these document(s) of record.

This Information Disclosure Statement is submitted:

☐ With the application; accordingly, no fee or separate requirements are required.

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**

- ☒ **The fee set forth in 37 CFR 1.17p is paid herewith.**
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: February 15, 2012

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make these document(s) of record.

This Information Disclosure Statement is submitted:

☐ With the application; accordingly, no fee or separate requirements are required.

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ **After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.**

- ☒ **The fee set forth in 37 CFR 1.17p is paid herewith.**
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: February 15, 2012

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
151 First Avenue #23
New York, NY 10003
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 05/14/2012

Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 05/14/2012 | 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) | |
|---|---|---|---|
| | 12/283,332 | STEUER ET AL. | |
| | Examiner | Art Unit | |
| | CHENEA SMITH | 2421 | |

*-- 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 *30 June 2011*.

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

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

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

**Disposition of Claims**

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

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

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-4* is/are rejected.

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

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

**Application Papers**

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

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ 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**

13)☐ 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

### *Response to Amendment*

1. This office action is in response to communications filed 6/30/2011. Claims 1-2 are amended. Claims 1-4 are pending in this action.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of new grounds of rejection.

### *Claim Rejections - 35 USC § 103*

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

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

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang '060 (of record) in view of Hardwick et al. (US8131389, hereinafter Hardwick) and Hansen (of record).

Regarding claim 1, Wang '060 discloses a media measurement method (see Wang '060, Figs. 1-3) comprising:

generating content identification results (see Wang '060, [0081], lines 26-30) corresponding to a sequence of data samples (see Wang '060, [0090], lines 1-3); and

identifying a channel corresponding to the samples (the channel being the album, see Wang '060, [0107], lines 1-14).

Wang does not specifically disclose a play stream of results, or using an order of at least two different content identifiers in the play stream to identify the channel corresponding to the samples.

In an analogous art relating to a system for audio identification and reproduction, Hardwick discloses using an order of at least two different content identifiers to identify a channel corresponding to the samples (see Hardwick, col 5, line 67 – col 6, line 6, col 5, lines 18-22, col 18, line 67 – col 19, line 2 and col 16, lines 46-49).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Wang's system to include the limitations as taught by Hardwick for the advantage of efficiently identifying media and more accurately presenting information about the media.

Wang in view of Hardwick does not specifically disclose a play stream of results.

In an analogous art relating to a system for providing media to a user, Hansen discloses a play stream of results (see Hansen, [0027], lines 2-6).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Wang in view of Hardwick to include the limitations as taught

by Hansen for the advantage of providing an improved system for recognizing media and its source in which the results of identification are provided in an economically viable and continuous manner (see Hansen, [0009]).

Regarding claim 2, Wang in view of Hardwick and Hansen discloses converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the play stream (see Wang '060, [0080], [0082]-[0084] and [0107], lines 1-14).

Regarding claim 3, Wang in view of Hardwick and Hansen discloses wherein the raw play stream is converted to a play list (see Hansen, [0099], lines 1-7).

Regarding claim 4, Wang in view of Hardwick and Hansen discloses wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream (see Wang '060, [0080], [0082]-[0084]).

## *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENEA SMITH whose telephone number is (571)272-9524. The examiner can normally be reached on 8:00 am - 4:00 pm, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. 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.

/CHENEA SMITH/
Examiner, Art Unit 2421

/KRISTINE KINCAID/
Supervisory Patent Examiner, Art Unit 2421

| Notice of References Cited | Application/Control No. 12/283,332 | Applicant(s)/Patent Under Reexamination STEUER ET AL. | |
|---|---|---|---|
| | Examiner CHENEA SMITH | Art Unit 2421 | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|---|---|---|---|
| * | A | US-8,131,389 | 03-2012 | Hardwick et al. | 700/94 |
| | B | US- | | | |
| | C | US- | | | |
| | D | US- | | | |
| | E | US- | | | |
| | F | US- | | | |
| | G | US- | | | |
| | H | US- | | | |
| | I | US- | | | |
| | J | US- | | | |
| | K | US- | | | |
| | L | US- | | | |
| | M | US- | | | |

**FOREIGN PATENT DOCUMENTS**

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

**NON-PATENT DOCUMENTS**

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

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

**EAST Search History**

**EAST Search History (Prior Art)**

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| L1 | 71367 | "702".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:12 |
| L2 | 28688811 | @ad<"20040527" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:12 |
| L3 | 37727 | 1 and 2 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:13 |
| L4 | 62541 | (content$1 sampl$3 media segment$1 portion$1 clip$5) near offset$1 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:17 |
| L5 | 295 | 455/2.01.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:17 |
| L6 | 2051 | 725/9-21.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:17 |
| L7 | 73662 | 1 5 6 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:18 |
| L8 | 38726 | 2 and 7 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:19 |
| L9 | 151 | 4 and 8 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:19 |
| L10 | 3513 | 700/94.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:28 |

| | | | | | | |
|---|---|---|---|---|---|---|
| L12 | 1115 | 2 and 10 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:29 |
| L13 | 10 | 4 and 12 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 09:30 |
| L14 | 2018 | 702/79,89,176-178,87.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:31 |
| L15 | 1158 | 2 and 14 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:31 |
| L16 | 6 | 4 and 15 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:32 |
| L17 | 62919 | (content$1 sampl$3 media segment$1 portion$1 clip$5 audio) near offset$1 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:32 |
| L18 | 6 | 15 and 17 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:32 |
| L19 | 19 | 12 and 17 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:33 |
| L20 | 9 | 19 not 13 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:33 |
| L21 | 2887 | (deduc$4 determin$6) near2 (trick$1play$3 (trick near play$3) (play near alter$3) play$1alter$3 (fast near forward$3) fast$1forward$3 paus$3) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:34 |
| L22 | 10 | (12 15) and 21 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:34 |
| L23 | 0 | 22 and 17 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/26 10:35 |

**EAST Search History (Interference)**

< This search history is empty>

**4/ 26/ 2012 10:37:55 AM**

**EAST Search History**

**EAST Search History (Prior Art)**

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| S1 | 28688352 | @ad<"20040527" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:18 |
| S2 | 5841 | (sequenc$3 order$3) with (id identif$8 sample$1 segment$1 portion$1) with (determin$6 infer$4) with (channel$1 station$1 album$1 cd) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:19 |
| S3 | 2878 | S1 and S2 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:20 |
| S4 | 30256 | "725".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:20 |
| S5 | 192198 | "455".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:20 |
| S6 | 72 | S3 and S4 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:20 |
| S7 | 2733 | (sequenc$3) with (id identif$8 sample$1 segment$1 portion$1) with (determin$6 infer$4) with (channel$1 station$1 album$1 cd) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:21 |
| S8 | 1376 | S1 and S7 | US- | OR | OFF | 2012/04/05 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | | | 07:21 |
| S9 | 14 | S4 and S8 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:21 |
| S10 | 7 | ((JONATHAN) near2 (STEUER)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2012/04/05 07:27 |
| S11 | 29 | ("20020059577" \| "4677466" \| "7444353" \| "20020038456" \| "20020083060" \| "20020161741" \| "20040224638" \| "20060059277" \| "3919479" \| "7483975" \| "20030009469" \| "20040001161" \| "20080154401" \| "6990453" \| "20020072982" \| "4697209" \| "6513161" \| "5095382" \| "20050086682" \| "20040122679" \| "5594934" \| "5945988" \| "5436653" \| "20020010919" \| "5758257" \| "5512933" \| "5437050" \| "20070143777" \| "7038619").PN. | US-PGPUB; USPAT; USOCR | OR | OFF | 2012/04/05 07:33 |
| S12 | 18 | S11 and (sequenc$3 sequen$4) | US-PGPUB; USPAT; USOCR | OR | OFF | 2012/04/05 07:33 |
| S13 | 171 | S5 and S8 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:45 |
| S14 | 2355 | ((sequenc$3 order$1) near2 (id identif$8 sample$1 segment$1 portion$1)) with ((determin$6 infer$4 recogniz$6) with (channel$1 station$1 album$1 cd sourc$2)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:47 |
| S15 | 1094 | S1 and S14 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:48 |
| S16 | 481 | ((sequenc$3 order$1) near2 (id identif$8 sample$1 segment$1 portion$1)) with ((determin$6 infer$4 recogniz$6) near2 (channel$1 station$1 album$1 cd sourc$2)) | US-PGPUB; USPAT; USOCR; FPRS; | OR | OFF | 2012/04/05 07:48 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | EPO; JPO; DERWENT | | | |
| S17 | 86 | ((sequenc$3 order$1) near2 (sample$1)) with ((determin$6 infer$4 recogniz$6) near2 (channel$1 station$1 album$1 cd sourc$2)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:49 |
| S18 | 38 | S1 and S17 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:49 |
| S19 | 454 | ((sequenc$3 order$1 relationship$1) near2 (id identif$8 segment$1 portion$1 signature$1)) with ((determin$6 infer$4 recogniz$6) near2 (channel$1 station$1 album$1 cd sourc$2)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:55 |
| S20 | 211 | S1 and S19 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:55 |
| S21 | 11 | S4 and S20 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:55 |
| S22 | 261 | ((sequenc$3 order$1) with (song$1 music id identif$8 sample$1 segment$1 portion$1)) with (impl$3 with (channel$1 station$1 album$1 cd sourc$2)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:58 |
| S23 | 127 | S1 and S22 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:58 |
| S24 | 0 | S4 and S23 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 07:58 |
| S25 | 1 | S5 and S23 | US-PGPUB; USPAT; | OR | OFF | 2012/04/05 07:58 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | USOCR; FPRS; EPO; JPO; DERWENT | | | |
| S26 | 171 | recogni$7 with (sequenc$3) with (song$1 music) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:00 |
| S27 | 1279762 | (detect$3 determin$6 infer$4 impl$3) with (channel$1 source$1 cd album station$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:01 |
| S28 | 571928 | (detect$3 determin$6 infer$4 impl$3) near3 (channel$1 source$1 cd album station$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:01 |
| S29 | 35 | S26 and S28 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:01 |
| S30 | 19 | S1 and S29 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:01 |
| S31 | 73 | S26 and S1 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:06 |
| S32 | 54 | S31 not S30 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:08 |
| S33 | 2 | ((determin$6 detect$3 infer$3) near2 (channel$1 source$1 album$1 (radio near station$1))) with ((sequen$4 (tim$3 near order$3)) with (identified recognized) near2 (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:15 |
| S34 | 117 | ((determin$6 detect$3 infer$3) with | US- | OR | OFF | 2012/04/05 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | (channel$1 source$1 album$1 (radio near station$1))) with ((sequen$4 (tim$3 near order$3)) with (identified recognized) with (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | | | 08:16 |
| S35 | 0 | ((determin$6 detect$3 infer$3) near2 (channel$1 source$1 album$1 (radio near station$1))) with based with ((sequen$4 (tim$3 near order$3)) with (identified recognized) near2 (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:16 |
| S36 | 2 | ((determin$6 detect$3 infer$3) near2 (channel$1 source$1 album$1 (radio near station$1))) with ((sequen$4 (tim$3 near order$3)) with (identified recognized) near2 (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:17 |
| S37 | 9 | ((determin$6 detect$3 infer$3) with (channel$1 source$1 album$1 (radio near station$1))) with based with ((sequen$4 (tim$3 near order$3)) with (identified recognized) with (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:17 |
| S38 | 2 | S1 and S37 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:18 |
| S39 | 2872 | ((determin$6 detect$3 infer$3 recogni$6 identif$8) with (channel$1 source$1 album$1 station$1)) with ((sequen$4 tim$3 (tim$3 near order$3)) with (identified recognized) with (audio portion$1 media segment$1 sampl$3 song$1 video$1 content$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:28 |
| S40 | 1200 | S1 and S39 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:28 |
| S41 | 157 | S4 and S40 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:29 |
| S42 | 6364 | (captur$3 with (sampl$3 segment$1 portion$1 clip$5)) and ((recogni$7 identif$8) near2 (source$1 channel$1 | US-PGPUB; USPAT; | OR | OFF | 2012/04/05 08:46 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | album$1 cd station$1)) | USOCR; FPRS; EPO; JPO; DERWENT | | | |
| S43 | 22094 | ((captur$3 recogni$7) with (sampl$3 segment$1 portion$1 clip$5)) and ((determin$6 identif$8) near2 (source$1 channel$1 album$1 cd station$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:47 |
| S44 | 1232 | ((captur$3) with (sampl$3 segment$1 portion$1 clip$5)) and (recogni$7 with (media video$1 music$1 audio$1 song$1)) and ((determin$6 identif$8) near2 (source$1 channel$1 album$1 cd station$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:48 |
| S45 | 511 | S44 and ((sequen$4 tim$3 (time near order$3)) near2 (sampl$3 segment$1 portion$1 clip$5)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:49 |
| S46 | 191 | S1 and S45 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:49 |
| S47 | 42 | S4 and S46 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 08:49 |
| S48 | 48 | ("20020059577" \| "4677466" \| "7444353" \| "20020161741" \| "20080154401" \| "20060059277" \| "3919479" \| "20030009469" \| "20040001161" \| "6990453" \| "20020072982" \| "4697209" \| "6513161" \| "20050086682" \| "20040122679" \| "5594934" \| "5945988" \| "20020010919" \| "5758257" \| "20070143777" \| "5437050" \| "7038619").PN. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:16 |
| S49 | 218 | S44 and (position$3 near2 (sampl$3 segment$1 portion$1 clip$5)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:24 |
| S50 | 76 | S1 and S49 | US-PGPUB; USPAT; USOCR; | OR | OFF | 2012/04/05 09:24 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | FPRS; EPO; JPO; DERWENT | | | |
| S51 | 15 | S4 and S50 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:24 |
| S52 | 16687 | ((sequen$4 order position$3) with (sampl$3 segment$1 portion$1 clip$5)) with ((determin$6 identif$8) with (source$1 channel$1 album$1 cd station$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:29 |
| S53 | 8 | ((sequen$4 order position$3) with sampl$3 with (music$1 song$1 audio)) with ((determin$6 identif$8 deduc$3) with source$1 with (channel$1 album$1 cd station$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:31 |
| S54 | 4 | S1 and S53 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:31 |
| S55 | 30 | ((sequen$4 order position$3) with (portion$1 segment$1 clip$4 sampl$3) with (music$1 song$1 audio media)) with ((determin$6 identif$8 deduc$3) with source$1 with (channel$1 album$1 cd station$1)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:33 |
| S56 | 9 | S1 and S55 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:34 |
| S57 | 5 | S56 not S54 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:34 |
| S58 | 9389 | 381/56-59,106.ccls. 700/94.ccls. 704/500-504.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:47 |
| S59 | 1735 | 379/32.01,68,88.16.ccls. | US-PGPUB; | OR | OFF | 2012/04/05 09:47 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | USPAT; USOCR; FPRS; EPO; JPO; DERWENT | | | |
| S60 | 908 | 455/2.01,563.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:48 |
| S61 | 94205 | "84".clas. "380".clas. 381/56-59.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:48 |
| S62 | 63099 | "84".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:49 |
| S63 | 103232 | S58 S59 S60 S61 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:49 |
| S64 | 38004 | S1 and S63 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:49 |
| S65 | 704 | S64 and S4 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:49 |
| S66 | 1 | S55 and S64 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:49 |
| S67 | 46637 | "386".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:50 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S68 | 148594 | S63 S67 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:50 |
| S69 | 68640 | S1 and S68 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:50 |
| S70 | 59 | (sequen$4 order position$3) with (identified recognized) with (sample$1 clip$4 segment$1 portion$1 media video$1 audio music song$1 content$1) with (identif$7 determin$6 deduc$3 infer$4 detect$3 recogni$8) with source$1 with (channel$1 album$1 station$1 cd) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:53 |
| S71 | 1713 | 725/9,12,14-20.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:53 |
| S72 | 68699 | S69 S70 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:53 |
| S73 | 68661 | S1 and S72 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:53 |
| S74 | 21 | S70 and S73 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:53 |
| S75 | 128 | 725/18.ccls. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 09:54 |
| S76 | 0 | S70 and S75 | US-PGPUB; USPAT; USOCR; | OR | OFF | 2012/04/05 09:54 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | FPRS; EPO; JPO; DERWENT | | | |
| S77 | 59 | avery near2 wang.in. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:27 |
| S78 | 59 | (avery near2 wang).in. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:28 |
| S79 | 20 | S1 and S78 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:28 |
| S80 | 8 | S79 and sequen$4 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:28 |
| S81 | 492 | (determin$6 deduc$4) with (source$1 channel$1 station$1 album$1 cd$1) with based with (order$1 sequen$4) with (track$1 song$1 media audio video$1 sound$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:31 |
| S82 | 149 | S1 and S81 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:31 |
| S83 | 4 | S4 and S82 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:32 |
| S84 | 17 | S73 and S81 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:32 |
| S85 | 17 | S84 not S83 | US-PGPUB; | OR | OFF | 2012/04/05 10:33 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | USPAT; USOCR; FPRS; EPO; JPO; DERWENT | | | |
| S86 | 8363 | (determin$6 deduc$4) with (source$1 channel$1 station$1 album$1 cd$1) with (order$1 sequen$4) with (track$1 song$1 media audio video$1 sound$1 show$1 program$1 movie$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:55 |
| S87 | 3756 | S1 and S86 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:55 |
| S88 | 278 | S4 and S87 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:55 |
| S89 | 954 | (determin$6 deduc$4) with (source$1 channel$1 station$1 album$1 cd$1) with based with (order$1 sequen$4) with (track$1 song$1 media audio video$1 sound$1 show$1 program$1 movie$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:56 |
| S90 | 14 | S1 and S9 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:57 |
| S91 | 347 | S1 and S89 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:57 |
| S92 | 19 | S4 and S91 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 10:57 |
| S93 | 29 | S91 and S72 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:01 |

| | | | | | | |
|---|---|---|---|---|---|---|
| S94 | 29 | S1 and S93 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:01 |
| S95 | 29 | S94 not S90 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:01 |
| S96 | 1136 | (determin$6 deduc$4) near3 (source$1 channel$1 station$1 album$1 cd$1) near3 (order$1 sequen$4) with (track$1 song$1 media audio video$1 sound$1 show$1 program$1 movie$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:03 |
| S97 | 1 | "12283332" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:04 |
| S98 | 1 | S97 and (album$1 with channel$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:04 |
| S99 | 653 | (determin$6 deduc$4) with (source$1 channel$1 station$1 album$1 cd$1) with based with (order$1 sequen$4) with (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:06 |
| S100 | 2 | S4 and S99 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:07 |
| S101 | 860 | (determin$6 deduc$4 identif$8) with (source$1 channel$1 station$1 album$1 cd$1) with based with (order$1 sequen$4) with (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:09 |
| S102 | 1 | S99 and S72 | US-PGPUB; USPAT; USOCR; FPRS; | OR | OFF | 2012/04/05 11:10 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | EPO; JPO; DERWENT | | | |
| S103 | 622 | (determin$6 deduc$4 identif$8) near2 (source$1 channel$1 station$1 album$1 cd$1) near2 (order$1 sequen$4) with (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:15 |
| S104 | 179 | (determin$6 deduc$4 identif$8) near2 (source$1 channel$1 station$1 album$1 cd$1) near2 (order$1 sequen$4) near2 (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:16 |
| S105 | 96 | S1 and S104 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:16 |

**EAST Search History (Interference)**

<This search history is empty>

**4/5/2012 11:26:27 AM**
**C:\Users\csmith3\Documents\EAST\Workspaces\Steuer 332.wsp**

**EAST Search History**

**EAST Search History (Prior Art)**

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| L1 | 28688352 | @ad<"20040527" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:27 |
| L2 | 179 | (determin$6 deduc$4 identif$8) near2 (source$1 channel$1 station$1 album$1 cd$1) near2 (order$1 sequen$4) near2 (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:27 |
| L3 | 96 | 1 and 2 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:27 |
| L4 | 62 | (determin$6 deduc$4 identif$8) near (source$1 channel$1 station$1 album$1 cd$1) near (order$1 sequen$4) near (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:28 |
| L5 | 65 | (determin$6 deduc$4 identif$8) near (source$1 channel$1 station$1 album$1 cd$1) near (order$1 sequen$4 position$3) near (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:29 |
| L6 | 37 | 1 and 5 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 11:29 |
| L7 | 17 | (detect$3 determin$6 deduc$4 infer$5) with (radio near (channel$1 station$1)) with (play$3 with (sequenc$3 order$3)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:01 |
| L8 | 3 | 1 and 7 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:02 |
| L9 | 1 | (detect$3 determin$6 deduc$4 infer$5) with (radio near (channel$1 | US-PGPUB; USPAT; | OR | OFF | 2012/04/05 12:04 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | station$1)) with (play$3 with (sequenc$3 order$3) with songs) | USOCR; FPRS; EPO; JPO; DERWENT | | | |
| L10 | 8 | (detect$3 determin$6 deduc$4 infer$5) with ((radio near (channel$1 station$1)) channel$1 sourc$2) with (play$3 with (sequenc$3 order$3) with (songs programs shows movies videos)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:05 |
| L11 | 1 | 1 and 10 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:05 |
| L12 | 938 | (detect$3 determin$6 deduc$4 infer$5) with ((radio near (channel$1 station$1)) channel$1 sourc$2) with ((sequenc$3 order$3) with (songs programs shows movies videos)) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:06 |
| L13 | 487 | 1 and 12 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:06 |
| L14 | 30256 | "725".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:07 |
| L15 | 73 | 13 and 14 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2012/04/05 12:07 |

**EAST Search History (Interference)**

<This search history is empty>

**4/5/2012 12:38:48 PM**
**C:\Users\csmith3\Documents\EAST\Workspaces\Steuer 332-2.wsp**

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 5,436,653 | 07-1995 | Ellis et al. | |
| | 2 | US- 2004/0001161 | 01-2004 | Herley, Cormac | |
| | 3 | US- 2002/0072982 | 06-2002 | Barton et al. | |
| | 4 | US- 2008/0154401 A1 | 06-2008 | Wang, Avery Li-Chun | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | 5 | WO 2005036877 A1 | 04-2005 | Deng, Kevin | | |
| | 6 | WO 2005006768 A1 | 01-2005 | Lee et al. | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 04/26/2012 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 5,437,050 | 07-25-1995 | Lamb et al. | |
| | 2 | US- 2003/0009469 | 01-09-2003 | Platt et al. | |
| | 3 | US- 2004/0001161 | 01-01-2004 | Herley, Cormac | |
| | 4 | US- 2005/0086682 | 04-21-2005 | Burges et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 04/26/2012 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | 1 | WO 2005/006768 A1 | 01-20-2005 | Lee et al. | | |
| | 2 | WO 2005/036877 A1 | 04-21-2005 | Deng, Kevin | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 04/26/2012 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

| Search Notes | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | Examiner | Art Unit |
| | CHENEA P SMITH | 2421 |

## SEARCHED

| Class | Subclass | Date | Examiner |
|---|---|---|---|
| | | | |

## SEARCH NOTES

| Search Notes | Date | Examiner |
|---|---|---|
| Updated EAST search results included | 4/26/2012 11:07:02 AM | CS |
| Updated Inventor search included - see search results printout | 4/26/2012 11:07:04 AM | CS |
| Updated 725/$$, 455/$$ - text search only, see search results printout | 4/26/2012 11:07:06 AM | CS |
| 700/94, 231, 243.ccls.; 702/79,89,176-178,187.ccls.; 725/9-21.ccls.; 381.clas. - text search only, see search results printout | 4/26/2012 11:07:31 AM | CS |
| Consulted Jason Salce, 725 | 4/26/2012 11:09:24 AM | CS |

## INTERFERENCE SEARCH

| Class | Subclass | Date | Examiner |
|---|---|---|---|
| | | | |

| Index of Claims | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA P SMITH | 2421 |

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

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

| CLAIM | | DATE | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Final | Original | 01/13/2011 | 04/26/2012 | | | | | | | |
| | 1 | ✓ | ✓ | | | | | | | |
| | 2 | ✓ | ✓ | | | | | | | |
| | 3 | ✓ | ✓ | | | | | | | |
| | 4 | ✓ | ✓ | | | | | | | |

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea P. |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 7,038,619 B2 | 05-02-2006 | Percy et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3] Number[4] Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 05/07/2012 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
## (Submitted Only via EFS-Web)

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Application Number | 12/283,332 | Filing Date | 2008-09-11 | Docket Number (if applicable) | 10004-2000112 | Art Unit | 2421 |
| First Named Inventor | Jonathan S. Steuer | | | Examiner Name | Smith, Chenea | | |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

### SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

### MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

### FEES

**The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 504242

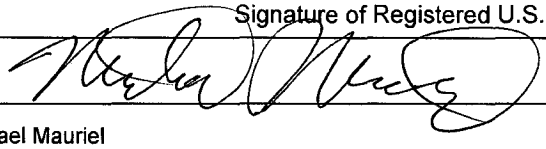
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

| Signature of Registered U.S. Patent Practitioner | | | |
|---|---|---|---|
| Signature |  | Date (YYYY-MM-DD) | 2012-11-12 |
| Name | Michael Mauriel | Registration Number | 44226 |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:
Jonathan S. Steuer

Application No.: 12/283,332 Group Art Unit: 2421

Filing Date: September 11, 2008 Examiner: Smith, Chenea

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**AMENDMENT UNDER 37 CFR § 1.114**

**Mail Stop RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Final Office Action dated May 14, 2012 (Paper No. 20120426A). Filed herewith is a Petition and fee for a three-month extension of time, thereby extending the deadline for response to November 14, 2012. Accordingly, this response is timely filed. A Request for Continued Examination is also submitted herewith. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

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

Remarks begin on page 3 of this paper.

## AMENDMENTS TO THE CLAIMS

Please amend the claims as follows, where additions are underlined and deletions are indicated by ~~strikethrough~~ or enclosed in [[double brackets]]:

Claim 1 (Currently Amended): A media measurement method comprising:

~~generating~~using one or more computers to generate a play stream of content identification results corresponding to a sequence of data samples, wherein a content identifier of the play stream's content identification results is obtained by using a corresponding data sample to search a computerized database of known content; and

using one or more computers to utilize an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the samples.

Claim 2 (Previously Presented): The method of claim 1 further comprising:

converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

Claim 3 (Original): The method of claim 2 wherein the raw play stream is converted to a play list.

Claim 4 (Original): The method of claim 2 wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream.

## REMARKS

Claims 1-4 were pending and under consideration. By virtue of this amendment, Claim 1 is amended. Therefore, Claims 1-4 are currently pending and under consideration. Of the claims currently under consideration. Claim 1 has been amended consistent with an agreement reached with the Examiner as described further below.

Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added. Entry of the above-mentioned amendments is respectfully requested.

### Telephone Interview of November 7, 2012

Applicants' attorney, along with the Applicants, conducted a telephone interview with the Examiner and the Primary Examiner on November 7, 2012. Applicants thank the Examiners for taking the time to discuss this case. An agreement was reached that Claim 1, as amended, overcomes the references of record.

### Claim Rejections under 35 USC §103

As agreed to in the Telephone Interview referenced above, Claim 1, as amended, is now allowable over the prior art of record. Claims 2-4 depend from Claim 1. Because Claims 2-4 depend from Claim 1, they are allowable for at least the same reason. Applicants respectfully request that the rejections of those claims be removed.

### Support for Newly Added Language

The Examiner and Primary Examiner asked that, in the present response, Applicants point out support in the specification as filed for the newly added language to Claim 1, "wherein a content identifier of the play stream's content identification results is obtained by using a corresponding data sample to search a computerized database of known content."

Applicants respectfully submit that this language is supported in various parts of the specification as filed. For example, **Figure 1** shows Media Measurement System 100 that is "adapted to receive known content 141." (Paragraph **[0022]** of the specification as filed). **Figure 2** shows associated method 200 in which, at step 201, samples are selected for identification analysis. At steps 202, 204, and 208, samples are tested against known content. At step 202, "identification of a sample in a series of samples is attempted via initial test methods." (Paragraph **[0031]**). If step 202 does not achieve an identification, then "step 204 searches for a content match against targeted content" and, if necessary, step 208 "searches for a content match against a larger portion of the content." (Paragraph **[0031]**).

As shown in **Figure 2,** any successful identification results obtained at step 202, 204, or 208 (including identifications resulting from using a sample to search "known content") are used to generate a raw play stream at step 207. As shown and further described in the context of **Figure 4**, the content identification results of the resulting play streams (including both "raw" play stream 410 and "clean" play stream 450) include obtained content identifiers ("content IDs" in the figure). (See also, paragraph **[0040],** stating that "Raw Play Stream 410 itemizes a sequence of analyzed samples and relates that sequence to corresponding identification results in the content ID column.")

## CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: November 12, 2012

Respectfully submitted,
By: /Michael Mauriel/ Reg. No. 44,226

Michael Mauriel
Registration No.: 44,226
Mauriel Kapouytian & Treffert LLP
27 W. 24th Street Suite 302
New York, New York 10010
(212) 529-5131
Attorney(s) for Applicant

# Electronic Patent Application Fee Transmittal

| | |
|---|---|
| **Application Number:** | 12283332 |
| **Filing Date:** | 11-Sep-2008 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Attorney Docket Number:** | 10004-2000112 |

Filed as Small Entity

## Utility under 35 USC 111(a) Filing Fees

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Basic Filing:** | | | | |
| **Pages:** | | | | |
| **Claims:** | | | | |
| **Miscellaneous-Filing:** | | | | |
| **Petition:** | | | | |
| **Patent-Appeals-and-Interference:** | | | | |
| **Post-Allowance-and-Post-Issuance:** | | | | |
| **Extension-of-Time:** | | | | |
| Extension - 3 months with $0 paid | 2253 | 1 | 645 | 645 |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Miscellaneous:** | | | | |
| Request for continued examination | 2801 | 1 | 465 | 465 |
| | | **Total in USD ($)** | | **1110** |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 14205743 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 12-NOV-2012 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 16:36:54 |
| **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 | $1110 |
| RAM confirmation Number | 13841 |
| Deposit Account | |
| Authorized User | |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| 1 | Extension of Time | 100042000112_ExtofTime.pdf | 62927<br>cebbb2343766117 0ed76b34f6baed45daaef7af8 | no | 1 |
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| 2 | Request for Continued Examination (RCE) | 100042000112_RCE.pdf | 72692<br>c9ac856110a6394caafd24f8e5a10a1025c0a627 | no | 2 |
| **Warnings:** | | | | | |
| This is not a USPTO supplied RCE SB30 form. | | | | | |
| **Information:** | | | | | |
| 3 | | 100042000112_Amendment.pdf | 472645<br>b29bf2877e61c23266a1a9be1f5c3e476998ee3a | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Amendment Submitted/Entered with Filing of CPA/RCE | 1 | 1 |
| | Claims | 2 | 2 |
| | Applicant Arguments/Remarks Made in an Amendment | 3 | 5 |

| | | | | | |
|---|---|---|---|---|---|
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| 4 | Fee Worksheet (SB06) | fee-info.pdf | 31418<br>e62a04f93e8448f45c4f73bc04ca46acf012289f | no | 2 |
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| | | | **Total Files Size (in bytes):** | 639682 | |

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

**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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

PTO/AIA/22 (10-12)
Approved for use through 1/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 10004-2000112

Application Number: 12/283,332

Filed: September 11, 2008

For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

Art Unit: 2421

Examiner: Smith, Chenea

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):

| | Fee | Small Entity Fee | |
|---|---|---|---|
| ☐ One month (37 CFR 1.17(a)(1)) | $150 | $75 | $ |
| ☐ Two months (37 CFR 1.17(a)(2)) | $570 | $285 | $ |
| ■ Three months (37 CFR 1.17(a)(3)) | $1,290 | $645 | $645 |
| ☐ Four months (37 CFR 1.17(a)(4)) | $2,010 | $1,005 | $ |
| ☐ Five months (37 CFR 1.17(a)(5)) | $2,730 | $1,365 | $ |

■ 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 50-4242.

■ Payment made via EFS-Web.

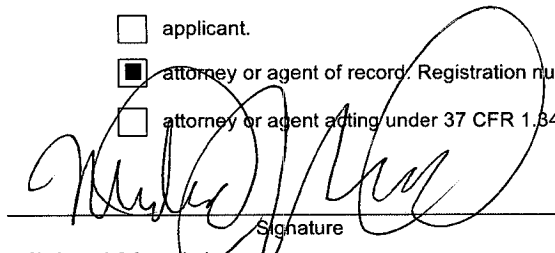
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant.

■ attorney or agent of record. Registration number 44,226.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.



Signature

November 12, 2012
Date

Michael Mauriel
Typed or printed name

(212) 529-5131
Telephone Number

**NOTE:** This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☑ * Total of 3 forms are submitted.

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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**<br>Substitute for Form PTO-875 | Application or Docket Number<br>12/283,332 | Filing Date<br>09/11/2008 | ☐ 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 ($) | FEE ($) | | 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(o), (p), or (q)) | N/A | N/A | N/A | | | N/A | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = | * | X $ = | | OR | X $ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = | * | X $ = | | | X $ = | |
| ☐ APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | |
| ☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | | | TOTAL | |

## APPLICATION AS AMENDED – PART II

| AMENDMENT | 11/12/2012 | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | SMALL ENTITY RATE ($) | ADDITIONAL FEE ($) | OR | OTHER THAN SMALL ENTITY RATE ($) | ADDITIONAL FEE ($) |
|---|---|---|---|---|---|---|---|---|---|---|
| | Total (37 CFR 1.16(i)) | * 4 | Minus | ** 20 | = 0 | X $31 = | 0 | OR | X $ = | |
| | Independent (37 CFR 1.16(h)) | * 1 | Minus | ***3 | = 0 | X $125 = | 0 | OR | X $ = | |
| | ☐ Application Size Fee (37 CFR 1.16(s)) | | | | | | | | | |
| | ☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | | | OR | | |
| | | | | | | TOTAL ADD'L FEE | 0 | OR | TOTAL ADD'L FEE | |

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

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

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

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

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

Legal Instrument Examiner:
/PEARLIE A. FENNELL/

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 11/16/2012

Mauriel Kapouytian & Treffert LLP
27 W. 24th Street
Suite #302
New York, NY 10010

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 11/16/2012 | 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.

| Applicant-Initiated Interview Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 12/283,332 | STEUER ET AL. | |
| | Examiner | Art Unit | |
| | CHENEA SMITH | 2421 | |

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

(1) *CHENEA SMITH*.

(2) *Farzana Hossain*.

(3) *Michael Mauriel (Attorney)*.

(4) *Chris Otto, Jonathan Steuer (Applicants)*.

Date of Interview: *11/7/2012*.

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: *Hardwick (of record)*.

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...)

*Discussed proposed amendments to overcome the art rejection of record. The proposed amendments of "A media measurement method comprising:*

*using one or more computers to generate a play stream of content identification results corresponding to a sequence of data samples, the data samples corresponding to audio data captured at a monitoring device associated with a monitored audience member,*

*wherein a content identifier of the play stream's content identification results is obtained by using a corresponding data sample to search a computerized database of known content; and*

*using one or more computers to utilize an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the samples" overcomes the art rejection of record. Further search and consideration is required*.

**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

| /CHENEA SMITH/<br>Examiner, Art Unit 2421 | |
|---|---|

# 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.

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 2004/0055445 A1 | 03-25-2004 | Iyoku et al. | |
| | 2 | US- 2003/0177488 A1 | 09-18-2003 | Smith et al. | |
| | 3 | US- 7,634,787 B1 | 12-15-2009 | Gebhardt et al. | |
| | 4 | US- 5,404,161 | 04-04-1995 | Douglass et al. | |
| | 5 | US- 5,844,938 | 12-01-1998 | Hupp et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 14325064 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 28-NOV-2012 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 12:16:55 |
| **Application Type:** | Utility under 35 USC 111(a) |

## Payment information:

| | |
|---|---|
| Submitted with Payment | no |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|
| 1 | | 100042000112_IDS.pdf | 178003<br>d67758d2f34f2b4a6d6c89ace60270b53c515b13 | yes | 5 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Form (SB08) | 5 | 5 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 178003 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A. The Examiner is requested to make these documents of record.

Applicants note that, pursuant to MPEP Section 609.04(a)(II)(D), for cited unpublished pending U.S. patent applications that are stored on the U.S. Patent Office's IFW system, copies are not required to be submitted. Therefore, for any such cited documents, copies are not included herein.

This Information Disclosure Statement is submitted:

☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114 in accordance with § 1.97(b)(4); accordingly, no fee or separate requirements are required.

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ The fee set forth in 37 CFR 1.17p is paid herewith.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

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

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to **Deposit Account No. 50-4242**, referencing docket no. **10004-2000112**

Dated: November 28, 2012

Respectfully submitted,

By: _____

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian & Treffert LLP
27 W. 24th Street Suite 302
New York, NY 10010
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 04/11/2013

Mauriel Kapouytian & Treffert LLP
27 W. 24th Street
Suite #302
New York, NY 10010

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 04/11/2013 | 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. 12/283,332 | Applicant(s) STEUER ET AL. | |
|---|---|---|---|
| | Examiner CHENEA SMITH | Art Unit 2421 | AIA (First Inventor to File) Status No |

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 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 *12 November 2012*.

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

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

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

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

**Disposition of Claims**

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

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

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-4* is/are rejected.

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

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

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

**Application Papers**

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

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

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

**Certified copies:**

a)☐ All b)☐ Some * c)☐ None of the:

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

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

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

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

**Interim copies:**

a)☐ All b)☐ Some c)☐ None of the: Interim copies of the priority documents have been received.

**Attachment(s)**

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

2) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

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

4) ☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/12/2012 has been entered.

### *Response to Amendment*

2. This office action is in response to communications filed 11/12/2012. Claim 1 is amended. Claims 1-4 are pending in this action.

### *Response to Arguments*

3. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of new grounds of rejection.

***Claim Rejections - 35 USC § 103***

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

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

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang '060 (of record) Iyoku et al. (US20040055445, hereinafter Iyoku), Hardwick (of record) and Hansen (of record).

Regarding claim 1, Wang '060 discloses a media measurement method (see Wang '060, Figs. 1-3) comprising:

using one or more computers to generate content identification results (see Wang '060, [0081], lines 26-30) corresponding to a sequence of data samples (see Wang '060, [0090], lines 1-3); and

using one or more computers to identify a channel corresponding to the samples (the channel being the album, see Wang '060, [0107], lines 1-14).

Wang '060 does not specifically disclose a play stream of results, wherein a content identifier of the play stream's content identification results is obtained by using a corresponding data sample to search a computerized database of known content; or

using an order of at least two different content identifiers in the play stream to identify the channel corresponding to the samples.

In an analogous art relating to a system for content identification, Iyoku discloses using one or more computers to generate content identification results (see Iyoku, [0116], [0118] and [0137]) corresponding to a sequence of data samples (see Iyoku, [0103] and [0106]),

wherein a content identifier of the content identification results is obtained by using a corresponding data sample to search a computerized database of known content (see Iyoku, [0109], [0114]-[0116], [0118] and [0137]).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Wang '060 to include the limitations as taught by Iyoku for the advantage of implementing a more efficient process of content identification that provides more diverse system options.

Wang '060 in view of Iyoku does not specifically disclose a play stream of results, or using an order of at least two different content identifiers in the play stream to identify the channel corresponding to the samples.

In an analogous art relating to a system for audio identification and reproduction, Hardwick discloses using an order of at least two different content identifiers to identify a channel corresponding to the samples (see Hardwick, col 5, line 67 – col 6, line 6, col 5, lines 18-22, col 18, line 67 – col 19, line 2 and col 16, lines 46-49).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Wang '060 in view of Iyoku to include the limitations as

taught by Hardwick for the advantage of efficiently identifying media and more accurately presenting information about the media.

Wang '060 in view of Iyoku and Hardwick does not specifically disclose a play stream of results.

In an analogous art relating to a system for providing media to a user, Hansen discloses a play stream of results (see Hansen, [0027], lines 2-6).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Wang '060 in view of Iyoku and Hardwick to include the limitations as taught by Hansen for the advantage of providing an improved system for recognizing media and its source in which the results of identification are provided in an economically viable and continuous manner (see Hansen, [0009]).

Regarding claim 2, Wang '060 in view of Iyoku, Hardwick and Hansen discloses converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the play stream (see Wang '060, [0080], [0082]-[0084] and [0107], lines 1-14).

Regarding claim 3, Wang '060 in view of Iyoku, Hardwick and Hansen discloses wherein the raw play stream is converted to a play list (see Hansen, [0099], lines 1-7).

Regarding claim 4, Wang '060 in view of Iyoku, Hardwick and Hansen discloses wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream (see Wang '060, [0080], [0082]-[0084]).

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENEA SMITH whose telephone number is (571)272-9524. The examiner can normally be reached on 8:00 am - 4:00 pm, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Parry can be reached on (571)272-8328. 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.

/CHENEA SMITH/
Primary Examiner, Art Unit 2421

| Notice of References Cited | Application/Control No. 12/283,332 | Applicant(s)/Patent Under Reexamination STEUER ET AL. | |
|---|---|---|---|
| | Examiner CHENEA SMITH | Art Unit 2421 | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|---|---|---|---|
| * | A | US-2004/0055445 | 03-2004 | Iyoku et al. | 084/609 |
| | B | US- | | | |
| | C | US- | | | |
| | D | US- | | | |
| | E | US- | | | |
| | F | US- | | | |
| | G | US- | | | |
| | H | US- | | | |
| | I | US- | | | |
| | J | US- | | | |
| | K | US- | | | |
| | L | US- | | | |
| | M | US- | | | |

**FOREIGN PATENT DOCUMENTS**

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

**NON-PATENT DOCUMENTS**

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

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

| Search Notes | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | Examiner | Art Unit |
| | CHENEA P SMITH | 2421 |

| CPC- SEARCHED | | |
|---|---|---|
| Symbol | Date | Examiner |
| | | |

| CPC COMBINATION SETS - SEARCHED | | |
|---|---|---|
| Symbol | Date | Examiner |
| | | |

| US CLASSIFICATION SEARCHED | | | |
|---|---|---|---|
| Class | Subclass | Date | Examiner |
| | | | |

| SEARCH NOTES | | |
|---|---|---|
| Search Notes | Date | Examiner |
| Updated EAST search results included | 4/8/2013 12:56:27 PM | CS |
| Updated Inventor search included - see search results printout | 4/8/2013 12:56:30 PM | CS |
| Updated 725/$$, 455/$$ - text search only, see search results printout | 4/8/2013 12:56:31 PM | CS |
| 700/94, 231, 243.ccls.; 702/79,89,176-178,187.ccls.; 725/9-21.ccls.; 381.clas. - text search only, see search results printout | 4/8/2013 12:56:32 PM | CS |
| Consulted Jason Salce, 725 | 4/26/2012 11:09:24 AM | CS |

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

| | |
|---|---|
| | |

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 1

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Smith, Chenea |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 2004/0055445 A1 | 03-25-2004 | Iyoku et al. | |
| | 2 | US- 2003/0177488 A1 | 09-18-2003 | Smith et al. | |
| | 3 | US- 7,634,787 B1 | 12-15-2009 | Gebhardt et al. | |
| | 4 | US- 5,404,161 | 04-04-1995 | Douglass et al. | |
| | 5 | US- 5,844,938 | 12-01-1998 | Hupp et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 04/08/2013 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| L1 | 28694337 | @ad<"20040527" | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:32 |
| L2 | 10 | ("20030177488" \| "20040055445" \| "5404161" \| "5844938" \| "7634787").PN. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:32 |
| L3 | 2 | ("8131389").PN. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L4 | 33863 | "725".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L5 | 79323 | "700".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L6 | 201 | (determin$6 deduc$4 identif$8) near2 (source$1 channel$1 station$1 album$1 cd$1) near2 (order$1 sequen$4) near2 (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L7 | 96 | L1 and L6 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L8 | 68 | (determin$6 deduc$4 identif$8) near (source$1 channel$1 station$1 album$1 cd$1) near (order$1 sequen$4 position$3) near (clip$4 sample$1 segment$1 portion$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:33 |
| L9 | 37 | L1 and L8 | US-PGPUB; USPAT; | OR | OFF | 2013/04/08 13:33 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | USOCR; FPRS; EPO; JPO; DERWENT | | | |
| L10 | 8 | ((JONATHAN) near2 (STEUER)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2013/04/08 13:34 |
| L11 | 17 | ((CHRISTOPHER) near2 (OTTO)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2013/04/08 13:34 |
| L12 | 17 | 10 11 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2013/04/08 13:35 |

**EAST Search History (Interference)**

< This search history is empty>

**4/8/2013 1:36:11 PM**
**C:\Users\csmith3\Documents\EAST\Workspaces\Steuer 332-2.wsp**

| Index of Claims | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA P SMITH | 2421 |

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

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

| CLAIM | | DATE | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Final | Original | 01/13/2011 | 04/26/2012 | 04/08/2013 | | | | | | |
| | 1 | ✓ | ✓ | ✓ | | | | | | |
| | 2 | ✓ | ✓ | ✓ | | | | | | |
| | 3 | ✓ | ✓ | ✓ | | | | | | |
| | 4 | ✓ | ✓ | ✓ | | | | | | |

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Jonathan S. Steuer

Application No.: 12/283,332 Group Art Unit: 2421

Filing Date: September 11, 2008 Examiner: Smith, Chenea

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**AMENDMENT UNDER 37 CFR § 1.111**

**Mail Stop Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office Action dated April 11, 2013 (Paper No. 20130408) for which a response was due on July 11, 2013. A petition and fee for a three-month extension of time is submitted herewith, thereby extending the deadline for responding to October 11, 2013. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

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

Remarks begin on page 3 of this paper.

## AMENDMENTS TO THE CLAIMS

Please amend the claims as follows, where additions are underlined and deletions are indicated by ~~strikethrough~~ or enclosed in [[double brackets]]:

Claim 1 (Currently Amended): A media measurement method comprising:

using one or more computers to generate a play stream of content identification results corresponding to a sequence of data samples, wherein [[a]] content identifiers of the play stream's content identification results [[is]]are obtained by using [[a]] corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, using one or more computers to utilize an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples.

Claim 2 (Previously Presented): The method of claim 1 further comprising:

converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

Claim 3 (Original): The method of claim 2 wherein the raw play stream is converted to a play list.

Claim 4 (Original): The method of claim 2 wherein the raw play stream is converted to a mathematical representation of the content associated with the play stream.

Claim 5 (Newly Added): The method of claim 1 wherein using one or more computers to utilize an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

## REMARKS

Claims 1-4 were pending in the present application. By virtue of this response, no claims have been cancelled and claim 5 has been added. Therefore, claims 1-5 are pending and under consideration. Of the claims currently under consideration, claim 1 has been amended.

Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added. Entry of the above-mentioned amendments is respectfully requested.

### Telephone Interview of October 8, 2013

Applicants' attorney, along with the Applicants, conducted a telephone interview with the Examiner on October 8, 2012. Applicants thank the Examiner for taking the time to discuss this case. After a follow-up telephone call between the Examiner and Applicants' attorney on October 9, 2013, agreement was reached that claim 1, as amended, overcomes the references of record.

### Claim Rejections under 35 USC §103

As agreed to in the Telephone Interview referenced above, Claim 1, as amended, is now allowable over the prior art of record. Claims 2-5 depend from Claim 1. Because Claims 2-5 depend from Claim 1, they are allowable for at least the same reason. Applicants respectfully request that the rejections of those claims be removed.

With respect to the amendment to claim 1, Applicants wish to note for the record that the purpose of the amendment is simply to expedite prosecution by making clearer, as suggested by the examiner, that using the order of two or more content identifiers to identify a channel necessarily occurs after the content identifiers are obtained by using corresponding data samples to search known content. No more narrowing meaning is intended by virtue of the words "in response to."

Claim 5 has been newly added to recite additional limitations related to searching channel information that includes a plurality of channel types.

## CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004-2000112.

Dated: October 11, 2013

Respectfully submitted,

By: /Michael Mauriel/ Reg. No. 44,226

Michael Mauriel
Registration No.: 44,226
Mauriel Kapouytian Woods LLP
27 W. 24th Street Suite 302
New York, New York 10010
(212) 529-5131
Attorney(s) for Applicant

# Electronic Patent Application Fee Transmittal

| | |
|---|---|
| **Application Number:** | 12283332 |
| **Filing Date:** | 11-Sep-2008 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Attorney Docket Number:** | 10004-2000112 |

Filed as Small Entity

## Utility under 35 USC 111(a) Filing Fees

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Basic Filing:** | | | | |
| **Pages:** | | | | |
| **Claims:** | | | | |
| **Miscellaneous-Filing:** | | | | |
| **Petition:** | | | | |
| **Patent-Appeals-and-Interference:** | | | | |
| **Post-Allowance-and-Post-Issuance:** | | | | |
| **Extension-of-Time:** | | | | |
| Extension - 3 months with $0 paid | 2253 | 1 | 700 | 700 |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Miscellaneous:** | | | | |
| | | | **Total in USD ($)** | **700** |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 17111467 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Victoria Wilson |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 11-OCT-2013 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 18:07:15 |
| **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 | $700 |
| RAM confirmation Number | 5584 |
| Deposit Account | |
| Authorized User | |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| 1 | Extension of Time | 100042000112ExtensionofTime.pdf | 423447<br>081ea625e9e191d3e7cba1f9c72ec44bfdfc5d28 | no | 2 |
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| 2 | | 100042000112FinalRespNFOA.pdf | 470050<br>f4c7d7e72535070ca0651bb62bce97a2672c4770 | yes | 4 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Amendment/Req. Reconsideration-After Non-Final Reject | 1 | 1 |
| | Claims | 2 | 2 |
| | Applicant Arguments/Remarks Made in an Amendment | 3 | 4 |

| | | | | | |
|---|---|---|---|---|---|
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| 3 | Fee Worksheet (SB06) | fee-info.pdf | 29551<br>7141a85964c30359ac95e869a1ad3360977f2b7b | no | 2 |
| **Warnings:** | | | | | |
| **Information:** | | | | | |
| | | **Total Files Size (in bytes):** | 923048 | | |

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

**<u>New Applications Under 35 U.S.C. 111</u>**
**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

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

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

PTO/SB/22 (03-13)
Approved for use through 3/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional): 10004-2000112

Application Number: 12/283,332

Filed: September 11, 2008

For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

Art Unit: 2421

Examiner: Smith, Chenea

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):

| | | Fee | Small Entity Fee | Micro Entity Fee | |
|---|---|---|---|---|---|
| ☐ | One month (37 CFR 1.17(a)(1)) | $200 | $100 | $50 | $ |
| ☐ | Two months (37 CFR 1.17(a)(2)) | $600 | $300 | $150 | $ |
| ☑ | Three months (37 CFR 1.17(a)(3)) | $1,400 | $700 | $350 | $ 700.00 |
| ☐ | Four months (37 CFR 1.17(a)(4)) | $2,200 | $1,100 | $550 | $ |
| ☐ | Five months (37 CFR 1.17(a)(5)) | $3,000 | $1,500 | $750 | $ |

☑ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ 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 50-4242.

☑ Payment made via EFS-Web.

**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. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration number 44,226.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Michael Mauriel/ Reg. No. 44,226 — Signature

October 11, 2013 — Date

Michael Mauriel — Typed or printed name

212-529-5131 — Telephone Number

**NOTE:** This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☑ * Total of 1 forms are submitted.

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.*

# Privacy Act Statement

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

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

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

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

# PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

| Application or Docket Number | Filing Date | ☐ To be Mailed |
|---|---|---|
| 12/283,332 | 09/11/2008 | |

**ENTITY**: ☐ LARGE ☒ SMALL ☐ MICRO

## APPLICATION AS FILED – PART I

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

## APPLICATION AS AMENDED – PART II

AMENDMENT **10/11/2013**

| | (Column 1) CLAIMS REMAINING AFTER AMENDMENT | | (Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) PRESENT EXTRA | RATE ($) | ADDITIONAL FEE ($) |
|---|---|---|---|---|---|---|
| Total (37 CFR 1.16(i)) | * 5 | Minus | ** 20 | = 0 | X $40 = | 0 |
| Independent (37 CFR 1.16(h)) | * 1 | Minus | ***3 | = 0 | X $210 = | 0 |
| ☐ Application Size Fee (37 CFR 1.16(s)) | | | | | | |
| ☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | | |
| | | | | | TOTAL ADD'L FEE | 0 |

AMENDMENT

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

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

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

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

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

LIE
/CAROL BARNES/

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

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

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 2

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 2003/0135623-A1 | 07-17-2003 | Schrempp et al. | |
| | 2 | US- 2004/0034441-A1 | 02-19-2004 | Eaton et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]–Number[4]–Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

PTO/SB/08b (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2 of 2

| *Complete if Known* | |
|---|---|
| **Application Number** | 12/283,332 |
| **Filing Date** | September 11, 2008 |
| **First Named Inventor** | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| | 3 | European Search Report for App. 05755114.5, dated 10/8/2013, 3 pp. | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| Examiner Signature | | Date Considered | |
|---|---|---|---|

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

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 17356468 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 08-NOV-2013 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 16:30:24 |
| **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 | | 100042000112_IDS.pdf | 654366<br>f761dfa213608d1451d530abc97d6e8ed55219cd | yes | 6 |

| | Multipart Description/PDF files in .zip description | | |
|---|---|---|---|
| | **Document Description** | **Start** | **End** |
| | Transmittal Letter | 1 | 4 |
| | Information Disclosure Statement (IDS) Form (SB08) | 5 | 6 |
| **Warnings:** | | | |
| **Information:** | | | |
| | **Total Files Size (in bytes):** | 654366 | |

**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.**

PATENT
Docket No. 10004-2000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In the application of: | Examiner: Smith, Chenea |
| Jonathan S. Steuer et al. | Group Art Unit: 2421 |
| Serial No.: 12/283,332 | |
| Filing Date: September 11, 2008 | |
| For: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD | |

**INFORMATION DISCLOSURE STATEMENT**
**UNDER 37 C.F.R. § 1.97 & § 1.98**

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

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08A and B. The Examiner is requested to make these document(s) of record.

This Information Disclosure Statement is submitted:

☐ With the application

☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ The fee set forth in 37 CFR 1.17p is paid herewith.
- ☒ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
  - ☒ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ The fee set forth in 37 C.F.R. § 1.17p is paid herewith and a Certification under 37 C.F.R. § 1.97(e) is provided below:
  - ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
  - ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign

application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicants would appreciate the Examiner initialing and returning the PTO/SB/08A and B, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-4242, referencing docket no.10004-2000112.

Dated: November 8, 2013

Respectfully submitted,

By: /Michael Mauriel/ Reg. No. 44,226

Michael Mauriel
Reg. No. 44,226

Mauriel Kapouytian Woods LLP
27 W. 24th Street Suite 302
New York, NY 10010
Telephone: (212) 529-5131
Facsimile: (212) 529-5132

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 17356685 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | Media usage monitoring and measurement system and method |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 08-NOV-2013 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 16:38:13 |
| **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 | Non Patent Literature | 100042000112_Ref1.pdf | 220315<br>02ea5bb68442eaf2d4983d418621b773c9826348 | no | 3 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |

| Total Files Size (in bytes): | 220315 |
|---|---|

**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

# NOTICE OF ALLOWANCE AND FEE(S) DUE

51417 7590 01/29/2014

Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

| EXAMINER |
|---|
| SMITH, CHENEA |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

DATE MAILED: 01/29/2014

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

TITLE OF INVENTION: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

| APPLN. TYPE | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|---|---|---|---|---|---|---|
| nonprovisional | SMALL | $480 | $0 | $0 | $480 | 04/29/2014 |

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

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

**HOW TO REPLY TO THIS NOTICE:**

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

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

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

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

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

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

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

## PART B - FEE(S) TRANSMITTAL

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

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

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

51417 7590 01/29/2014
Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

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. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

TITLE OF INVENTION: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

| APPLN. TYPE | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|---|---|---|---|---|---|---|
| nonprovisional | SMALL | $480 | $0 | $0 | $480 | 04/29/2014 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|---|---|---|
| SMITH, CHENEA | 2421 | 725-018000 |

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

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

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

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

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:
- ❑ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29
  NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27
  NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
- ❑ Applicant changing to regular undiscounted fee status.
  NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 01/29/2014

Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

DATE MAILED: 01/29/2014

**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 426 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 426 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.

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

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

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

## Privacy Act Statement

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

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

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

| Notice of Allowability | Application No. 12/283,332 | Applicant(s) STEUER ET AL. | |
|---|---|---|---|
| | Examiner CHENEA SMITH | Art Unit 2421 | AIA (First Inventor to File) Status No |

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *10/11/13*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are *1-13*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   **Certified copies:**

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

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**.

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

   **Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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

/CHENEA SMITH/
Primary Examiner, Art Unit 2421

## DETAILED ACTION

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

## EXAMINER'S AMENDMENT

2. 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 Mike Mauriel on 1/23/2014.

3. The Application has been amended as follows:

**Claim 1** is amended as follows:

A media measurement method comprising:

using one or more computers to generate a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, using one or more computers to utilize [[an]]a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items.

**Claim 5** is amended as follows:

The method of claim 1 wherein using one or more computers to utilize [[an]] a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

**Claim 6** newly added as follows:

A computer program product in a non-transitory computer readable medium comprising instructions executable by one or more processors of one or more computers, the instructions comprising instructions for:

generating a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, utilizing a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the

data samples, the at least two different obtained content identifiers identifying different media content items.

**Claim 7** is newly added as follows:

The computer program product of claim 6 wherein the instructions include instructions for converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

**Claim 8** is newly added as follows:

The computer program product of claim 7 wherein the instructions include instructions for converting the raw play stream to a play list.

**Claim 9** is newly added as follows:

The computer program product of claim 6 wherein utilizing an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

**Claim 10** is newly added as follows:

A computer system comprising one or more computers configured by computer code stored in the one or more computers, the computer code comprising instruction executable by one or more processors of the one or more computers, the instructions comprising instructions for:

generating a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media

monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, utilizing a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items.

**Claim 11** is newly added as follows:

The computer system of claim 10 wherein the instructions include instructions for converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

**Claim 12** is newly added as follows:

The computer system of claim 11 wherein the instructions include instructions for converting the raw play stream to a play list.

**Claim 13** is newly added as follows:

The computer system of claim 10 wherein utilizing an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

***Allowable Subject Matter***

4. Claims 1-13 are allowed.

The following is an examiner's statement of reasons for allowance: claims 1-13 are allowed because the prior art fails to specifically disclose or suggest the combined steps/elements of "generating a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, utilizing a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items", as recited by the independent claims.

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

## *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENEA SMITH whose telephone number is (571)272-9524. The examiner can normally be reached on 8:00 am - 4:00 pm, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571)272-1915. 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.

/CHENEA SMITH/
Primary Examiner, Art Unit 2421

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. 6705**

| SERIAL NUMBER | FILING or 371(c) DATE<br>RULE | CLASS | GROUP ART UNIT | ATTORNEY DOCKET NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 725 | 2421 | 10004-2000112 |

**APPLICANTS**

**INVENTORS**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

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

This application is a DIV of 11/139,330 05/26/2005 ABN

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
10/01/2008

| Foreign Priority claimed ☐ Yes ☑ No<br>35 USC 119(a-d) conditions met ☐ Yes ☑ No<br>Verified and Acknowledged /CHENEA SMITH/ Examiner's Signature | ☐ Met after Allowance<br>Initials | STATE OR COUNTRY | SHEETS DRAWINGS | TOTAL CLAIMS | INDEPENDENT CLAIMS |
|---|---|---|---|---|---|
| | | NY | 7 | 4 | 1 |

**ADDRESS**

Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010
UNITED STATES

**TITLE**

Media usage monitoring and measurement system and method

| FILING FEE RECEIVED | | |
|---|---|---|
| 515 | FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following: | ☐ All Fees<br>☐ 1.16 Fees (Filing)<br>☐ 1.17 Fees (Processing Ext. of time)<br>☐ 1.18 Fees (Issue)<br>☐ Other _____<br>☐ Credit |

**EAST Search History**

**EAST Search History (Prior Art)**

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| S2 | 43281 | "725".clas. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:40 |
| S1 | 979360 | @ad<"20040527" and (video$1 music) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:40 |
| S3 | 5 | ("20030135623" \| "20040034441").PN. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:44 |
| S4 | 98 | ("4677466" \| "7444353" \| "20020038456" \| "20020083060" \| "20100141499" \| "20040055445" \| "5844938" \| "20030135623" \| "20040224638" \| "7634787" \| "20020161741" \| "3919479" \| "6513161" \| "7483975" \| "20030009469" \| "20040001161" \| "20080154401" \| "20040034441" \| "20020059577" \| "20040122679" \| "20030177488" \| "8131389" \| "4697209" \| "5095382" \| "20050086682" \| "20020072982" \| "20020072982" \| "20060059277" \| "5594934" \| "5945988" \| "5436653" \| "5404161" \| "20020010919" \| "5758257" \| "5512933" \| "20070143777" \| "5437050" \| "7038619").PN. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:45 |
| S5 | 1289 | (recogniz$6 recognition identif$8 detect$4) with album$1 with (title$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:46 |
| S7 | 17894 | (order$3 sequenc$2 position) with sampl$4 with occur$5 | US-PGPUB; USPAT; USOCR; | OR | OFF | 2014/01/21 08:47 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | FPRS; EPO; JPO; DERWENT | | | |
| S6 | 66953 | (recogniz$6 recognition identif$8 detect$4) with (album$1 title$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:47 |
| S11 | 4 | S1 and S10 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:48 |
| S10 | 20 | S6 and S7 and S9 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:48 |
| S9 | 35136 | (recogniz$6 recognition identif$8 detect$4) with music | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:48 |
| S8 | 0 | (recogniz$6 recognition identif$8 detect$4) with musci | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:48 |
| S14 | 9 | S1 and S13 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:52 |
| S13 | 38 | S7 and S9 and S12 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:52 |
| S12 | 1446596 | (recogniz$6 recognition identif$8 detect$4) with ((album$1 near2 title$1) sourc$3 station$1 channel$1) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 08:52 |
| S15 | 1 | 12/283332.app. | US-PGPUB; | OR | OFF | 2014/01/21 09:08 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | USPAT; USOCR; FPRS; EPO; JPO; DERWENT | | | |
| S17 | 19 | S1 and S16 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:09 |
| S16 | 81 | (determin$6 detect$4 identif$8) with (album$1 cd dvd) with based with (order sequenc$3) with (song$1 movie$1 show$1 program$4) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:09 |
| S19 | 23 | S18 and S1 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:10 |
| S18 | 94 | (determin$6 detect$4 identif$8) with (album$1 cd dvd) with based with (order sequenc$3) with (track$1 song$1 movie$1 show$1 program$4) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:10 |
| S20 | 1 | 12/283332.app. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:17 |
| S21 | 15 | (steuer near2 jonathan) | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:20 |
| S22 | 1 | 12/283332.app. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:24 |
| S23 | 2 | 12/283354.app. | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/21 10:28 |

| | | | | | | |
|---|---|---|---|---|---|---|
| L3 | 19 | 1 2 | US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT | OR | OFF | 2014/01/24 23:06 |
| L2 | 19 | ((CHRISTOPHER) near2 (OTTO)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2014/01/24 23:06 |
| L1 | 9 | ((JONATHAN) near2 (STEUER)).INV. | US-PGPUB; USPAT; USOCR | OR | OFF | 2014/01/24 23:06 |

**EAST Search History (Interference)**

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
|---|---|---|---|---|---|---|
| S26 | 15519 | (order$3 sequenc$2 position) with sampl$4 with occur$5 | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:20 |
| S25 | 23632 | (recogniz$6 recognition identif$8 detect$4) with music | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:20 |
| S24 | 918376 | (recogniz$6 recognition identif$8 detect$4) with ((album$1 near2 title$1) sourc$3 station$1 channel$1) | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:20 |
| S29 | 234122 | (recogniz$6 recognition identif$8 detect$4) with ((album$1 near2 title$1) sourc$3 station$1 channel$1).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:21 |
| S28 | 0 | (S24 and S25 and S26).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:21 |
| S27 | 38 | S24 and S25 and S26 | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:21 |
| S33 | 0 | S29 and S30 and S31 | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:22 |
| S32 | 234122 | ((recogniz$6 recognition identif$8 detect$4) with ((album$1 near2 title$1) sourc$3 station$1 channel$1)).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:22 |
| S31 | 1530 | ((order$3 sequenc$2 position) with sampl$4 with occur$5).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:22 |
| S30 | 2555 | ((recogniz$6 recognition identif$8 detect$4) with music).clm. | US-PGPUB; USPAT; | OR | OFF | 2014/01/21 09:22 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | UPAD | | | |
| S35 | 784 | ((order$3 sequen$4) with (content$1 near2 identif$4)).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:23 |
| S34 | 5138 | ((order$3 sequen$4) with (content$1 near2 identif$4)) | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:23 |
| S37 | 15 | ((order$3 sequen$4) with occur$6 with (content$1 near2 identif$4)).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:24 |
| S36 | 151 | S32 and S35 | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:24 |
| S38 | 1 | S32 and S37 | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:25 |
| S39 | 10 | (steuer near2 jonathan) | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 09:26 |
| S40 | 71 | (determin$6 detect$4 identif$8) with (album$1 cd dvd) with based with (order sequenc$3) with (song$1 movie$1 show$1 program$4) | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 10:07 |
| S41 | 3 | ((determin$6 detect$4 identif$8) with (album$1 cd dvd) with based with (order sequenc$3) with (song$1 movie$1 show$1 program$4)).clm. | US-PGPUB; USPAT; UPAD | OR | OFF | 2014/01/21 10:08 |

**1/ 24/ 2014 11:32:46 PM**
**C:\ Users\ csmith3\ Documents\ EAST\ Workspaces\ Steuer 332 Allowance.wsp**

| Issue Classification | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA SMITH | 2421 |

| CPC | | | | | | |
|---|---|---|---|---|---|---|
| **Symbol** | | | | | **Type** | **Version** |
| | | | | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |
| | | | / | | | |

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

| NONE | | Total Claims Allowed: | |
|---|---|---|---|
| (Assistant Examiner) | (Date) | 13 | |
| /CHENEA SMITH/<br>Primary Examiner.Art Unit 2421 | 01/24/2014 | O.G. Print Claim(s) | O.G. Print Figure |
| (Primary Examiner) | (Date) | 1 | 2 |

| Issue Classification | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA SMITH | 2421 |

| US ORIGINAL CLASSIFICATION | | INTERNATIONAL CLASSIFICATION | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| CLASS | SUBCLASS | CLAIMED | | | | | NON-CLAIMED | | | | | |
| 725 | 18 | H | 0 | 4 | H | 60 / 32 (2008.01.01) | | | | | | |

| CROSS REFERENCE(S) | | | | | |
|---|---|---|---|---|---|
| CLASS | SUBCLASS (ONE SUBCLASS PER BLOCK) | | | | |
| 725 | 12 | | | | |
| 700 | 94 | | | | |

| NONE | | Total Claims Allowed: | |
|---|---|---|---|
| (Assistant Examiner) | (Date) | 13 | |
| /CHENEA SMITH/<br>Primary Examiner.Art Unit 2421 | 01/24/2014 | O.G. Print Claim(s) | O.G. Print Figure |
| (Primary Examiner) | (Date) | 1 | 2 |

| Issue Classification | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA SMITH | 2421 |

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

| Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 1 | | | | | | | | | | | | | | |
| 2 | 2 | | | | | | | | | | | | | | |
| 3 | 3 | | | | | | | | | | | | | | |
| 4 | 4 | | | | | | | | | | | | | | |
| 5 | 5 | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | | | | |
| 11 | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | | |
| 13 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |

| | | | |
|---|---|---|---|
| NONE | | **Total Claims Allowed:** | |
| (Assistant Examiner) | (Date) | 13 | |
| /CHENEA SMITH/<br>Primary Examiner.Art Unit 2421 | 01/24/2014 | O.G. Print Claim(s) | O.G. Print Figure |
| (Primary Examiner) | (Date) | 1 | 2 |

| Search Notes | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | Examiner | Art Unit |
| | CHENEA P SMITH | 2421 |

| CPC- SEARCHED | | |
|---|---|---|
| Symbol | Date | Examiner |
| | | |

| CPC COMBINATION SETS - SEARCHED | | |
|---|---|---|
| Symbol | Date | Examiner |
| | | |

| US CLASSIFICATION SEARCHED | | | |
|---|---|---|---|
| Class | Subclass | Date | Examiner |
| | | | |

| SEARCH NOTES | | |
|---|---|---|
| Search Notes | Date | Examiner |
| Updated EAST search results included | 1/24/2014 11:23:17 PM | CS |
| Updated Inventor search included - see search results printout | 1/24/2014 11:23:18 PM | CS |
| Updated 725/$$, 455/$$ - text search only, see search results printout | 1/24/2014 11:23:21 PM | CS |
| 700/94, 231, 243.ccls.; 702/79,89,176-178,187.ccls.; 725/9-21.ccls.; 381.clas. - text search only, see search results printout | 4/8/2013 12:56:32 PM | CS |
| Consulted Jason Salce, 725 | 4/26/2012 11:09:24 AM | CS |

| INTERFERENCE SEARCH | | | |
|---|---|---|---|
| US Class/ CPC Symbol | US Subclass / CPC Group | Date | Examiner |
| | see EAST search results printout | 1/24/2014 11:23:36 PM | CS |

| | |
|---|---|
| | |

| Index of Claims | Application/Control No. | Applicant(s)/Patent Under Reexamination |
|---|---|---|
| | 12283332 | STEUER ET AL. |
| | **Examiner** | **Art Unit** |
| | CHENEA SMITH | 2421 |

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

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

| CLAIM | | DATE | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Final | Original | 01/13/2011 | 04/26/2012 | 04/08/2013 | 01/24/2014 | | | | | |
| 1 | 1 | ✓ | ✓ | ✓ | = | | | | | |
| 2 | 2 | ✓ | ✓ | ✓ | = | | | | | |
| 3 | 3 | ✓ | ✓ | ✓ | = | | | | | |
| 4 | 4 | ✓ | ✓ | ✓ | = | | | | | |
| 5 | 5 | | | | = | | | | | |
| 6 | | | | | = | | | | | |
| 7 | | | | | = | | | | | |
| 8 | | | | | = | | | | | |
| 9 | | | | | = | | | | | |
| 10 | | | | | = | | | | | |
| 11 | | | | | = | | | | | |
| 12 | | | | | = | | | | | |
| 13 | | | | | = | | | | | |

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 2

| Complete if Known | |
|---|---|
| Application Number | 12/283,332 |
| Filing Date | September 11, 2008 |
| First Named Inventor | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | 1 | US- 2003/0135623-A1 | 07-17-2003 | Schrempp et al. | |
| | 2 | US- 2004/0034441-A1 | 02-19-2004 | Eaton et al. | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document Country Code[3]–Number[4]–Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 01/21/2014 |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

PTO/SB/08b (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2 of 2

| *Complete if Known* | |
|---|---|
| **Application Number** | 12/283,332 |
| **Filing Date** | September 11, 2008 |
| **First Named Inventor** | Jonathan S. Steuer |
| Art Unit | 2421 |
| Examiner Name | Chenea Smith |
| Attorney Docket Number | 10004-2000112 |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| | 3 | European Search Report for App. 05755114.5, dated 10/8/2013, 3 pp. | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| Examiner Signature | /Chenea Smith/ | Date Considered | 01/21/2014 |
|---|---|---|---|

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

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, 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 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.S./

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:
Jonathan S. Steuer

Application No.: 12/283,332 Group Art Unit: 2421

Filing Date: September 11, 2008 Examiner: Smith, Chenea

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**REQUEST FOR CORRECTION OF PALM RECORDS**

**Mail Stop OIPE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Attached herewith is a marked-up Official Filing Receipt. Applicant respectfully requests that the Patent Office enter these corrections. Specifically, applicant requests that the Assignment for Published Patent Application be identified as Anonymous Media Research, LLC, New York, NY.

Dated: April 22, 2014

Respectfully submitted,

By: /Michael Mauriel/ Reg. No. 44,226
Michael Mauriel
Registration No.: 47,184
Mauriel Kapouytian Woods LLP
27 West 24th Street, Suite 302
New York, New York 10010
(212) 529-5131
Attorney(s) for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING or 371(c) DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | TOT CLAIMS | IND CLAIMS |
|---|---|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 2423 | 515 | 10004-2000112 | 4 | 1 |

**CONFIRMATION NO. 6705**

**UPDATED FILING RECEIPT**

51417
Mauriel Kapouytian & Treffert LLP
151 1st Avenue
#23
New York, NY 10003

*OC000000033431014*

Date Mailed: 12/05/2008

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 submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

**Applicant(s)**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

**Assignment For Published Patent Application**

~~Anonymous Media, LLC, New York, NY~~ Anonymous Media Research, LLC, New York, NY

**Power of Attorney:** The patent practitioners associated with Customer Number 51417

**Domestic Priority data as claimed by applicant**

This application is a DIV of 11/139,330 05/26/2005

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 10/01/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/283,332**

**Projected Publication Date:** 03/19/2009

**Non-Publication Request:** No

**Early Publication Request:** No
**** SMALL ENTITY ****

**Title**

Media usage monitoring and measurement system and method

**Preliminary Class**

725

## 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 AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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

## Supplemental Application Data Sheet

### Application Information

| | |
|---|---|
| Application Type:: | Regular |
| Subject Matter:: | Divisional |
| Suggested Group Art Unit:: | ~~Not Yet Assigned~~2421 |
| CD-ROM or CD-R?:: | None |
| Sequence submission?:: | None |
| Computer Readable Form (CRF)?:: | No |
| Title:: | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| Attorney Docket Number:: | 10004-2000112 |
| Request for Early Publication?:: | No |
| Request for Non-Publication?:: | No |
| Drawing Sheets:: | 7 |
| Small Entity?:: | Yes |
| Petition included?:: | No |
| Secrecy Order in Parent Appl.?:: | No |

### Applicant Information

| | |
|---|---|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | United States |
| Status:: | Full Capacity |
| Given Name:: | Jonathan |
| Middle Name:: | S. |
| Family Name:: | STEUER |
| City of Residence:: | New York |
| State or Province of Residence:: | NY |
| Country of Residence:: | US |
| Street of mailing address:: | 72 E. 3rd Street #2B |
| City of mailing address:: | New York |
| State or Province of mailing address:: | NY |

| | |
|---|---|
| Postal or Zip Code of mailing address:: | 10003 |

| | |
|---|---|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | United States |
| Status:: | Full Capacity |
| Given Name:: | Christopher |
| Family Name:: | OTTO |
| City of Residence:: | Fremont |
| State or Province of Residence:: | CA |
| Country of Residence:: | US |
| Street of mailing address:: | 68802 Lyra Street |
| City of mailing address:: | Fremont |
| State or Province of mailing address:: | CA |
| Postal or Zip Code of mailing address:: | 94539 |

**Correspondence Information**

| | |
|---|---|
| Customer No.:: | 51417 |

**Representative Information**

| | |
|---|---|
| Customer No.:: | 51417 |

**Domestic Priority Information**

| Application No.: | Relationship: | Priority Application No.: | Priority Filing Date: |
|---|---|---|---|
| This Application | Claims Benefit Under 35 U.S.C. 119(e) to | 60/574,836 | 05/27/2004 |
| This Application | Divisional of | 11/139,330 | 05/26/2005 |

**Foreign Priority Information**

**Assignee Information**

| | |
|---|---|
| Assignee name:: | ~~Anonymous Media, LLC~~Anonymous Media Research, LLC |
| Street of mailing address:: | 72 E. 3rd St., Suite 1B |
| City of mailing address:: | New York |
| State or Province of mailing address:: | NY |
| Postal or Zip Code of mailing address:: | 10003 |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 18831530 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 22-APR-2014 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 18:34:15 |
| **Application Type:** | Utility under 35 USC 111(a) |

## Payment information:

| | |
|---|---|
| Submitted with Payment | no |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|
| 1 | Request for Corrected Filing Receipt | 100042000112_OFRcorrection.pdf | 229349<br>6c2e3bcc77a9e924b77caebab0bdef940587c3aa | no | 7 |

| | |
|---|---|
| **Warnings:** | |
| **Information:** | |

| | |
|---|---|
| **Total Files Size (in bytes):** | 229349 |

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

**New Applications Under 35 U.S.C. 111**
**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

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

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

## PART B - FEE(S) TRANSMITTAL

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

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

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

51417 7590 01/29/2014
Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

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. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

TITLE OF INVENTION: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

| APPLN. TYPE | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|---|---|---|---|---|---|---|
| nonprovisional | SMALL | $480 | $0 | $0 | $480 | 04/29/2014 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|---|---|---|
| SMITH, CHENEA | 2421 | 725-018000 |

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

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

1 Mauriel Kapouytian Woods LLP
2 Michael Mauriel
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: Anonymous Media Research, LLC
(B) RESIDENCE: (CITY and STATE OR COUNTRY): New York, NY

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

4a. The following fee(s) are submitted:
- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**
- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 504242 (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____ Date April 29, 2014

Typed or printed name Michael Mauriel Registration No. 44,226



PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# Electronic Patent Application Fee Transmittal

| | |
|---|---|
| **Application Number:** | 12283332 |
| **Filing Date:** | 11-Sep-2008 |
| **Title of Invention:** | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Attorney Docket Number:** | 10004-2000112 |

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:** | | | | |
| Utility Appl Issue Fee | 2501 | 1 | 480 | 480 |
| **Extension-of-Time:** | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD($) |
|---|---|---|---|---|
| **Miscellaneous:** | | | | |
| | | | **Total in USD ($)** | **480** |

# Electronic Acknowledgement Receipt

| | |
|---|---|
| **EFS ID:** | 18894435 |
| **Application Number:** | 12283332 |
| **International Application Number:** | |
| **Confirmation Number:** | 6705 |
| **Title of Invention:** | MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD |
| **First Named Inventor/Applicant Name:** | Jonathan S. Steuer |
| **Customer Number:** | 51417 |
| **Filer:** | Michael John Mauriel/Jasmine Habbas |
| **Filer Authorized By:** | Michael John Mauriel |
| **Attorney Docket Number:** | 10004-2000112 |
| **Receipt Date:** | 29-APR-2014 |
| **Filing Date:** | 11-SEP-2008 |
| **Time Stamp:** | 17:04:22 |
| **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 | $480 |
| RAM confirmation Number | 4372 |
| Deposit Account | |
| Authorized User | |

## File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| 1 | | 100042000112_312Amendment.pdf | 467593<br>df214921f4666fdecc26e4587e1ea9a128be17b7 | yes | 5 |

| Multipart Description/PDF files in .zip description | | |
|---|---|---|
| **Document Description** | **Start** | **End** |
| Amendment after Notice of Allowance (Rule 312) | 1 | 1 |
| Claims | 2 | 4 |
| Applicant Arguments/Remarks Made in an Amendment | 5 | 5 |

**Warnings:**

**Information:**

| | | | | | |
|---|---|---|---|---|---|
| 2 | Issue Fee Payment (PTO-85B) | 100042000112_issuefeetrans.pdf | 2119307<br>d43ef1058280fb8aa51c9f02403931ae616b5c42 | no | 1 |

**Warnings:**

**Information:**

| | | | | | |
|---|---|---|---|---|---|
| 3 | Fee Worksheet (SB06) | fee-info.pdf | 29900<br>a3169ae72620228340f9b1cf1cd162cd5eb96286 | no | 2 |

**Warnings:**

**Information:**

| | |
|---|---|
| **Total Files Size (in bytes):** | 2616800 |

**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.**

Attorney Docket No.: 10004-2000112
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:
Jonathan S. Steuer

Application No.: 12/283,332 Group Art Unit: 2421

Filing Date: September 11, 2008 Examiner: Smith, Chenea

Title: MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**AMENDMENT UNDER 37 CFR § 1.312**

**Mail Stop Issue Fee**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Notice of Allowance dated January 29, 2014.

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

Remarks begin on page 5 of this paper. The Issue Fee is submitted concurrently herewith.

## AMENDMENTS TO THE CLAIMS

Please amend the claims as follows, where additions are underlined and deletions are indicated by ~~strikethrough~~ or enclosed in [[double brackets]]:

1. (Previously Presented) A media measurement method comprising:

using one or more computers to generate a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, using one or more computers to utilize a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items.

2. (Previously Presented) The method of claim 1 further comprising:

converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

3. (Original) The method of claim 2 wherein the raw play stream is converted to a play list.

4. (Currently Amended) The method of claim 2 wherein the raw play stream is converted to a mathematical representation of ~~the content associated with~~ the raw play stream.

5. (Previously Presented) The method of claim 1 wherein using one or more computers to utilize a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

6. (Previously Presented) A computer program product in a non-transitory computer readable medium comprising instructions executable by one or more processors of one or more computers, the instructions comprising instructions for:

generating a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, utilizing a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items.

7. (Previously Presented) The computer program product of claim 6 wherein the instructions include instructions for converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

8. (Previously Presented) The computer program product of claim 7 wherein the instructions include instructions for converting the raw play stream to a play list.

9. (Previously Presented) The computer program product of claim 6 wherein utilizing an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

10. (Previously Presented) A computer system comprising one or more computers configured by computer code stored in the one or more computers, the computer code comprising instruction executable by one or more processors of the one or more computers, the instructions comprising instructions for:

generating a play stream of content identification results corresponding to a sequence of data samples, the data samples comprising representations of audio data captured at a media monitoring

device, wherein content identifiers of the play stream's content identification results are obtained by using corresponding data samples to search a computerized database of known content; and

in response to obtaining the content identifiers, utilizing a sequential order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples, the at least two different obtained content identifiers identifying different media content items.

11. (Previously Presented) The computer system of claim 10 wherein the instructions include instructions for converting a raw play stream to a format usable for searching channel data to identify a channel to associate with content of the raw play stream.

12. (Previously Presented) The computer system of claim 11 wherein the instructions include instructions for converting the raw play stream to a play list.

13. (Previously Presented) The computer system of claim 10 wherein utilizing an order of at least two different obtained content identifiers in the play stream to identify a channel corresponding to the data samples comprises searching channel information that includes a plurality of channel types including at least a broadcast media channel type and a non-broadcast playable media channel type.

## REMARKS

Claims 1-13 were allowed in the present application. By virtue of this amendment, dependent claim 4 is amended for purposes of clarity and consistency in view of other claim amendments and in view of the supporting description at, for example, paragraph **[0037]** of Applicants' specification as filed.

No new matter has been added. Applicants respectfully request entry of the above-mentioned amendments.

## CONCLUSION

In view of the above, and in view of the payment of the issue fee submitted concurrently herewith, this case is believed to be in condition for issuance upon entry of the present Amendment under 37 CFR 1.312. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Director is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-4242, referencing docket no. 10004--2000112.

Dated: April 29, 2014

Respectfully submitted,
By /Michael Mauriel/ Reg. No. 44,226

Michael Mauriel
Registration No.: 44,226
Mauriel Kapouytian Woods LLP
27 West 24th Street, Suite 302
New York, New York 10010
(212) 529-5131
Attorney(s) for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | Jonathan S. Steuer | 10004-2000112 | 6705 |

51417 7590 05/14/2014

Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

| EXAMINER | |
|---|---|
| SMITH, CHENEA | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2421 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 05/14/2014 | 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.

| Response to Rule 312 Communication | Application No. | Applicant(s) |
|---|---|---|
| | 12/283,332 | STEUER ET AL. |
| | Examiner | Art Unit |
| | CHENEA SMITH | 2421 |

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

1. ☒ The amendment filed on *29 April 2014* under 37 CFR 1.312 has been considered, and has been:

   a) ☐ entered.

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

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

   d) ☐ disapproved. See explanation below.

   e) ☐ entered in part. See explanation below.

/CHENEA SMITH/
Primary Examiner, Art Unit 2421

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. |
|---|---|---|---|---|
| 12/283,332 | 06/17/2014 | 8756622 | 10004-2000112 | 6705 |

51417 7590 05/28/2014

Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

# 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 624 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):

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING or 371(c) DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | TOT CLAIMS | IND CLAIMS |
|---|---|---|---|---|---|---|
| 12/283,332 | 09/11/2008 | 2421 | 515 | 10004-2000112 | 4 | 1 |

**CONFIRMATION NO. 6705**

**CORRECTED FILING RECEIPT**

51417
Mauriel Kapouytian Woods LLP
27 W. 24th Street
Suite #302
New York, NY 10010

*OC000000068731304*

Date Mailed: 06/02/2014

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

**Inventor(s)**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

**Applicant(s)**

Jonathan S. Steuer, New York, NY;
Christopher W. Otto, Fremont, CA;

**Assignment For Published Patent Application**

Anonymous Media Research, LLC, New York, NY

**Power of Attorney:** The patent practitioners associated with Customer Number 51417

**Domestic Priority data as claimed by applicant**

This application is a DIV of 11/139,330 05/26/2005 ABN

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

**If Required, Foreign Filing License Granted:** 10/01/2008
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/283,332**
**Projected Publication Date:** Not Applicable
**Non-Publication Request:** No
**Early Publication Request:** No
** **SMALL ENTITY** **

**Title**

MEDIA USAGE MONITORING AND MEASUREMENT SYSTEM AND METHOD

**Preliminary Class**

725

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

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

## LICENSE FOR FOREIGN FILING UNDER

## Title 35, United States Code, Section 184

## Title 37, Code of Federal Regulations, 5.11 & 5.15

**GRANTED**

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

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

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

**NOT GRANTED**

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

---


## *SelectUSA*

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