PTO/AIA/15 (03-13)
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UTILITY PATENT APPLICATION TRANSMITTAL

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

Attorney Docket No.	243449.000080
First Named Inventor	Dwight Marcus
Title	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DEL
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form** (PTO/SB/17 or equivalent)
2. ☑ **Applicant asserts small entity status.** See 37 CFR 1.27
3. ☐ **Applicant certifies micro entity status.** See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent.
4. ☑ **Specification** [*Total Pages* 11] Both the claims and abstract must start on a new page. *(See MPEP § 608.01(a) for information on the preferred arrangement)*
5. ☑ **Drawing(s)** (35 U.S.C. 113) [*Total Sheets* 3]
6. **Inventor's Oath or Declaration** [*Total Pages* ____] *(including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))*
   a. ☐ Newly executed (original or copy)
   b. ☐ A copy from a prior application (37 CFR 1.63(d))
7. ☑ **Application Data Sheet** ** See note below.* See 37 CFR 1.76 (PTO/AIA/14 or equivalent)
8. **CD-ROM or CD-R** in duplicate, large table, or Computer Program (*Appendix*)
   ☐ Landscape Table on CD
9. **Nucleotide and/or Amino Acid Sequence Submission** (*if applicable, items a. – c. are required*)
   a. ☐ Computer Readable Form (CRF)
   b. ☐ Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

ADDRESS TO:

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

ACCOMPANYING APPLICATION PAPERS

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

Note*: (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

19. CORRESPONDENCE ADDRESS

☑ The address associated with Customer Number: 06980 **OR** ☐ Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	/Louis J. DelJuidice - 47,522/	Date	2016-04-18
Name (Print/Type)	Louis DelJuidice	Registration No. (Attorney/Agent)	47,522

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

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

Privacy Act Statement

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

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

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

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	243449.000080
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

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

Secrecy Order 37 CFR 5.2:

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

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Dwight		Marcus	

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

City	Ojai	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	183 Avenida de la Entrada		
Address 2			
City	Ojai	State/Province	CA
Postal Code	93023	Country	US

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

Correspondence Information:

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

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	06980		
Email Address	IPServicesNYC@troutmansanders.com	Add Email	Remove Email

Application Information:

Title of the Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY		
Attorney Docket Number	243449.000080	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	3	Suggested Figure for Publication (if any)	

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	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

Filing By Reference:

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

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

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

Publication Information:

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

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

Representative Information:

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

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	06980		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation of	14494110	2014-09-23

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	243449.000080
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

Prior Application Status	Patented			Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
14494110	Continuation of	13195709	2011-08-01	8875185	2014-10-28

Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
13195709	Continuation of	10874819	2004-06-23

Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
10874819	Claims benefit of provisional	60482597	2003-06-24

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

Foreign Priority Information:

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

Remove

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

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

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

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

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	243449.000080
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	243449.000080
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

Applicant Information:

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

Applicant 1

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

Clear

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

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

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	NTECH PROPERTIES, INC.

Mailing Address Information For Applicant:

Address 1	4347 Raytheon Road		
Address 2			
City	Oxnard	**State/Province**	CA
Country	US	Postal Code	93033
Phone Number		Fax Number	
Email Address			

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

Assignee Information including Non-Applicant Assignee Information:

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

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	243449.000080
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	

Assignee 1

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

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

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

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

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

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Louis J. DelJuidice - 47,522/			Date (YYYY-MM-DD)	2016-04-18
First Name	Louis	Last Name	DelJuidice	Registration Number	47,522

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

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

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

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

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

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

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

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

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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.

Docket No.: 243449.000080

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dwight MARCUS

Application No.: Not yet assigned
Continuation of 14/494,110

Confirmation No.: Not yet assigned

Filed: Filed herewith

Art Unit: Not yet assigned

For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

Examiner: Not yet assigned

PRELIMINARY AMENDMENT

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

Dear Commissioner:

Prior to examination on the merits, please amend the above-identified U.S. Patent Application as follows.

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

Remarks begin on **page 3** of this paper.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 20-1507and please credit any excess fees to such deposit account.

AMENDMENTS TO THE SPECIFICATION

On Page 1 of the Specification, please amend paragraph [0001] as follows:

[0001] Cross Reference to Related Applications

This application is a continuation application of co-pending U.S. Patent Application No. 14/494,110 filed September 23, 2014, which is turn is a continuation application of co-pending U.S. Patent Application No. 13/195,709 ~~10/874,819~~, now U.S. Patent No. 8,875,185 entitled Method and Apparatus for Efficient, Entertaining Information Delivery, filed August 1, 2011, which is a continuation of U.S. Patent Application No. 10/874,819, filed June 23, 2004, now abandoned, which application claims priority to U.S. Provisional Patent Application No. 60/482,597 filed on June 24, 2003. This application hereby also incorporates by reference the disclosures of U.S. Patent Application No. 09/896,838 filed June 29, 2001; U.S. Patent Application No. 09/953,569 filed September 13, 2001; U.S. Patent Application No. 09/953,086 filed September 10, 2001; and U.S. Patent No. 6,032,156 filed April 1, 1998. The entire contents of all of the foregoing patents and applications are hereby incorporated by reference herein for all purposes.

REMARKS

The Specification has been amended to make reference to its priority document.

This application is believed to be in condition for allowance. If any issues remain which may be addressed by an Examiner's amendment or a supplementary amendment, or if the Examiner has any concerns which would benefit from an interview with Applicant's representative, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

TROUTMAN SANDERS LLP

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Date: April 18, 2016

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METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

RELATED APPLICATIONS

[0001] This application is a continuation application of co-pending U.S. Patent Application No. 10/874,819, entitled Method and Apparatus for Efficient, Entertaining Information Delivery, filed June 23, 2004, which application claims priority to U.S. Provisional Patent Application No. 60/482,597 filed on June 24, 2003. This application hereby also incorporates by reference the disclosures of U.S. Patent Application No. 09/896,838 filed June 29, 2001; U.S. Patent Application No. 09/953,569 filed September 13, 2001; U.S. Patent Application No. 09/953,086 filed September 10, 2001; and U.S. Patent No. 6,032,156 filed April 1, 1998. The entire contents of all of the foregoing patents and applications are hereby incorporated by reference herein for all purposes.

FIELD OF THE INVENTION

[0002] The present invention relates to the field of information delivery, and in particular to a method and apparatus for efficient, entertaining information delivery.

BACKGROUND OF THE INVENTION

[0003] Typical information delivery systems (e.g., the World Wide Web, video on demand, television, etc.) provide information to users inefficiently. Some systems deliver information in a rigid, non-searchable manner that limits the ability of a user to retrieved information of interest to the user. Other systems allow a more flexible search

for specific information, but the search is generally performed in a non-entertaining manner and typically requires the user to examine and select from a list of retrieved, potentially relevant items. This problem can be better understood by a review of prior art information delivery systems.

Television Delivery of Information

[0004] One of the most commonly used information delivery system is television. A user selects a channel and information is delivered to their speakers and/or screens. Some means of transmitting the information include broadcast, cable and satellite communications. Channel programming is varied. Some channels carry a specific type of programming (e.g., the History Channel or the Movie Channel) and others carry a mix of programming. However, a user has very little control over what information is presented at a specific time. The user's only control is to change channels. If programming content desired by the user is not currently being delivered by one of the available channels, the user is unable to do anything to prompt delivery of the desired content.

Video on Demand

[0005] Video on demand (VOD) enhances the user's ability to control the content of the information delivered by the system. In a VOD system, the user is able to select desired content from a list of available content. The selected program is retrieved by the system and sent to the user. However, VOD systems typically do not provide users

with an efficient or entertaining interface for requesting information. A user must search through and select from a list of available content.

World Wide Web

[0006] The world wide web is another system for delivering a wide variety of information to system users. Typically, a user locates desired information by typing in a web address, performing a search or following links. This method is similar to the VOID method in that the user has more control over what content is delivered. However, in both systems, information retrieval is inefficient and non-entertaining.

SUMMARY OF THE INVENTION

[0007] Embodiments of the present invention are directed to a method and apparatus for efficient, entertaining information delivery. In one embodiment, information is partitioned into clips. Clips are selected for a user and packaged together for presentation to the user in an entertaining manner. In one embodiment, the clips are selected and packaged together in accordance with a template. In another embodiment, information about the user is used to select clips. In one embodiment, clips are associated with headers. One type of header is a content header that describes the content of the clip. Other headers describe aesthetic qualities of a clip. In one embodiment, the clip headers contain both content and aesthetic information.

[0008] In one embodiment, a user is presented with a stream of information comprised of clips of information assembled for the user. The user may select a clip to

retrieve additional information related to the clip. In one embodiment, the selected clip is a portion of a program (e.g., a television show, a movie, a song, an advertisement, etc.) and the additional information is a larger clip of the program and/or the entire program. In one embodiment, selections made by the user are monitored and used in association with templates to determine which clips will be selected and how they will be presented to the user in the stream of information in the future.

[0009] In one embodiment, clips are provided to the user at no cost. In another embodiment, the user pays to view certain clips. In one embodiment, the user pays through a debit to an account (similar to ordering a pay-per-view event). In another embodiment, the user pays by viewing other clips and/or information (e.g., an advertisement). In another embodiment, advertisers pay to have information inserted into the information packaged for streaming to a user, thereby subsidizing the user's information retrieval experience.

BRIEF DESCRIPTION OF THE DRAWINGS

[0010] These and other features, aspects and advantages of the present invention will become better understood with regard to the following description, appended claims and accompanying drawings where:

[0011] Figure 1 is a flow diagram of the process of delivering information in accordance with one embodiment of the present invention;

[0012] Figure 2 is a block diagram of an information display in accordance with one embodiment of the present invention; and

[0013] Figure 3 is a data flow diagram in accordance with one embodiment of the present invention.

DETAILED DESCRIPTION OF THE INVENTION

[0014] The invention is a method and apparatus for efficient, entertaining information delivery. In the following description, numerous specific details are set forth to provide a more thorough description of embodiments of the invention. It is apparent, however, to one skilled in the art, that the invention may be practiced without these specific details. In other instances, well known features have not been described in detail so as not to obscure the invention.

[0015] In one embodiment, information is partitioned into clips. Clips are selected for a user and packaged together for presentation to the user in an entertaining manner. In one embodiment, the clips are selected and packaged together in accordance with a template. In another embodiment, information about the user is used to select clips. In one embodiment, clips are associated with headers. One type of header is a content header that describes the content of the clip. Other headers describe aesthetic qualities of a clip. In one embodiment, the clip headers contain both content and aesthetic information.

[0016] In one embodiment, a user is presented with a stream of information comprised of clips of information assembled for the user. The user may select a clip to retrieve additional information related to the clip. In one embodiment, the selected clip is a portion of a program (e.g., a television show, a movie, a song, an advertisement,

etc.) and the additional information is a larger clip of the program and/or the entire program. In one embodiment, selections made by the user are monitored and used in association with templates to determine which clips will be selected and how they will be presented to the user in the stream of information in the future.

[0017] Figure 1 illustrates the process of delivering information in accordance with one embodiment of the present invention. At block 100, user information is collected. The user information collected varies amongst embodiments. For example, one embodiment collects demographic information (e.g., sex, age, race, geographic location, education level, etc.) about a user as well as information regarding the user's interests and prior history of interaction with the system.

[0018] At block 110, the user information is used in combination with templates to select and package the information for delivery to the user. In one embodiment, the templates are used to connect clips in an appealing manner. In another embodiment, the clips also assist in selecting the information (e.g., by placing length and/or style limitations on which clips are eligible to be incorporated at a specific location). In one embodiment, the information is packaged by concatenating clips together to form a stream of data. For example, the clips are media clips and the information is delivered as an observable stream of media (e.g., video and/or audio).

[0019] At block 120, the information is delivered to the user. At block 130, the user selects a clip. For example, the user may be interested in learning more about a product displayed in a 6 second clip. At block 140, more information related to the selected clip is retrieved. In the example above, a longer, more detailed ad for the

product is retrieved. In another embodiment, the selected clip is a portion of a media program (e.g., a movie or show) and the entire media program is retrieved.

[0020] Figure 2 illustrates an information display in accordance with one embodiment of the present invention. The display area 200 is partitioned into a current viewing area 210 and a menu of options area 220. The current viewing area 210 is used to display information the user is currently focusing on. This information may be a continuous program (e.g., a movie or show), or it may be a stream of short previews and/or ads. In one embodiment, the menu of options area 220 may be used as a traditional menu that allows the user to exercise control over what information is delivered.

[0021] In another embodiment, the menu of options area 220 is partitioned into a plurality of mini-display regions 230. In one embodiment, once a clip has displayed in the current viewing area 210, the clip continues to display in one of the mini-display regions 230. In one embodiment, the clip replays in a loop in the mini-display region 230 until it is replaced or selected. In another embodiment, a representation of the clip is displayed in the mini-display region 230 until it is replaced.

[0022] In one embodiment, clips cycle through the mini-display regions 230 so that the most recently displayed clip is in a first mini-display region and the least recently displayed clip is in a second mini-display region. When a new clip is moved to the menu of options area 220, the least recently displayed clip is replaced by the second least recently displayed clip in the corresponding mini-display region, and other clips are similarly moved to new mini-display regions until the old most recent clip is replaced by

the new most recent clip. In another embodiment, the new most recent clip simply replaces the least recently displayed clip in the corresponding mini-display region.

[0023] In another embodiment, each mini-display region 230 displays a separate stream of information retrieved for a user. For example, one mini-display region may stream sports-related content while another streams content related to nostalgic ads from the 70's and 80's. In one embodiment, the user controls what content is delivered to each mini-display region by selecting from a list of general categories or channels. In another embodiment, the content delivered to each mini-display region is altered by the user's selections from that and/or other mini-display regions.

[0024] In one embodiment, the user selects information for display in the current viewing area 210 by selecting a clip either from a stream of clips delivered to the current viewing area 210 or to one of the mini-display regions 230. In one embodiment, the user has the ability to hide or display the menu of options area 220. Thus, a user can select a movie for viewing by selecting a clip of the movie from a stream of clips and then view the movie using the entire display area 200.

[0025] In one embodiment, clips are provided to the user at no cost. In another embodiment, the user pays to view certain clips. In one embodiment, the user pays through a debit to an account (similar to ordering a pay-per-view event). In another embodiment, the user pays by viewing other clips and/or information (e.g., an advertisement). In another embodiment, advertisers pay to have information inserted into the information packaged for streaming to a user, thereby subsidizing the user's information retrieval experience.

[0026] One example of methods, apparatus and systems, suitable for implementing the invention, is set forth in the Appendix attached hereto and which is specifically incorporated by reference herein.

[0027] Thus, a method and apparatus for efficient, entertaining information deliver is described in conjunction with one or more specific embodiments. It will be apparent from the foregoing that, while particular forms of the invention have been illustrated and described, various alternatives, modifications and variations can be made without departing from the spirit and scope of the invention. Accordingly, the invention is intended to embrace all such alternatives, modifications and variations and it is not intended that the invention be limited, except as by the appended claims.

CLAIMS

What is claimed is:

1. A method of providing video programming, comprising:

selecting by a computer a plurality of video clips, each of the clips having at least one frame;

determining by the computer a first temporal sequence for the selected video clips, the selected video clips in the determined first temporal sequence defining first video programming;

presenting by the computer said first video programming in a first area of a display;

simultaneously with said presenting said first video programming, presenting by the computer in a second area of the display one or more frames from recently-displayed video clips from the first video programming;

receiving by the computer a user selection of one of the displayed frames;

selecting by the computer a first video clip based on a stored association between the first video clip and a second video clip, the user-selected displayed frame being a frame of the second video clip;

selecting and determining a second temporal sequence for, by the computer and in accordance with a template, a plurality of video clips including the first video clip, to define second video programming; and

presenting by the computer, responsive to said user selection, said second video programming in the first area of the display.

ABSTRACT

Embodiments of the present invention are directed to a method and apparatus for efficient, entertaining information delivery. In one embodiment, information is partitioned into clips. Clips are selected for a user and packaged together for presentation to the user in an entertaining manner. In one embodiment, the clips are selected and packaged together in accordance with a template. In another embodiment, information about a user is used to select clips. In one embodiment, a user is presented with a stream of information comprised of clips of information assembled for the user. The user may select a clip to retrieve additional information related to the clip. In one embodiment, the selected clip is a portion of a program (e.g., a television show, a movie, a song, an advertisement, etc.) and the additional information is a larger clip of the program and/or the entire program.

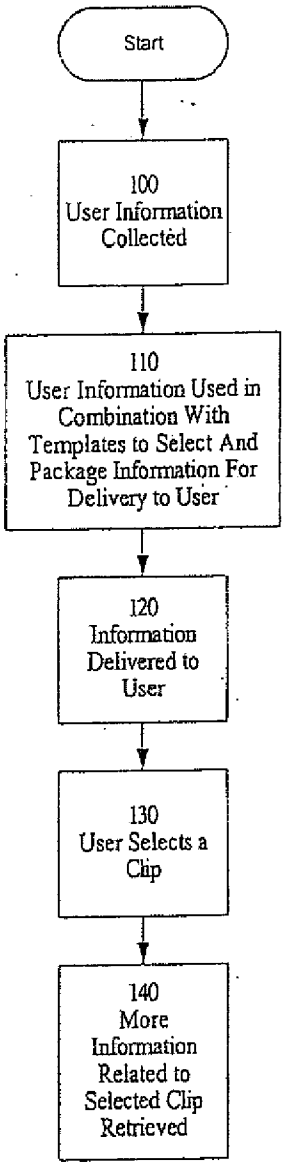

Start
100
User Information Collected
110
User Information Used in Combination With Templates to Select And Package Information For Delivery to User
120
Information Delivered to User
130
User Selects a Clip
140
More Information Related to Selected Clip Retrieved

Figure 1

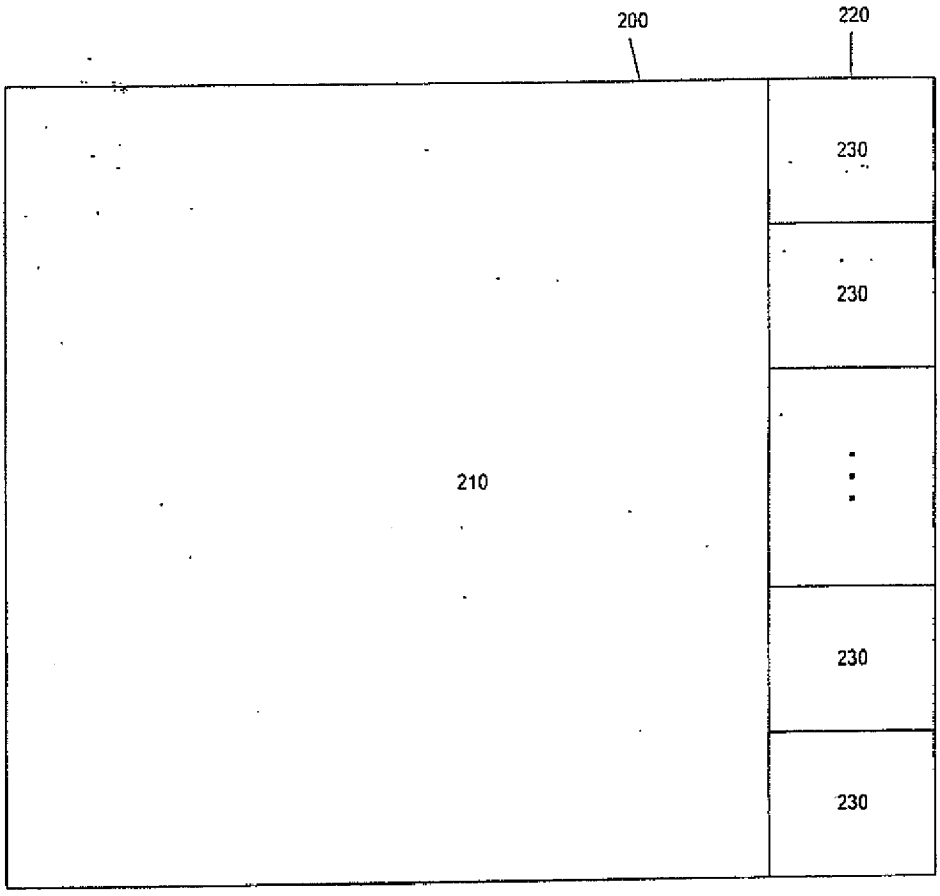


Figure 2

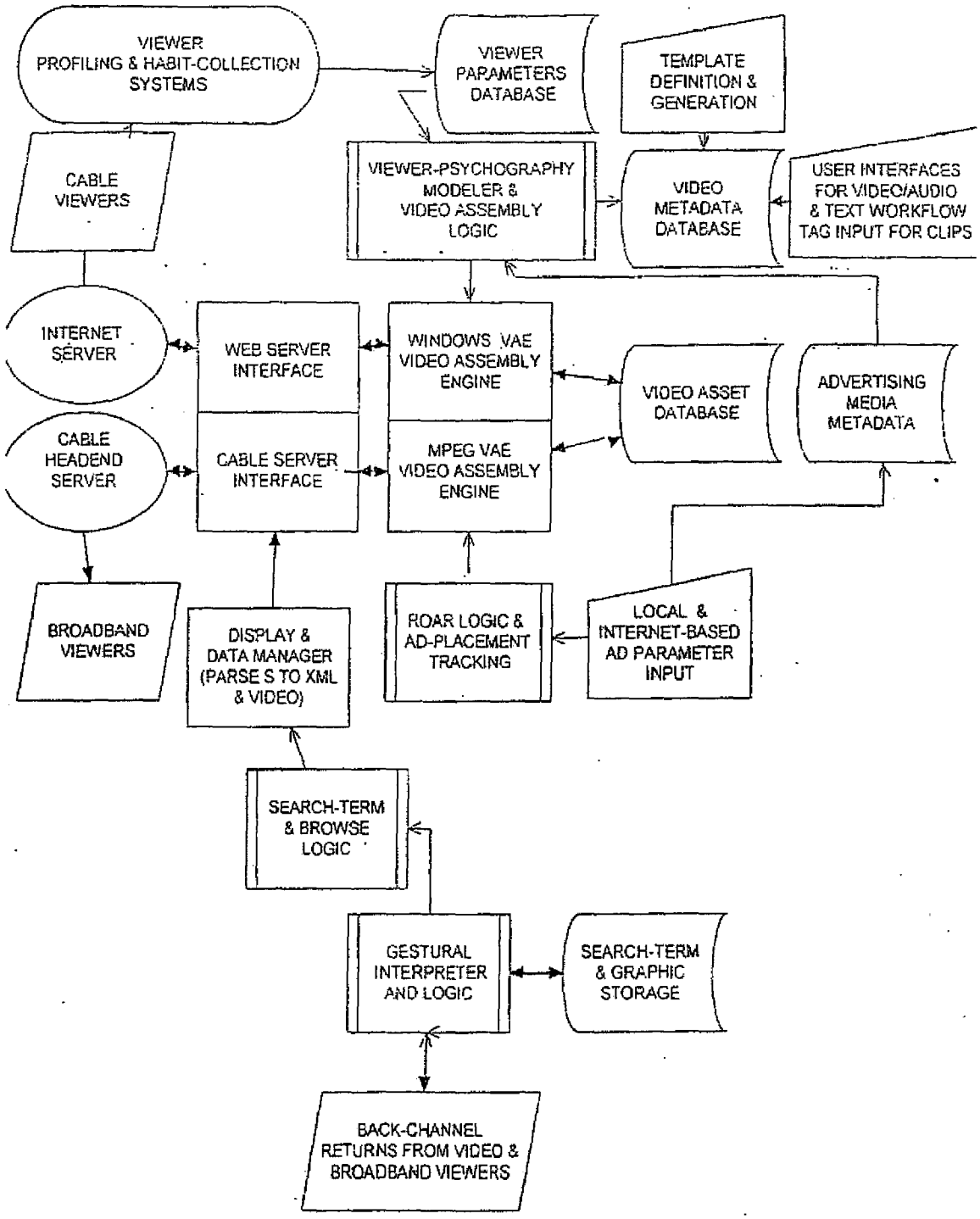

VIEWER PROFILING & HABIT-COLLECTION SYSTEMS
VIEWER PARAMETERS DATABASE
TEMPLATE DEFINITION & GENERATION
CABLE VIEWERS
VIEWER-PSYCHOGRAPHY MODELER & VIDEO ASSEMBLY LOGIC
VIDEO METADATA DATABASE
USER INTERFACES FOR VIDEO/AUDIO & TEXT WORKFLOW TAG INPUT FOR CLIPS
INTERNET SERVER
WEB SERVER INTERFACE
WINDOWS VAE VIDEO ASSEMBLY ENGINE
VIDEO ASSET DATABASE
ADVERTISING MEDIA METADATA
CABLE HEADEND SERVER
CABLE SERVER INTERFACE
MPEG VAE VIDEO ASSEMBLY ENGINE
BROADBAND VIEWERS
DISPLAY & DATA MANAGER (PARSE S TO XML & VIDEO)
ROAR LOGIC & AD-PLACEMENT TRACKING
LOCAL & INTERNET-BASED AD PARAMETER INPUT
SEARCH-TERM & BROWSE LOGIC
GESTURAL INTERPRETER AND LOGIC
SEARCH-TERM & GRAPHIC STORAGE
BACK-CHANNEL RETURNS FROM VIDEO & BROADBAND VIEWERS

Figure 3

Electronic Acknowledgement Receipt

EFS ID:	25523485
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Kenneth B. Ma/Dwight Peck
Filer Authorized By:	Kenneth B. Ma
Attorney Docket Number:	243449.000080
Receipt Date:	18-APR-2016
Filing Date:	
Time Stamp:	17:27:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal of New Application	PTO-TRANSMITTAL-AS-FILED.PDF	206045 ba93273eee50768bd287b302ed59a89d428197af	no	2

Warnings:	
Information:	

2	Application Data Sheet	PTO-ADS-AS-FILED.PDF	2966493 beae44db952b70aafd9144a8c77fd804ce6205d0	no	8
Warnings:					
Information:					
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3		PTO-PRELIM-AMEND-AS-FILED.PDF	92953 1d3b365b71b5bcf8c5d529f3df46fb37f609a3c4	yes	3

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Preliminary Amendment	1	1
	Specification	2	2
	Applicant Arguments/Remarks Made in an Amendment	3	3

Warnings:					
Information:					
4		PTO-SPEC-CLAIMS-ABSTRACT-AS-FILED.PDF	357263 0346f2362bcabe79935e0a9f016440953889b5bf	yes	11

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Specification	1	9
	Claims	10	10
	Abstract	11	11

Warnings:					
Information:					
5	Drawings-only black and white line drawings	DRAWINGS-AS-FILED.PDF	39156 51cd8aa47c434946bc9a7ac526879e4d20d463f9	no	3
Warnings:					
Information:					
			Total Files Size (in bytes):	3661910	

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

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New International Application Filed with the USPTO as a Receiving Office

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PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	04/18/2016	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 1	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.

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*** 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
VERONICA DAY EVERETT

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 15/131,873

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	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	1 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	*	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

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

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

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

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
15/131,873	04/18/2016	2425	0.00	243449.000080	1	1

CONFIRMATION NO. 9056

FILING RECEIPT

6980
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

OC00000008263014S

Date Mailed: 05/04/2016

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)

Dwight MARCUS, Ojai, CA;

Applicant(s)

NTECH PROPERTIES, INC., Oxnard, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 14/494,110 09/23/2014 PAT 9317597
which is a CON of 13/195,709 08/01/2011 PAT 8875185
which is a CON of 10/874,819 06/23/2004 ABN
which claims benefit of 60/482,597 06/24/2003

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

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 05/03/2016

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/131,873**

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

Non-Publication Request: No

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

METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

Preliminary Class

725

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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

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

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

NOT GRANTED

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

SelectUSA

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
15/131,873	04/18/2016	Dwight MARCUS	243449.000080

CONFIRMATION NO. 9056

6980
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

FORMALITIES LETTER

OC000000082630150

Date Mailed: 05/04/2016

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

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

- The statutory basic filing fee is missing.
- The application search fee must be submitted.
- The application examination fee must be submitted.

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) 1-3.
  - The drawings submitted to the Office are not electronically reproducible because portions of figures 1, 3 are missing and/or blurry.

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.

- Surcharge as set forth in 37 CFR 1.16(f) must be submitted.
  The surcharge is due for any one of:
  - late submission of the basic filing fee, search fee, or examination fee,
  - late submission of inventor's oath or declaration,
  - filing an application that does not contain at least one claim on filing, or
  - submission of an application filed by reference to a previously filed application.

SUMMARY OF FEES DUE:

The fee(s) required within **TWO MONTHS** from the date of this Notice to avoid abandonment is/are itemized below. Small entity discount is in effect. If applicant is qualified for micro entity status, an acceptable Certification of Micro Entity Status must be submitted to establish micro entity status. (See 37 CFR 1.29 and forms PTO/SB/15A and 15B.)

- $ **70** basic filing fee.
- $ **70** surcharge.
- $ **300** search fee.
- $ **360** examination fee.
- $(**0**) previous unapplied payment amount.
- $ **800** TOTAL FEE BALANCE DUE.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
  Dwight MARCUS

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

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, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice". 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.

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

/tmekuria/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2425
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: Not yet assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

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

Commissioner:

In response to the Notice to File Missing Parts of Nonprovisional Application ("Notice") mailed May 4, 2016, Applicant herewith submits replacement drawings.

The Notice indicates that replacement drawings in compliance with 37 CFR 1.74, 1.77(b)(9), 1.84 and 1.121(d) are required because all Figures are not free from erasures, alterations, overwriting, interlineations, folds and copy marks. Moreover, the Notice indicates that Figures 1 and 3 are missing and/or blurry.

In response, submitted herewith are replacement sheets including Figures 1-3 to address the above-noted requirements. No new matter is being added. If anything further is needed, please contact the undersigned immediately.

This response is being submitted with a petition for a five-month extension of time and the required fee for a small entity.

In addition, the filing, search, examination, and surcharge fess fees are also believed to be due, and are submitted herewith.

Additionally, if it is determined that any further fees are due or any overpayment has been made, the Commissioner is hereby authorized to debit or credit such sum to Deposition Account No. 20-1507 of Customer No. 06980.

Dated: December 5, 2016

Respectfully submitted,

By: /Louis J. DelJuidice – 47,522/

Louis J. DelJuidice
Registration No. 47,522
TROUTMAN SANDERS LLP
875 Third Avenue
New York, New York 10022
(212) 704-6189
(212) 704-6288 (Fax)
louis.deljuidice@troutmansanders.com
Attorneys/Agents For Applicant

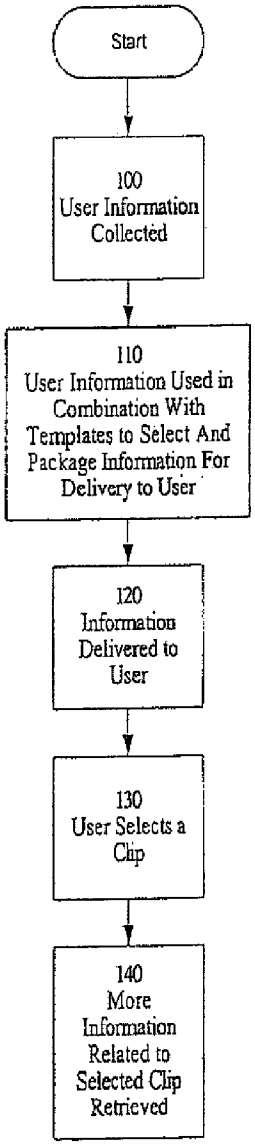

Start
100
User Information Collected
110
User Information Used in Combination With Templates to Select And Package Information For Delivery to User
120
Information Delivered to User
130
User Selects a Clip
140
More Information Related to Selected Clip Retrieved

Figure 1

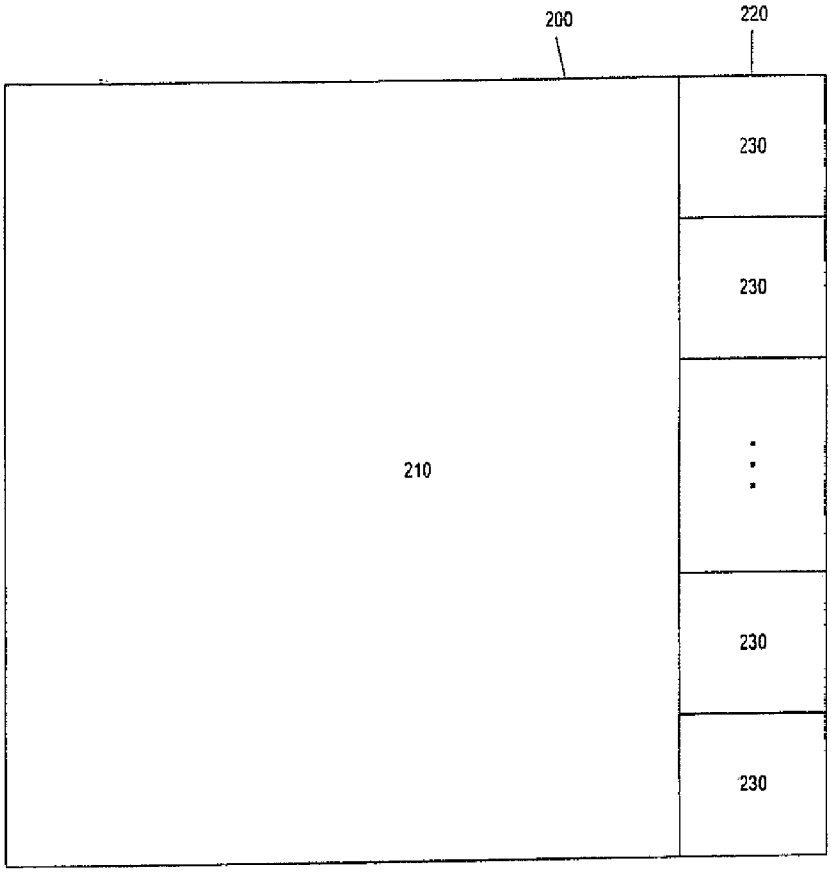


Figure 2

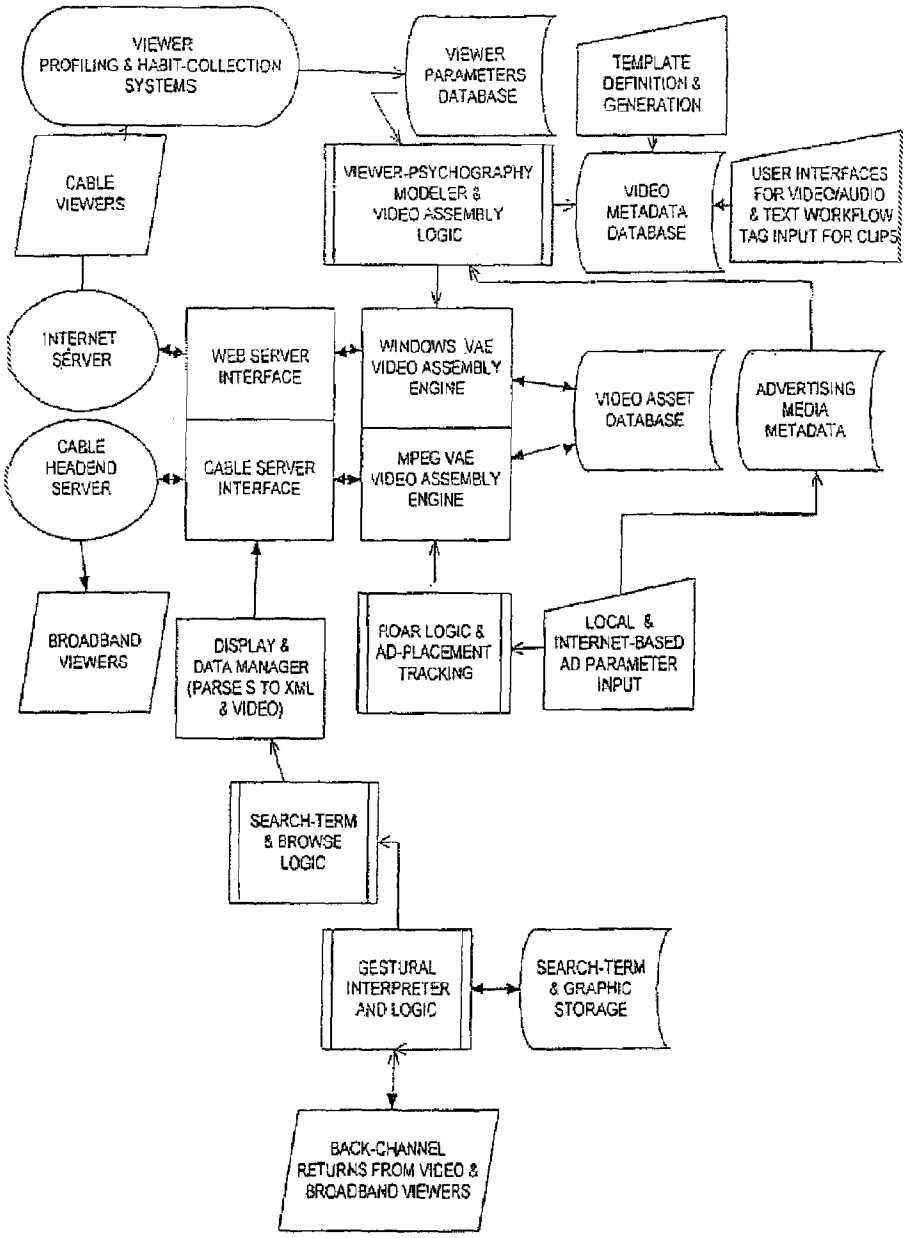

VIEWER PROFILING & HABIT-COLLECTION SYSTEMS
VIEWER PARAMETERS DATABASE
TEMPLATE DEFINITION & GENERATION
CABLE VIEWERS
VIEWER-PSYCHOGRAPHY MODELER & VIDEO ASSEMBLY LOGIC
VIDEO METADATA DATABASE
USER INTERFACES FOR VIDEO/AUDIO & TEXT WORKFLOW TAG INPUT FOR CLIPS
INTERNET SERVER
WEB SERVER INTERFACE
WINDOWS VAE VIDEO ASSEMBLY ENGINE
VIDEO ASSET DATABASE
ADVERTISING MEDIA METADATA
CABLE HEADEND SERVER
CABLE SERVER INTERFACE
MPEG VAE VIDEO ASSEMBLY ENGINE
BROADBAND VIEWERS
DISPLAY & DATA MANAGER (PARSE S TO XML & VIDEO)
ROAR LOGIC & AD-PLACEMENT TRACKING
LOCAL & INTERNET-BASED AD PARAMETER INPUT
SEARCH-TERM & BROWSE LOGIC
GESTURAL INTERPRETER AND LOGIC
SEARCH-TERM & GRAPHIC STORAGE
BACK-CHANNEL RETURNS FROM VIDEO & BROADBAND VIEWERS

Figure 3

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/wight Peck
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	70	70
UTILITY SEARCH FEE	2111	1	300	300
UTILITY EXAMINATION FEE	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
LATE FILING FEE FOR OATH OR DECLARATION	2051	1	70	70
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 5 months with $0 paid	2255	1	1500	1500
Miscellaneous:				
		Total in USD ($)		**2300**

Electronic Acknowledgement Receipt

EFS ID:	27691458
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/wight Peck
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	05-DEC-2016
Filing Date:	18-APR-2016
Time Stamp:	14:04:21
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	PTO-RESPONSE-TO-MISSING-PARTS-AS-FILED.PDF	88247 12aa23b7719149bd6bd035d525b3d1feb3806125	no	2

Warnings:

Information:					
2	Drawings-only black and white line drawings	PTO-REPLACEMENT-SHEETS-AS-FILED.PDF	47608 4bd9b0914f91ac1f04970fb720851d9f7b457f99	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	39201 5db1b2f007d6be90b47beb279276509fdea1e907	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	175056	

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.

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Dwight Peck
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	70	70
UTILITY SEARCH FEE	2111	1	300	300
UTILITY EXAMINATION FEE	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
LATE FILING FEE FOR OATH OR DECLARATION	2051	1	70	70
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 5 months with $0 paid	2255	1	1500	1500
Miscellaneous:				
		Total in USD ($)		**2300**

Electronic Acknowledgement Receipt

EFS ID:	27694659
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Dwight Peck
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	05-DEC-2016
Filing Date:	18-APR-2016
Time Stamp:	15:56:02
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	Fee Worksheet (SB06)	fee-info.pdf	39202 dd7171112675a50a6bf79086a78c7bb3473f1abe	no	2

Warnings:

Information:	
Total Files Size (in bytes):	39202

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.

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 12/06/2016

CVORACHA	SALE	#00000009	Mailroom Dt:	12/05/2016	201507	15131873
		01 FC : 4011		70.00 DA		
		02 FC : 2111		300.00 DA		
		03 FC : 2311		360.00 DA		
		04 FC : 2051		70.00 DA		
		05 FC : 2255		1,500.00 DA		

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
15/131,873	04/18/2016	Dwight MARCUS	243449.000080

CONFIRMATION NO. 9056

6980
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

INFORMAL NOTICE

OC000000087702177

Date Mailed: 12/07/2016

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
  Dwight MARCUS

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

/dgela/

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
15/131,873	04/18/2016	2425	800	243449.000080	1	1

CONFIRMATION NO. 9056

UPDATED FILING RECEIPT

6980
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

OC000000087702176

Date Mailed: 12/07/2016

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)

Dwight MARCUS, Ojai, CA;

Applicant(s)

NTECH PROPERTIES, INC., Oxnard, CA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 14/494,110 09/23/2014 PAT 9317597
which is a CON of 13/195,709 08/01/2011 PAT 8875185
which is a CON of 10/874,819 06/23/2004 ABN
which claims benefit of 60/482,597 06/24/2003

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

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 05/03/2016

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/131,873**

Projected Publication Date: 03/16/2017

Non-Publication Request: No

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

METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

Preliminary Class

725

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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NOT GRANTED

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 15/131,873

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	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	300		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	1 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 =	*	x 210 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 01/17/2017

TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
01/17/2017	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
ryan.schneider@troutmansanders.com
patents@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, DWIGHT	
	Examiner JUNIOR MENDOZA	Art Unit 2423	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *04/18/2016*.

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

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

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

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

Disposition of Claims*

5)☒ Claim(s) *1* 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* 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 *04/18/2016* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Specification

2. The disclosure is objected to because of the following informalities: "VOID" should be changed to "VOD" in paragraph [0006] of the originally filed disclosure.

Appropriate correction is required.

Double Patenting

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

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

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

4. **Claim 1** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185. Although the claims at issue are not identical, they are not patentably distinct from each other because at least independent claim 1 of the instant application is a broader version similar to the subject matter scope captured by claim 1 of U.S. Patent No. 8,875,185.

5. **Claim 1** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597. Although the claims at issue are not identical, they are not patentably distinct from each other because at least independent claim 1 of the instant application is a broader version similar to the subject matter scope captured by claim 1 of U.S. Patent No. 9,317,597.

Claim Rejections - 35 USC § 103

6. 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.

7. **Claim 1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaiser et al. (Pub No US 2002/0019858) in view of Mackintosh et al. (Patent No US 6,317,784). Hereinafter referenced as Kaiser and Mackintosh, respectively.

Regarding **claim 1**, Kaiser discloses a method of providing video programming (Paragraph [0034]; providing high affinity media, including music, video or other audio content), comprising:

selecting by a computer a plurality of video clips, each of the clips having at least one frame (Paragraphs [0051] [0052] figure 7; personal station playlist search and

mapping 715. Wherein the media content may be video content, paragraphs [0034] [0039]);

determining by the computer a first temporal sequence for the selected video clips, the selected video clips in the determined first temporal sequence defining first video programming (Paragraphs [0051] [0052] figure 7; personal station playlist building 720);

receiving by the computer a user selection (Paragraph [0052] figure 7; “get more” user selection 735);

selecting by the computer a first video clip based on a stored association between the first video clip and a second video clip, the user-selection being related to the second video clip (Paragraph [0052] figure 7; improving a playlist to the user's newly specified preference for the presently playing clip 740);

selecting and determining a second temporal sequence for, by the computer and in accordance with a template (media mapping), a plurality of video clips including the first video clip, to define second video programming (Paragraphs [0051] [0052] figure 7; new playlist building 745);

and presenting by the computer, responsive to said user selection, said second video programming in the first area of the display (Paragraphs [0053] [0052] [0056] figure 7; user experiences new playlist 750).

However, it is noted that Kaiser is silent to explicitly disclose presenting by the computer said first video programming in a first area of a display; simultaneously with said presenting said first video programming, presenting by the computer in a second

area of the display one or more frames from recently-displayed video clips from the first video programming; and receiving by the computer a user selection of one of the displayed frames, the user-selected displayed frame being a frame of a video clip

Nevertheless, in a similar field of endeavor Mackintosh also discloses a clip presenting system (figure 12) which allows the users to obtain more clips related to a selected clip (Col. 15 lines 13-36). Mackintosh further discloses presenting by the computer said first video programming (currently selected content) in a first area of a display area (Col. 22 line 61 – col. 23 line 6, figure 12; area component 526. Wherein the broadcast material may be radio content or video programs, col. 5 lines 12-15 and col. 6 lines 25-29);

simultaneously with said presenting said first video programming (currently selected content), presenting by the computer in a second area (content history component 525) of the display one or more frames (images 525a, 525b, 525c) from recently-displayed video clips from the first video programming (Col. 23 lines 7-25 figure 12; simultaneously displaying frames 525 of previously displayed content);

and receiving by the computer a user selection of one of the displayed frames, the user-selected displayed frame being a frame of a video clip (Col. 3 lines 48-50 figure 12; user may select frames from history bar).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively selects clips of content from a screen which presents

current and previous clips simultaneously, without the need to force the user to navigate to other screens, allowing the interface to be more user friendly.

8. **Claim 1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaiser in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter referenced as Begeja.

Regarding **claim 1**, Kaiser discloses a method of providing video programming (Paragraph [0034]; providing high affinity media, including music, video or other audio content), comprising:

selecting by a computer a plurality of video clips, each of the clips having at least one frame (Paragraphs [0051] [0052] figure 7; personal station playlist search and mapping 715. Wherein the media content may be video content, paragraphs [0034] [0039]);

determining by the computer a first temporal sequence for the selected video clips, the selected video clips in the determined first temporal sequence defining first video programming (Paragraphs [0051] [0052] figure 7; personal station playlist building 720);

receiving by the computer a user selection (Paragraph [0052] figure 7; “get more” user selection 735);

selecting by the computer a first video clip based on a stored association between the first video clip and a second video clip, the user-selection being related to

the second video clip (Paragraph [0052] figure 7; improving a playlist to the user's newly specified preference for the presently playing clip 740);

selecting and determining a second temporal sequence for, by the computer and in accordance with a template (media mapping), a plurality of video clips including the first video clip, to define second video programming (Paragraphs [0051] [0052] figure 7; new playlist building 745);

and presenting by the computer, responsive to said user selection, said second video programming in the first area of the display (Paragraphs [0053] [0052] [0056] figure 7; user experiences new playlist 750).

However, it is noted that Kaiser is silent to explicitly disclose presenting by the computer said first video programming in a first area of a display; simultaneously with said presenting said first video programming, presenting by the computer in a second area of the display one or more frames from recently-displayed video clips from the first video programming; and receiving by the computer a user selection of one of the displayed frames, the user-selected displayed frame being a frame of a video clip

Nevertheless, in a similar field of endeavor Begeja also discloses a clip presenting system (figure 5) which allows the users to obtain more clips related to a selected clip (Paragraph [0042]). Begeja further discloses presenting by the computer said first video programming (current clip 510) in a first area of a display area (Paragraph [0069] figure 5);

simultaneously with said presenting said first video programming (current clip 510), presenting by the computer in a second area of the display one or more frames

(section 505 with thumbnails representing each clip) from recently-displayed video clips from the first video programming (Paragraphs [0068] [0069] figure 5; presenting in section 505 thumbnails representing each clip, wherein the user may skip to a previous clip displayed in section 505 with button 525);

and receiving by the computer a user selection of one of the displayed frames, the user-selected displayed frame being a frame of a video clip (Paragraph [0068] [0069] figure 5; user selections using buttons 525-550).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of allowing the users to easily and effectively selects clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate to other screens, allowing the interface to be more user friendly and presenting media relevant to the interests of the user (Begeja – paragraph [0008]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Friday 9am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin R. Bruckart can be reached on (571)272-3982. 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.

Junior O Mendoza
Primary Examiner
Art Unit 2423

/JUNIOR MENDOZA/
Primary Examiner, Art Unit 2423

Notice of References Cited	Application/Control No. 15/131,873	Applicant(s)/Patent Under Reexamination MARCUS, DWIGHT	
	Examiner JUNIOR MENDOZA	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-6,317,784 B1	11-2001	Mackintosh; Gregory B.	H04H20/02	348/E7.063
*	B	US-2002/0019858 A1	02-2002	Kaiser, Rolf	G06F17/30029	709/219
*	C	US-2004/0025180 A1	02-2004	Begeja, Lee	G06F17/30017	725/46
*	D	US-8,875,185 B2	10-2014	Marcus; Dwight	G06Q20/123	725/41
*	E	US-9,317,597 B2	04-2016	Marcus; Dwight	G06Q20/123	1/1
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15131873	MARCUS, DWIGHT
	Examiner	**Art Unit**
	JUNIOR MENDOZA	2423

✓	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	01/06/2017								
	1	✓								

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CONFIRMATION NO. 9056

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
15/131,873	04/18/2016	725	2423	243449.000080

APPLICANTS
NTECH PROPERTIES, INC., Oxnard, CA;

INVENTORS
Dwight MARCUS, Ojai, CA;

**** CONTINUING DATA ***************************
This application is a CON of 14/494,110 09/23/2014 PAT 9317597
which is a CON of 13/195,709 08/01/2011 PAT 8875185
which is a CON of 10/874,819 06/23/2004 ABN
which claims benefit of 60/482,597 06/24/2003

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
05/03/2016

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /JUNIOR O MENDOZA/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		CA	3	1	1

ADDRESS
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308
UNITED STATES

TITLE
METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15131873	MARCUS, DWIGHT
	Examiner	Art Unit
	JUNIOR MENDOZA	2423

CPC- SEARCHED		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	1/6/2017	JM

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	1/6/2017	JM
Class 725 Plus Text Search	1/6/2017	JM
Double Patenting Search	1/6/2017	JM

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	1/6/2017	JM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L12	25	L11 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2017/01/07 22:26
L11	8641	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2017/01/07 22:26
L10	124	("5708767" | "6282549" | "6304898" | "6385306" | "6453355" | "5924105" | "6434550" | "6507841" | "20070079327" | "5532735" | "6229524" | "6691954" | "7000242" | "5664227" | "5821945" | "5874986" | "5999985" | "6324512" | "6460075" | "6477565" | "6385619" | "20020152477" | "6810526" | "20020052747" | "20020100046" | "6496857" | "6751776" | "6233389" | "6353825" | "20050076378" | "5614940" | "6961954" | "5996007" | "6393054" | "6389467" | "5864366" | "6092107" | "6477707" | "6411952" | "20010013123" | "20020138843" | "20050028194" | "20050278741" | "6345279" | "6363380" | "6061056" | "20050076357" | "6493688" | "5710591" | "6098082" | "6289346" | "20010049826" | "6671715" | "5835087" | "7178107" | "7130790" | "6526580" | "7006881" | "5999173" | "5835667" | "6166735" | "6324338" | "5805763" | "6038296" | "6236395" | "6243676" | "5734893" | "20040117831" | "20080120345" | "6188398" | "6956573" | "20020093591" | "20020173964" | "6564263" | "6970915" | "20020152464" | "20050223408" | "6298482" | "6678890").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/01/07 22:24
L9	14	L8 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/01/07 22:22
L8	2035	H04N21/262$.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2017/01/07 22:22

			IBM_TDB			
L7	231	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/01/07 22:22
L3	5	"9,317,597".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/01/07 22:19
L1	1	"8,875,185".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/01/07 22:17

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L6	22	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2017/01/07 22:21
L5	9	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2017/01/07 22:20
L4	6	(clip same (template playlist) same concatenat$4).clm.	US-PGPUB; USPAT	OR	ON	2017/01/07 22:20

1/7/2017 10:28:37 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
15/131,873	04/18/2016	Dwight MARCUS	243449.000080

CONFIRMATION NO. 9056

6980
TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

PUBLICATION NOTICE

OC000000089945664

Title:METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

Publication No.US-2017-0078768-A1
Publication Date:03/16/2017

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 (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, 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/AIA/01 (06-12)
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☒ United States application or PCT international application number 15/131,873

filed on 04-18-2016.

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

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

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

WARNING:

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

LEGAL NAME OF INVENTOR

Inventor: Dwight MARCUS Date (Optional): May 9, 2016

Signature: 

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

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Electronic Acknowledgement Receipt

EFS ID:	28829976
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Dwight Peck
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	04-APR-2017
Filing Date:	18-APR-2016
Time Stamp:	15:58:44
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	Oath or Declaration filed	80-PTO-Exe-Declaration.pdf	503762 bd0566f0a90ea69b6a33e563c27d4e18285cd567	no	1

Warnings:

Information:	
Total Files Size (in bytes):	503762

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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO NON-FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Non-Final Office Action dated January 17, 2017.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 3.

Remarks begin on page 4.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE SPECIFICATION

On page 3 of the Specification, please amend the paragraph [0006] as follows:

[0006] The world wide web is another system for delivering a wide variety of information to system users. Typically, a user locates desired information by typing in a web address, performing a search or following links. This method is similar to the ~~VOID~~ VOD method in that the user has more control over what content is delivered. However, in both systems, information retrieval is inefficient and non-entertaining.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (New) A method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a fist viewing area;

a second viewing area; and

playing, in the first viewing area of the information display, a primary video clip;

playing, in the second viewing area of the information display, the primary video clip when the first viewing area is displaying a secondary video clip.

3. (New) The method of claim 2, further comprising the steps of :

partitioning the information display to comprise a third viewing area;

playing the primary video clip in the third viewing area when the secondary video clip completes displaying; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claim 1 has been cancelled without prejudice or disclaimer of the subject matter therein.

Claims 2 and 3 have been added, no new matter has been introduced. Support can be found at least in Figure 2 and paragraphs [0020]-[0023] in the Specification as filed.

Claims 2-3 are pending.

II. Objection to the Specification

The Specification has been amended to correct a typographical error. No new matter is added.

III. Double Patenting

Claim 1 is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185. Claim 1 is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597. Claim 1 has been cancelled, rendering this rejection moot.

IV. Rejections under 37 U.S.C. § 103

Claim 1 is rejected under (pre-AIA) 35 U.S.C. § 103(a) as unpatentable over Kaiser et al. (US Pub. No. 2002/0019858) ("Kaiser") in view of Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh"). Claim 1 is rejected under 35 U.S.C. § 103(a) as unpatentable over Kaiser in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeia"). Applicant respectfully traverses.

Claim 1 has been cancelled, rendering its rejection moot. New claims 2 and 3 are distinct from Kaiser, Mackintosh and Begeja. While Mackintosh displays multiple areas, they display static images of previous audio clips, via album covers, and previous advertising. None of these are "played" as these are only historical information and not the clips themselves. The present claims maintain the previous videos playing in the second and third viewing areas, as the next clip moves into the primary viewing area.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Louis J. DelJuidice -47,522/

Louis J. DelJuidice
Registration No. 47,522

Please recognize our Customer No. 06980 as our correspondence address.
Attorneys/Agents for Applicants

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Louis.DelJuidice@troutmansanders.com

Date: July 17, 2017

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Tim Ellis
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
			Total in USD ($)	**700**

Electronic Acknowledgement Receipt

EFS ID:	29807111
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Tim Ellis
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	17-JUL-2017
Filing Date:	18-APR-2016
Time Stamp:	18:53:38
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$700
RAM confirmation Number	071817INTEFSW00005890201507
Deposit Account	
Authorized User	

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Amendment-Response-to-Non-Final-OA_2017-07-17_243449-000080.pdf	106786 125ef183c979bc2e05cd8065dd5e0c34bf253a20	yes	5

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Specification	2	2
	Claims	3	3
	Applicant Arguments/Remarks Made in an Amendment	4	4
	Amendment/Req. Reconsideration-After Non-Final Reject	5	5

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30947 323beef9f8f94205cf1926cf55af308ae900de14	no	2

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New Applications Under 35 U.S.C. 111

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

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New International Application Filed with the USPTO as a Receiving Office

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	07/17/2017	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 2	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.

SLIE
Kelley Dantzler

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 10/06/2017

TROUTMAN SANDERS LLP
600 Peachtree Street
Suite 5200
Atlanta, GA 30308

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
10/06/2017	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
ryan.schneider@troutmansanders.com
patents@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, DWIGHT	
	Examiner JUNIOR MENDOZA	Art Unit 2423	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *07/17/2017*.

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

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

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

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

Disposition of Claims*

5)☒ Claim(s) *2 and 3* 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) *2 and 3* is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Response to Arguments

2. Applicant's arguments with respect to claims 2-3 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Double Patenting

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

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

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

4. **Claim 2** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claim 2 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 1 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

5. **Claim 2** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claim 2 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 1 of U.S. Patent No9,317,597 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

7. **Claims 2 and 3** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mackintosh et al. (Patent No US 6,317,784) in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter, referenced as Mackintosh and Begeja, respectively.

Regarding **claim 2**, Mackintosh discloses a method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display (Figure 7 and 12) to comprise:

a fist viewing area (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7);

a second viewing area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order);

and playing, in the first viewing area (e.g. window 302) of the information display, a primary video clip (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played; e.g. television video broadcast);

displaying, in the second viewing area of the information display (e.g. most recent sub-window 255a in sliding history window 306), the primary video clip when the first viewing area is displaying a secondary video clip (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip comprises playing the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Regarding **claim 3**, Mackintosh discloses the method of claim 2; moreover, Mackintosh discloses the steps of partitioning the information display to comprise a third viewing area (Figures 4 and 12; next most recent sub-window in sliding history window 306, e.g. sprint commercial);

displaying the primary video clip in the third viewing area when the secondary video clip completes displaying (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and displaying the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area (For example, moving the

current Fastball clip to sub-window 255a and Fleetwood Mac to the next most recent sub-window 255a in sliding history window 306).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip and secondary video clip comprises playing the primary video clip and secondary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip and secondary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Conclusion

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 JUNIOR MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Friday 9am - 5pm EST.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin R. Bruckart can be reached on (571)272-3982. 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.

Junior O Mendoza
Primary Examiner
Art Unit 2423

/JUNIOR MENDOZA/
Primary Examiner, Art Unit 2423

Notice of References Cited	Application/Control No. 15/131,873	Applicant(s)/Patent Under Reexamination MARCUS, DWIGHT	
	Examiner JUNIOR MENDOZA	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2004/0025180 A1	02-2004	Begeja, Lee	G06F17/30017	725/46
	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	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

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

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15131873	MARCUS, DWIGHT
	Examiner	Art Unit
	JUNIOR MENDOZA	2423

CPC- SEARCHED		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	9/29/2017	JM

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

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

SEARCH NOTES		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	9/29/2017	JM
Class 725 Plus Text Search	9/29/2017	JM
Double Patenting Search	9/29/2017	JM

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	9/29/2017	JM

	/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L22	269	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 18:13
L19	269	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 18:10
L18	13	L17 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 18:09
L17	2091	H04N21/262$.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 18:09
L16	63	(thumbnail thumbnail) with (video mov$3) same clip and "725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 17:02
L15	5	13 and (thumbnail thumbnail) with (video mov$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 16:59
L13	38	(US-20040025180-$ or US-20030229894-$ or US-20030163815-$ or US-20030037332-$ or US-20020166122-$ or US-	US-PGPUB; USPAT	OR	ON	2017/09/29 16:59

		20020154157-$ or US-20020075572-$ or US-20020067376-$ or US-20020056100-$ or US-20020056098-$ or US-20020019858-$ or US-20010027475-$ or US-20020032905-$ or US-20060235550-$ or US-20100049699-$ or US-20100095333-$ or US-20100142915-$ or US-20080092168-$ or US-20070113250-$ or US-20120180083-$ or US-20020092019-$ or US-20050262151-$ or US-20070028264-$ or US-20020053078-$ or US-20170078768-$ or US-20040268400-$).did. or (US-7185283-$ or US-7174512-$ or US-6711741-$ or US-6522342-$ or US-6317784-$ or US-6314575-$ or US-6154771-$ or US-5621456-$ or US-7512622-$ or US-7380262-$ or US-7877676-$ or US-7251790-$).did.				
S137	16	("20020075572" | "20020140719" | "20020144276" | "20020188959" | "20030016254" | "20030098869" | "20040068536" | "20040268400" | "5442744" | "6172672" | "6222532" | "6418473" | "6711741" | "6747674" | "7251790" | "7366241").PN.	US-PGPUB; USPAT; USOCR	OR	ON	2017/09/29 14:07
S136	18	("2002/0075572").URPN.	USPAT	OR	ON	2017/09/29 14:06
S135	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2017/09/29 13:55

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L21	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2017/09/29 18:10
L20	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2017/09/29 18:10
L14	5	"Term Removed" or "Term Removed"	US-PGPUB; USPAT	OR	ON	2017/09/29 16:59

9/29/2017 6:13:33 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15131873	MARCUS, DWIGHT
	Examiner	**Art Unit**
	JUNIOR MENDOZA	2423

✓	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	01/06/2017	09/29/2017							
	1	✓	-							
	2		✓							
	3		✓							

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	15/131,873	Filing Date	2016-04-18	Docket Number (if applicable)	243449.000080	Art Unit	2423
First Named Inventor	Dwight MARCUS			Examiner Name	MENDOZA, JUNIOR O		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☒ Other Petition for 3 months Extention of Time

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 201507

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Louis J. DelJuidice - 47,522/	Date (YYYY-MM-DD)	2018-04-06
Name	Louis John DelJuidice	Registration Number	47522

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Final Office Action dated October 6, 2017.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a fist viewing area;

a second viewing area; and

playing, in the first viewing area of the information display, a primary video clip; and

playing, in the second viewing area of the information display, the primary video clip when the first viewing area is ~~displaying~~ simultaneously playing a secondary video clip.

3. (Previously Presented) The method of claim 2, further comprising the steps of:

partitioning the information display to comprise a third viewing area;

playing the primary video clip in the third viewing area when the secondary video clip completes displaying; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claim 1 has been cancelled.

Claim 2 has been amended, no new matter is added.

Claims 2-3 are pending.

II. Double Patenting

Claim 2 is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claim 2 is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 37 U.S.C. § 103

Claims 2 and 3 are rejected under (pre-AIA) 35 U.S.C. § 103(a) as unpatentable over Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Begeja. Applicant respectfully traverses.

Claim 2 has been amended to recite in part the steps of:

> playing, in the first viewing area of the information display, a primary video clip; and
>
> playing, in the second viewing area of the information display, the primary video clip when the first viewing area is simultaneously playing a secondary video clip.

Thus, as recited in the Specification, paragraph [0023] "each mini-display region 230 displays a separate stream of information retrieved for a user. For example, one mini-display region may stream sports-related content while another streams content related to nostalgic ads from the 70's and 80's."

In contrast, while Mackintosh displays multiple areas, only one of the "viewing areas" is being played at any one moment. To use Mackintosh's example from Figure 12, only Fastball is

playing at the moment, not Fleetwood Mac. One of skill in the art would not see Mackintosh as teaching or suggesting that Fleetwood Mac and Fastball play simultaneously, as it would be a cacophony. Mackintosh labels 525 as "a history component" as these display only historical information and not the clips themselves and none of these are "played" as in the present claims.

Even turning to Begeja, Figure 5 only illustrates one set of player controls for "section 510" the other clips in "section 505" are waiting to be played. Begeja notes that "[i]n section 505, **still frames** of the beginning of each clip… can be viewed by a user" (Begeja, paragraph [0068], *emphasis added*). This is further supported by noting that the clips are played in "a predetermined order" i.e. not simultaneously (*see*, Begeja, paragraph [0070]). One of skill in the art is not taught or suggested to have multiple playing clips.

The lack of teaching or suggestion to the present claims is further reinforced when the two references are combined, both teaching the same single clip playing concept. Mackintosh teaches presenting the previously played clips, Begeja teaches presenting the next to played clips, but both teach playing only one clip at a time.

Applicant respectfully submits that neither Mackintosh nor Begeja, alone or in combination, teach or suggest all of the elements of claims 2 and 3. Applicant requests that the rejections be withdrawn.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Louis J. DelJuidice -47,522/

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Please recognize our Customer No. 06980 as our correspondence address.
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Date: April 6, 2018

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Manami Ketring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $0 paid	2253	1	700	700
Miscellaneous:				
			Total in USD ($)	**700**

Electronic Acknowledgement Receipt

EFS ID:	32272273
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Manami Ketring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	06-APR-2018
Filing Date:	18-APR-2016
Time Stamp:	17:48:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$700
RAM confirmation Number	040918INTEFSW00004568201507
Deposit Account	201507
Authorized User	Dwight Peck

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

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	080-RCE.PDF	1365780 43993165a7ffc1162877651f2b3486ed0c544d09	no	3
Warnings:					
Information:					
2	Response After Final Action	080-PTO-FOAR-AF-2018-04-06.PDF	114354 6ef2c9b350b01ac5cee57a4d96c2cdc328c8e399	no	5
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30995 883dec038288008963006ff0ae46d593a5490777	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1511129		

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.

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Manami Ketring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 1st Request	2801	1	650	650
		Total in USD ($)		**650**

Electronic Acknowledgement Receipt

EFS ID:	32272403
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Manami Ketring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	06-APR-2018
Filing Date:	18-APR-2016
Time Stamp:	17:57:41
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$650
RAM confirmation Number	040918INTEFSW00004681201507
Deposit Account	201507
Authorized User	Dwight Peck

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

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30882 5aa95cac0c1d968526cb1ca5c10bb3dc258a6f9e	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	30882		

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	04/06/2018	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 2	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 05/16/2018

TROUTMAN SANDERS LLP
600 PEACHTREE ST NE STE 3000
ATLANTA, GEORGIA 30308-2219
UNITED STATES OF AMERICA

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
05/16/2018	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
patents@troutmansanders.com
ryan.schneider@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 04/06/2018.

☐ 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) 2-3 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) 2-3 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/06/2018has been entered.

Response to Arguments

3. Applicant's arguments filed 04/06/2018 have been fully considered but they are not persuasive.

Regarding **claims 2 and 3**, applicant argues that Mackintosh in view of Begeja does not teach "playing, in the second viewing area of the information display, the primary video clip when the first viewing area is simultaneously playing a secondary video clip", see remarks.

However, the examiner respectfully disagrees with the applicant. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are

based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Mackintosh discloses window 302/526 displaying content currently being played, wherein while the content being played refers to radio content segments, the disclosure may be also implemented with television video broadcast segments, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7, figure 7 and 12. Wherein as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments; col. 23 lines 7-25 figures 7 and 12. The examiner notes that the displayed television video content on window 302/526 reasonably reads on the claimed primary video clip and secondary video clip when the played content switches over to a newer segment.

Moreover, Mackintosh teaches a history sliding section 306/525 which display thumbnails of the five most recently displayed segments of content in chronological order; col. 15 line 56 – col. 16 line 23 figures 7 and 12.

While Mackintosh discloses thumbnails 525a-c in sliding history window 306 representing the content that has been previously been played in window 302/526; Mackintosh is silent to state that these thumbnails are being played.

In this instance, Begeja discloses that it is known in the art to provide a representation of video clips in section 505 as thumbnails, video thumbscreens or video files; paragraphs [0068] [0092] figure 5. Enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Therefore, the combination of Mackintosh in view of Begeja clearly disclose playing, in the second viewing area of the information display, the primary video clip when the first viewing area is simultaneously playing a secondary video clip", as claimed.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been

obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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

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

5. **Claim 2** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185

already captures all the elements being claimed on claim 2 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 1 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

6. **Claim 2** is rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claim 2 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs

[0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claim 1 of U.S. Patent No 9,317,597 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

8. **Claims 2 and 3** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mackintosh et al. (Patent No US 6,317,784) in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter, referenced as Mackintosh and Begeja, respectively.

Regarding **claim 2**, Mackintosh discloses a method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display (Figure 7 and 12) to comprise:

a fist viewing area (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7);

a second viewing area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order);

and playing, in the first viewing area (e.g. window 302) of the information display, a primary video clip (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played; e.g. television video broadcast);

displaying, in the second viewing area of the information display (e.g. most recent sub-window 255a in sliding history window 306), the primary video clip when the first viewing area is simultaneously playing a secondary video clip (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip comprises playing the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Regarding **claim 3**, Mackintosh discloses the method of claim 2; moreover, Mackintosh discloses the steps of partitioning the information display to comprise a third viewing area (Figures 4 and 12; next most recent sub-window in sliding history window 306, e.g. sprint commercial);

displaying the primary video clip in the third viewing area when the secondary video clip completes displaying (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and displaying the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area (For example, moving the

current Fastball clip to sub-window 255a and Fleetwood Mac to the next most recent sub-window 255a in sliding history window 306).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip and secondary video clip comprises playing the primary video clip and secondary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip and secondary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an

interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018						
	1	✓	-	-						
	2		✓	✓						
	3		✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	05/11/2018	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	05/11/2018	JM
Class 725 Plus Text Search	05/11/2018	JM
Double Patenting Search	05/11/2018	JM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	05/11/2018	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	35	L6 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:44
L6	1101	G06F17/30017.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:44
L5	137	clip with playlist and length and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:38
L3	137	clip with playlist and length and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:19
L2	14	L1 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:19
L1	2136	H04N21/262$.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 14:19
S160	269	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT;	OR	ON	2018/05/11 12:18

			USOCR; FPRS; EPO; JPO; IBM_TDB			
S159	25	S158 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/11 12:18
S158	8643	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/11 12:18
S157	12	S156 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/11 12:15
S156	28467	"709".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/11 12:15
S155	42	(US-20050044569-$ or US-20030163815-$ or US-20050198677-$ or US-20030046693-$ or US-20020075572-$ or US-20020056098-$ or US-20060053448-$ or US-20030066085-$ or US-20010027475-$ or US-20020060750-$ or US-20020138440-$ or US-20020111912-$ or US-20020166122-$ or US-20030229894-$ or US-20040205816-$ or US-20030037332-$ or US-20020016965-$ or US-20020019858-$ or US-20020056100-$ or US-20020154157-$ or US-20020067376-$ or US-20040025180-$ or US-20020069308-$ or US-20030167202-$ or US-20020032019-$ or US-20060031551-$).did. or (US-6522342-$ or US-6711741-$ or US-6141003-$ or US-7174512-$ or US-6154771-$ or US-7263188-$ or US-7099849-$ or US-6993508-$ or US-7185283-$ or US-5621456-$ or US-6314575-$ or US-7434245-$ or US-6799327-$ or US-7003515-$ or US-6539395-$ or US-6317784-$).did.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 12:03
S154	63	(thumbnail thumbnail) with (video mov$3) same clip and "725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/05/11 12:02
S153	1	"15131873"	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/10 16:53
S152	12	S151 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/10 16:20

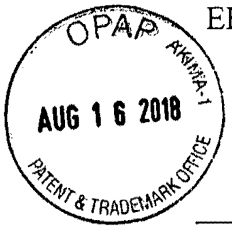
S151	28467	"709".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2018/05/10 16:20

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L11	3	(marcus and dwight).in. and (clip same area).clm.	US-PGPUB; USPAT	OR	ON	2018/05/11 14:46
L10	26	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2018/05/11 14:44
L9	6	(clip same (template playlist) same concatenat$4).clm.	US-PGPUB; USPAT	OR	ON	2018/05/11 14:44
L8	6	(clip same (template playlist) same concatenat$4).clm.	US-PGPUB; USPAT	OR	ON	2018/05/11 14:44

5/11/2018 2:47:04 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

08-20-18 IFW



EK 774412983 US

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO NON-FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Non-Final Office Action dated May 16, 2018.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a fist viewing area;

a second viewing area; and

playing, in the first viewing area of the information display, a primary video clip at a first point in time;

playing, in the first viewing area of the information display, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and

playing, in the second viewing area of the information display, the primary video clip ~~when the first viewing area is simultaneously playing a secondary video clip~~ at the second point in time.

3. (Previously Presented) The method of claim 2, further comprising the steps of:

partitioning the information display to comprise a third viewing area;

playing the primary video clip in the third viewing area when the secondary video clip completes displaying; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

TikTok Ex. 1007, Page 140 of 405

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-3 are pending. Claim 1 was previously cancelled. By the present response, claim 2 is amended. Support for the amendment may at least be found in the application as originally filed. Applicant respectfully submits that no new matter is added.

II. Double Patenting

Claim 2 stands rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claim 2 stands rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 37 U.S.C. § 103

Claims 2 and 3 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as unpatentable over Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Begeja. Applicant respectfully traverses. Nevertheless, without acquiescing to the rejections and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claim 2.

Claim 2 has been amended to recite in part the steps of:

> playing, in the first viewing area of the information display, a primary video clip at a first point in time;
>
> playing, in the first viewing area of the information display, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and
>
> playing, in the second viewing area of the information display, the primary video clip at the second point in time.

The Office Action expressly acknowledged that "Mackintosh is silent to explicitly disclose that displaying the primary video clip comprises playing the primary video clip." (Office Action, page 8). In fact, not only Mackintosh fails to disclose playing the primary video clip, the Office also failed to identify anywhere in Mackintosh that discloses "playing, in the first viewing

area of the information display, a secondary video clip at a **second point in time**, where the second point in time occurs after the first point in time; and playing, in the second viewing area of the information display, the primary video clip at the **second point in time**."

The Office did not identify anywhere in Mackintosh that disclose playing two video clips in two viewing areas at the same time. Likewise, the Office did not identify anywhere in Begeja that discloses playing two video clips in two viewing areas at the same time.

The Office asserted on page 4 that:

> In this instance, Begeja discloses that it is known in the art to provide a representation of video clips in section 505 as thumbnails, video thumbscreens or video files; paragraphs [0068] [0092] figure 5. Enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

However, none of the cited sections of Begeja, i.e., paragraphs [0068], [0092] and figure 5, disclose that a video clip is played in section 505. Paragraphs [0068] of Begeja explicitly states that section 505 displays "still frames of the beginning of each clip (i.e., thumbnails)". The Office did not identify anywhere in Begeja that discloses its section 505 plays any clip. In fact, clip if selected is played in Begeja's primary display area 510. See Begeja's paragraph [0069]. Accordingly, the Office did not identify anywhere in Begeja that discloses playing two video clips in two viewing areas at the same time.

Based on the foregoing, Applicant respectfully submits that claim 2 is patentable over the prior art of record. Withdrawal of the rejection to claim 1 is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claim 3 depending from claim 2 which include additional allowable subject matter further to the allowable subject matter of the independent claim 2.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Dan Li Limited Recognition No. L0529/

Dan Li
Limited Recognition No. L0529

Please recognize our Customer No. 06980 as our correspondence address.
Attorneys/Agents for Applicants

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Date: August 16, 2018



Certificate of Express Mailing under 37 CFR § 1.10

Express Mail Label Number EK 774412983 US

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on 16 August 2018
Date

David Lee
Signature

DAVID LEE
Typed or printed name of person signing Certificate

Registration Number, if applicable

212 704.6000
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Includes:

1. **Response to Non-Final Office Action (5 pages)**
2. **Certificate of Express Mail (1 page)**
3. **Return Postcard**

In Re Application of:	**METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY**
Serial No.:	**15/131,873**
Filing Date:	**April 18, 2016**
Attorney Docket No.:	**243449.000080**

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 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	08/16/2018	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 2	Minus	** 20	= 0	X $50 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus	***3	= 0	X $230 =	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
PEARLIE 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 12/13/2018

TROUTMAN SANDERS LLP
600 Peachtree St., NE, Suite 3000
Atlanta, GA 30308

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
12/13/2018	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
patents@troutmansanders.com
ryan.schneider@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 08/16/2018.

☐ 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) 2-3 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) 2-3 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Response to Arguments

2. Applicant's arguments filed 08/16/2018 have been fully considered but they are not persuasive.

Regarding **claims 2 and 3**, applicant argues that Mackintosh in view of Begeja does not teach "a primary video clip at a first point in time; playing, in the first viewing area of the information display, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and displaying, in the second viewing area of the information display, the primary video clip at the second point in time", see remarks pages 3-4.

However, the examiner respectfully disagrees with the applicant. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Mackintosh discloses window 302/526 displaying content currently being played, wherein while the content being played refers to radio content

segments, the disclosure may be also implemented with television video broadcast segments, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7, figure 7 and 12.

Wherein as newer segments (e.g. secondary video clip) are played in the main window 305, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments; col. 23 lines 7-25 figures 7 and 12.

The examiner notes that the displayed television video content on window 302/526 reasonably reads on the claimed primary video clip and secondary video clip when the played content switches over to a newer segment.

The applicant argues that Mackintosh fails to disclose playing two video clips in two viewing areas at the same time; remarks page 4. However, this feature is clearly taught by Begeja.

Moreover, Mackintosh teaches a history sliding section 306/525 which display thumbnails of the five most recently displayed segments of content in chronological order; col. 15 line 56 – col. 16 line 23 figures 7 and 12.

While Mackintosh discloses thumbnails 525a-c in sliding history window 306 representing the content that has been previously been played in window 302/526; Mackintosh is silent to state that these thumbnails are video being played.

In this instance, Begeja discloses that it is known in the art to provide a representation of video clips, e.g. section 505, as thumbnails as shown on figure 5, or alternatively as video thumbscreens or video files; paragraphs [0068] [0092] figure 5, along with a main video section 510 being played.

Enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Therefore, the combination of Mackintosh in view of Begeja clearly disclose playing, in the second viewing area of the information display, the primary video clip when the first viewing area is simultaneously playing a secondary video clip", as claimed.

Double Patenting

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

686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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

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

4. **Claims 2 and 3** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claims 2 and 3 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 3 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

5. **Claims 2 and 3** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claims 2 and 3 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 3 of U.S. Patent No 9,317,597 by

specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

7. **Claims 2 and 3** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mackintosh et al. (Patent No US 6,317,784) in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter, referenced as Mackintosh and Begeja, respectively.

Regarding **claim 2**, Mackintosh discloses a method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display (Figure 7 and 12) to comprise:

a fist viewing area (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content

being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7);

a second viewing area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order);

and playing, in the first viewing area (e.g. window 302) of the information display, a primary video clip at a first point in time (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played; e.g. television video broadcast);

playing, in the first viewing area (e.g. window 302) of the information display, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time (Col. 23 lines 7-25 figures 7 and 12; next newer segment played on main window 302);

and displaying, in the second viewing area of the information display (e.g. most recent sub-window 255a in sliding history window 306), the primary video clip at the second point in time (Col. 23 lines 7-25 figures 7 and 12; as a newer segment is played in window 302, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that

Mackintosh is silent to explicitly disclose that displaying the primary video clip comprises playing the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files; along with a main video section 510 being played).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Regarding **claim 3**, Mackintosh discloses the method of claim 2; moreover, Mackintosh discloses the steps of partitioning the information display to comprise a third viewing area (Figures 4 and 12; next most recent sub-window in sliding history window 306, e.g. sprint commercial);

displaying the primary video clip in the third viewing area when the secondary video clip completes displaying (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and displaying the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area (For example, moving the current Fastball clip to sub-window 255a and Fleetwood Mac to the next most recent sub-window 255a in sliding history window 306).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip and secondary video clip comprises playing the primary video clip and secondary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip and secondary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Conclusion

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 JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	12/07/2018	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	12/07/2018	JM
Class 725 Plus Text Search	12/07/2018	JM
Double Patenting Search	12/07/2018	JM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	12/07/2018	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018	12/07/2018					
	1	✓	-	-	-					
	2		✓	✓	✓					
	3		✓	✓	✓					

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L9	125	("4290141" | "4377870" | "4566030" | "5041972" | "5109482" | "5206929" | "5227863" | "5307456" | "5353391" | "5388197" | "5414808" | "5428774" | "5440730" | "5483276" | "5515490" | "5519828" | "5550965" | "5634020" | "5644686" | "5659793" | "5680639" | "5687331" | "5689641" | "5713021" | "5721815" | "5721878" | "5729471" | "5748187" | "5748956" | "5751883" | "5752029" | "5754851" | "5765164" | "5799150" | "5819286" | "5826102" | "5852435" | "5861880").PN. OR ("6032156").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2018/12/07 20:20
L8	33	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 20:20
L7	272	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 20:19
L3	149	("5708767" | "6282549" | "6304898" | "6385306" | "6453355" | "5924105" | "6434550" | "6507841" | "20070079327" | "5532735" | "6229524" | "6691954" | "7000242" | "5664227" | "5821945" | "5874986" | "5999985" | "6324512" | "6460075" | "6477565" | "6385619" | "20020152477" | "6810526" | "20020052747" | "20020100046" | "6496857" | "6751776" | "6233389" | "6353825" | "20050076378" | "5614940" | "6961954" | "5996007" | "6393054" | "6389467" | "5864366" | "6092107" | "6477707" | "6411952" | "20010013123" | "20020138843" | "20050028194" | "20050278741" | "6345279" | "6363380" | "6061056" | "20050076357" | "6493688" | "5710591" | "6098082" | "6289346" | "20010049826" | "6671715" | "5835087" | "7178107" | "7130790" | "6526580" | "7006881" | "5999173" | "5835667" | "6166735" | "6324338" | "5805763" |	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 20:14

		"6038296" | "6236395" | "6243676" | "5734893" | "20040117831" | "20080120345" | "6188398" | "6956573" | "20020093591" | "20020173964" | "6564263" | "6970915" | "20020152464" | "20050223408" | "6298482" | "6678890").PN.				
L2	13	("6816628" | "20040231003" | "20090013347" | "20090298418" | "20080066111" | "20080115169" | "7911497" | "20020049978").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 20:09
L1	63	(thumbnail thumbnail) with (video mov$3) same clip and "725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 20:09
S160	271	H04N21/4825.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 15:05
S159	82	S158 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 15:05
S158	6969	H04N21/44$.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 15:05
S157	229	S156 and clip same length	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 15:05
S156	8643	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2018/12/07 15:05

			IBM_TDB			
S155	25	S154 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2018/12/07 14:27
S154	8643	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2018/12/07 14:27
S153	1	"8,875,185".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 14:24
S152	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 12:29
S151	42	(US-20050044569-$ or US-20030163815-$ or US-20050198677-$ or US-20030046693-$ or US-20020075572-$ or US-20020056098-$ or US-20060053448-$ or US-20030066085-$ or US-20010027475-$ or US-20020060750-$ or US-20020138440-$ or US-20020111912-$ or US-20020166122-$ or US-20030229894-$ or US-20040205816-$ or US-20030037332-$ or US-20020016965-$ or US-20020019858-$ or US-20020056100-$ or US-20020154157-$ or US-20020067376-$ or US-20040025180-$ or US-20020069308-$ or US-20030167202-$ or US-20020032019-$ or US-20060031551-$).did. or (US-6522342-$ or US-6711741-$ or US-6141003-$ or US-7174512-$ or US-6154771-$ or US-7263188-$ or US-7099849-$ or US-6993508-$ or US-7185283-$ or US-5621456-$ or US-6314575-$ or US-7434245-$ or US-6799327-$ or US-7003515-$ or US-6539395-$ or US-6317784-$).did.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2018/12/07 12:29

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L5	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2018/12/07 20:14
L4	26	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2018/12/07 20:14

12/7/2018 8:20:37 PM

C:\ Users\ jmendoza\ Documents\ EAST\ Workspaces\ 15131873 Mini-clips for Content Delivery (GUI).wsp

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Final Office Action dated December 13, 2018.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

Electronic Acknowledgement Receipt

EFS ID:	35408234
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Eileen Herring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	13-MAR-2019
Filing Date:	18-APR-2016
Time Stamp:	12:40:04
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		ResponseToFinalOfficeAction.pdf	185619 651e76724a852f4f3a59800b7ad1aa3d3cdd7dd9	yes	5

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Applicant Arguments/Remarks Made in an Amendment	3	5
	Claims	2	2
	Response After Final Action	1	1
Warnings:			
Information:			
	Total Files Size (in bytes):	185619	

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-3 are pending. Claim 1 was previously cancelled. By the present response, claims 2-3 are amended. Support for the amendment may at least be found in the application as originally filed, such as paragraph [0021] as originally filed. Applicant respectfully submits that no new matter is added.

II. Double Patenting

Claims 2 and 3 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claims 2 and 3 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 37 U.S.C. § 103

Claims 2 and 3 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as unpatentable over Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Begeja. Applicant respectfully traverses. Nevertheless, without acquiescing to the rejections and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claim 2.

Claim 2 has been amended to recite in part the steps of (emphasis added):

> playing, in the first viewing area, a primary video clip at a first point in time;
>
> replaying in a loop, in the mini-display areas, a plurality of clips historically played in the main viewing area;
>
> playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time;
>
> replacing, in the mini-display areas, a least recently displayed clip of the plurality of clips with the primary video clip; and
>
> replaying the primary video clip in the loop in the mini-display areas until the primary video clip is replaced or selected.

The Office Action has not identified anywhere in the prior art of record that discloses "replaying in a loop, in the mini-display areas, a plurality of clips historically played in the main viewing area," "playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time," "replacing, in the mini-display areas, a least recently displayed clip of the plurality of clips with the primary video clip," and "replaying the primary video clip in the loop in the mini-display areas until the primary video clip is replaced or selected" as described in claim 2.

Accordingly, Applicant respectfully submits that a *prima facie* rejection of obviousness based on the prior art of record has not been presented for all of the features of Applicant's invention as recited in claim 2. Based on the foregoing, Applicant respectfully submits that claim 2 is patentable over the prior art of record. Withdrawal of the rejection to claim 2 is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claim 3 depending from claim 2 which include additional allowable subject matter further to the allowable subject matter of the independent claim 2.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Dan Li Limited Recognition No. L0529/

Dan Li
Limited Recognition No. L0529

Please recognize our Customer No. 06980 as our correspondence address.
Attorneys/Agents for Applicants

875 Third Avenue
New York, NY 10022
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Dan.Li2@troutmansanders.com

Date: March 13, 2019

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a first viewing area;

a ~~second~~ plurality of mini-display ~~viewing~~ areas; and

playing, in the first viewing area ~~of the information display~~, a primary video clip at a first point in time;

replaying in a loop, in the mini-display areas, a plurality of clips historically played in the main viewing area;

playing, in the first viewing area ~~of the information display~~, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; ~~and~~

replacing, in the mini-display areas, a least recently displayed clip of the plurality of clips with the primary video clip~~playing, in the second viewing area of the information display, the primary video clip at the second point in time~~; and

replaying the primary video clip in the loop in the mini-display areas until the primary video clip is replaced or selected.

3. (Currently Amended) The method of claim 2, wherein the plurality of mini-display areas include a second viewing area and a third viewing area, and wherein the method further ~~comprising~~ comprises the steps of:

~~partitioning the information display to comprise a third viewing area;~~

playing the primary video clip in the second viewing area at the second point in time;

playing the primary video clip in the third viewing area when the secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

PTO/SB/06 (09-11)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	03/13/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 2	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

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

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

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

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UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 03/22/2019

TROUTMAN SANDERS LLP
600 Peachtree St., NE, Suite 3000
Atlanta, GA 30308

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
03/22/2019	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
patents@troutmansanders.com
ryan.schneider@troutmansanders.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 15/131,873	**Applicant(s)** MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	**Art Unit** 2423	**AIA (FITF) Status** No

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

THE REPLY FILED 13 March 2019 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☑ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☑ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection.The current period for reply expires ____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☑ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: See Continuation Sheet (See 37CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicants reply has overcome the following rejection(s): _____
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☑ For purposes of appeal, the proposed amendment(s):(a) ☑ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed:_____.
    Claim(s) objected to:_____.
    Claim(s) rejected:2-3.
    Claim(s) withdrawn from consideration:_____.

/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	

Continuation of 3. NOTE: Applicant's proposed amendments do not merely cancel claims, remove issues for appeal, or in some other way require only a cursory review by the examiner. Accordingly, further search and/or consideration is required on the part of the examiner. For example, the proposed amendment to all the independent claims has deleted language previously presented and/or presented new claim elements, effectively changing the scope of the claims.

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Final Office Action dated December 13, 2018.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

DO NOT ENTER: /J.O.M/
03/18/2019

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	04/15/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 7	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	SLIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ADRIENE D. SELLMAN/
*** 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.

PTO/SB/30EFS (02-18)
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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	15131873	Filing Date	2016-04-18	Docket Number (if applicable)	243449.000080	Art Unit	2423
First Named Inventor	Dwight MARCUS			Examiner Name	MENDOZA, JUNIOR O		

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 Petition for Extension of Time (one month)

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 201507

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

X Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. 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	/Dan Li Limited Recognition No. L0529/	Date (YYYY-MM-DD)	2019-04-15
Name	Dan Li	Registration Number	L0529

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

REQUEST FOR CONTINUED EXAMINATION

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

Commissioner:

This is in response to the Final Office Action dated December 13, 2018 and the Advisory Action dated March 22, 2019.

Amendments to the Claims begin on page 2.

Remarks begin on page 4.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a first viewing area;

a ~~second~~ second display ~~viewing~~ area; and

playing, in the first viewing area ~~of the information display~~, a primary video clip at a first point in time;

presenting, in the second display area, one or more frames from one or more video clips historically played in the main viewing area;

playing, in the first viewing area ~~of the information display~~, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and

replacing, in the second display area, a frame of a least recently displayed video clip of the one or more video clips with a frame of the primary video clip.~~playing, in the second viewing area of the information display, the primary video clip at the second point in time~~

3. (Currently Amended) The method of claim 2, wherein the second display area includes a second viewing area and a third viewing area, and wherein the method further ~~comprising~~ comprises the steps of:

~~partitioning the information display to comprise a third viewing area;~~

playing the primary video clip in the second viewing area at the second point in time;

playing the primary video clip in the third viewing area when the secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

4.(New) The method of claim 2, wherein the second display area includes at least one viewing area displaying the video clips in a first-in, first-out order.

5. (New) A method of providing media programming, comprising:

providing, by a computer, an information display and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, a primary media program at a first point in time;

presenting, in the second display area, one or more visual elements signifying media programs historically played in the main viewing area;

playing, in the first viewing area, a secondary media program at a second point in time, where the second point in time occurs after the first point in time; and

replacing, in the second display area, a visual element signifying a least recently played media program with a visual element signifying the primary media program.

6. (New) The method of claim 5, wherein each media program includes at least one of the following: video, audio, and other time-based content.

7. (New) The method of claim 5, wherein each media program is presented in a time-based or sequential form.

8.(New) The method of claim 5, wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-8 are pending. Claim 1 was previously cancelled. By the present response, claims 2-3 are amended, and new claims 4-8 are added. Support for the amendment may at least be found in the application as originally filed, such as paragraph [0021] as originally filed. Applicant respectfully submits that no new matter is added.

II. Double Patenting

Claims 2 and 3 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claims 2 and 3 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 37 U.S.C. § 103

Claims 2 and 3 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as unpatentable over Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Begeja. Applicant respectfully traverses. Nevertheless, without acquiescing to the rejections and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claim 2.

Claim 2 has been amended to recite in part the steps of (emphasis added):

> providing, by a computer, an information display and partitioning the information display to comprise:
>
> a first viewing area;
>
> a second display area; and
>
> playing, in the first viewing area, a primary video clip at a first point in time;
>
> presenting, in the second display area, one or more frames from one or more video clips historically played in the main viewing area;
>
> playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and
>
> replacing, in the second display area, a frame of a least recently displayed video clip of the one or more video clips with a frame of the primary video clip.

The Office Action has not identified anywhere in the prior art of record that discloses "presenting, in the second display area, one or more frames from one or more video clips historically played in the main viewing area," "playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time," and "replacing, in the second display area, a frame of a least recently displayed video clip of the one or more video clips with a frame of the primary video clip" as described in claim 2.

Accordingly, Applicant respectfully submits that a *prima facie* rejection of obviousness based on the prior art of record has not been presented for all of the features of Applicant's invention as recited in claim 2. Based on the foregoing, Applicant respectfully submits that claim 2 is patentable over the prior art of record. Withdrawal of the rejection to claim 2 is respectfully requested.

Further, independent claim 5 describes some features similar to that of claim 2. For at least the reasons stated above in connection with claim 2, Applicant respectfully submits that claim 5 is in condition for allowance. Accordingly, withdrawal of its rejections is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claims depending from claims 2 and 5 which include additional allowable subject matter further to the allowable subject matter of the independent claims 2 and 5.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Dan Li Limited Recognition No. L0529 /

Dan Li
Limited Recognition No. L0529

Please recognize our Customer No. 06980 as our correspondence address.
Attorneys/Agents for Applicants

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Date: April 15, 2019

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Dan Li/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	100	100
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	2820	1	950	950
		Total in USD ($)		**1050**

Electronic Acknowledgement Receipt

EFS ID:	35733102
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Dan Li/Eileen Herring
Filer Authorized By:	Dan Li
Attorney Docket Number:	243449.000080
Receipt Date:	15-APR-2019
Filing Date:	18-APR-2016
Time Stamp:	19:36:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$1050
RAM confirmation Number	041619INTEFSW00006530201507
Deposit Account	201507
Authorized User	Eileen Herring

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	RCE_2019-04-05_243499-000080.pdf	1353352 42b0e2f6819c2688fedd7d8a428d1d0cf050e8da	no	3
Warnings:					
Information:					
2		FOAR_AF_2019-04-15_243499-000080.pdf	156578 aefffcbbdaf2f007220bf1183a2ee213bd3a5db9	yes	6

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	3
Applicant Arguments/Remarks Made in an Amendment	4	6

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32471 fb0aedc93e75fe9a22de6beb68da5368e5bf348b	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1542401		

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.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 06/06/2019

TROUTMAN SANDERS LLP
600 Peachtree St., NE, Suite 3000
Atlanta, GA 30308

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
06/06/2019	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
patents@troutmansanders.com
ryan.schneider@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA (FITF) Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 04/15/2019.

☐ 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) 2-8 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) 2-8 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/15/2019 has been entered.

Response to Arguments

3. Applicant's arguments filed 04/15/2019 have been fully considered but they are not persuasive.

Regarding **claims 2 and 5**, applicant argues that Mackintosh in view of Begeja does not teach "presenting, in the second display area, one or more frames from one or more video clips historically played in the main viewing area", "playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time." and "replacing, in the second display area, a frame of a least recently displayed video clip of the one or more video clips with a frame of the primary video clip" as described in claims 2 and 5; remarks pages 4-5.

However, the examiner respectfully disagrees with the applicant. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Mackintosh discloses window 302/526 displaying content currently being played, wherein while the content being played refers to radio content segments, the disclosure may be also implemented with television video broadcast segments, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7, figure 7 and 12.

Wherein as newer segments (e.g. secondary video clip) are played in the main window 305, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments; col. 23 lines 7-25 figures 7 and 12. Representing the previously presented clips from the oldest to the most recent; col. 16 lines 9-16; figures 7 and 12.

The examiner notes that the displayed television video content on window 302/526 reasonably reads on the claimed primary video clip and secondary video clip when the played content switches over to a newer segment.

Moreover, Mackintosh teaches a history sliding section 306/525 which display thumbnails or images of the five most recently displayed segments of content in chronological order; col. 15 line 56 – col. 16 line 23 figures 7 and 12.

While Mackintosh discloses thumbnails 525a-c in sliding history window 306 representing the content that has been previously been played in window 302/526; Mackintosh is silent to state that these thumbnails are video being played.

In this instance, Begeja discloses that it is known in the art to provide a representation of video clips, e.g. section 505, as thumbnails as shown on figure 5, or alternatively as video thumbscreens or video files; paragraphs [0068] [0092] figure 5, along with a main video section 510 being played.

Enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Therefore, the combination of Mackintosh in view of Begeja clearly discloses the features of claims 2 and 5, as presented in the current office action.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least

one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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

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

5. **Claims 2 and 5** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claims 2 and 5 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 5 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

6. **Claims 2 and 5** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claims 2 and 5 of the instant

application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 5 of U.S. Patent No 9,317,597 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

8. **Claims 2 – 8** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Mackintosh et al. (Patent No US 6,317,784) in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter, referenced as Mackintosh and Begeja, respectively.

Regarding **claim 2**, Mackintosh discloses a method of providing video programming, comprising:

providing, by a computer, an information display and partitioning the information display (Figure 7 and 12) to comprise:

a fist viewing area (Col. 12 lines 55-63, col. 13 lines 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7);

a second display area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order);

and playing, in the first viewing area (e.g. window 302), a primary video clip at a first point in time (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played; e.g. television video broadcast);

presenting, in the second display area (e.g. history window 306/525), one or more frames from one or more video clips historically playing in the main viewing area (Col. 23 lines 7-25 figures 7 and 12; simultaneously presenting images 525 in window 302/526 corresponding to previously display content);

playing, in the first viewing area (e.g. window 302), a secondary video clip at a second point in time, where the second point in time occurs after the first point in time (Col. 23 lines 7-25 figures 7 and 12; next newer segment played on main window 302);

replacing, in the second display area (e.g. history window 306/525), a frame of a least recently displaying video clip of the one or more video clips with a frame of the

primary video clip (Col. 23 lines 7-25 figures 7 and 12; as a newer segment is played in window 302, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip comprises playing the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files; along with a main video section 510 being played).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Regarding **claim 3**, Mackintosh and Begeja disclose the method of claim 2; moreover, Mackintosh discloses that the second display area includes a second viewing area and a third viewing area (Col. 23 lines 7-25 figures 7 and 12; e.g. history window

306/525 with multiple images in chronological order of previously played segments), and wherein the method further comprises the steps of:

displaying the primary video clip in the second viewing area at the second point in time (Figures 7 and 12; e.g. most recently played segment);

displaying the primary video clip in the third viewing area when the secondary video clip completes displaying in the first viewing area (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and displaying the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area (For example, moving the current Fastball clip to sub-window 255a and Fleetwood Mac to the next most recent sub-window 255a in sliding history window 306).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that Mackintosh is silent to explicitly disclose that displaying the primary video clip and secondary video clip comprises playing the primary video clip and secondary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing the primary video clip and secondary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mackintosh by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Regarding **claim 4**, Mackintosh and Begeja disclose the method of claim 2; moreover, Mackintosh discloses that the second display area includes at least one viewing area displaying the video clips in a first-in, fist out order (Col. 23 lines 7-25 figures 7 and 12; history window 306/525 with multiple images in chronological order of previously played segments).

Regarding **claims 5 and 8**, Mackintosh and Begeja disclose all the limitations of claims 5 and 8; therefore, claims 5 and 8 are rejected for the same reasons stated in claims 2 and 4, respectively.

Regarding **claim 6**, Mackintosh and Begeja disclose the method of claim 5; moreover, Mackintosh discloses that each media program includes at least one of the following: video, audio, and other time-based content (Col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7; figures 7 and 12; while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts).

Regarding **claim 7**, Mackintosh and Begeja disclose the method of claim 5; moreover, Mackintosh discloses that each media program is presented in a time-based or sequential form (Col. 23 lines 7-25 figures 7 and 12; chronological order)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018	12/07/2018	05/31/2019				
	1	✓	-	-	-	-				
	2		✓	✓	✓	✓				
	3		✓	✓	✓	✓				
	4					✓				
	5					✓				
	6					✓				
	7					✓				
	8					✓				

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	05/31/2019	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	05/31/2019	JM
Class 725 Plus Text Search	05/31/2019	JM
Double Patenting Search	05/31/2019	JM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	05/31/2019	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L5	30	4 and clip with playlist	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/31 21:26
L4	19169	(H04N21/8549 or G06F16/738 or G06Q30/0273 or H04N21/812 or H04N21/4722 or G06Q20/123 or H04N21/4312 or H04N21/25891 or H04N21/25883 or H04N7/17318 or G06Q30/02 or H04N21/4314).cpc. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2019/05/31 21:25
L3	32	("5132992" | "6813775" | "6144702" | "7024677" | "6760916" | "5253275" | "6002720" | "5550863" | "6760916" | "20020087976" | "7130831" | "7380262" | "20060184982" | "7603684" | "20010056577" | "6032156").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/31 21:24
L2	138	clip with playlist and length and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/31 21:24
L1	157	("5297042" | "5442390" | "5548724" | "5583868" | "5659732" | "5668948" | "5778367" | "5864863" | "5873080" | "5890152" | "5892905" | "5911139" | "5915094" | "5920856" | "5961603" | "5983176" | "5987454" | "5996015" | "6009459" | "6011537" | "6016504" | "6021409" | "6035055" | "6041360" | "6049829" | "6058423" | "6075787" | "6101510" | "6134596" | "6134680" | "6151624" | "6192340" | "6202061" | "6216112" | "6240423" | "6247069" | "6271840" | "6317740" | "6389467" | "6484199").PN. OR ("6721741").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2019/05/31 20:40
S175	11	"20010034734"	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2019/05/30 16:42

			JPO; IBM_TDB			
S174	1	"12580632"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/30 16:41
S173	1	"10477605"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/30 16:40
S171	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/29 21:15
S170	11	clip with playlist same length and @rlad< ="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/05/29 21:14

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L10	26	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2019/05/31 22:10
L9	6	(clip same (template playlist) same concatenat$4).clm.	US-PGPUB; USPAT	OR	ON	2019/05/31 22:10
L8	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2019/05/31 22:09
L6	26	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2019/05/31 22:07
S172	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2019/05/29 21:15

5/ 31/ 2019 10:10:40 PM
C:\ Users\ jmendoza\ Documents\ EAST\ Workspaces\ 15131873 Mini-clips for Content Delivery (GUI).wsp

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	09/06/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 9	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/VIOLA D ROGERS/
*** 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.

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO NON-FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Non-Final Office Action dated June 6, 2019.

Amendments to the Claims begin on page 2.

Remarks begin on page 5.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

receiving, by a processor of a media delivery server, login information of a user from the user's device;

searching, by the processor, a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data;

retrieving, by the processor, a list of appropriate potential media clips from a storage database, based on the user's profile;

generating, by the processor, a unique unicast concatenated stream of media clips from the retrieved list of appropriate potential media clips;

streaming to the user the generated unique unicast concatenated stream of media clips;

providing, by ~~a computer~~the processor, an information display displayed on the user's device and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, ~~a primary video clip~~the generated unique unicast concatenated stream of media clips ~~at a first point in time~~;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's click on one of the visual exemplary representations in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the clicked visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

~~presenting, in the second display area, one or more frames from one or more video clips historically played in the main viewing area;~~

~~playing, in the first viewing area, a secondary video clip at a second point in time, where the second point in time occurs after the first point in time; and~~

~~replacing, in the second display area, a frame of a least recently displayed video clip of the one or more video clips with a frame of the primary video clip.~~

3. (Currently Amended) The method of claim 2, wherein the second display area includes a second viewing area and a third viewing area, and wherein the method further comprises the steps of:

playing ~~the~~ a primary video clip in the second viewing area ~~at the second point in time~~;

playing the primary video clip in the third viewing area when ~~the~~a secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

4.(Previously Presented) The method of claim 2, wherein the second display area includes at least one viewing area displaying the video clips in a first-in, first-out order.

5. (Currently Amended) A method of providing media programming, comprising:

providing, by a computer, an information display displayed on a user's computer and partitioning the information display to comprise:

a first viewing area;

a second display area; and

streaming to the user a unique unicast concatenated stream of media clips;

playing, in the first viewing area, ~~a primary media program~~ the unique unicast concatenated stream of media clips ~~at a first point in time~~;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's click on one of the still images in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the clicked visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

~~presenting, in the second display area, one or more visual elements signifying media programs historically played in the main viewing area;~~

~~playing, in the first viewing area, a secondary media program at a second point in time, where the second point in time occurs after the first point in time; and~~

~~replacing, in the second display area, a visual element signifying a least recently played media program with a visual element signifying the primary media program.~~

6. (Currently Amended) The method of claim 5, wherein each media ~~program~~ clip includes at least one of the following: video, audio, and other time-based content.

7. (Currently Amended) The method of claim 5, wherein each media ~~program~~ clip is presented in a time-based or sequential form.

8.(Previously Presented) The method of claim 5, wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

9. (New) The method of claim 1, wherein the visual exemplary representation includes at least one of an image, a video, a video loop, text information, and an audio file.

10. (New) The method of claim 1, wherein the predefined rule is based on at least one of the following: the user's demographic data, geographic data, contextual understanding of the user, and time of day.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-10 are pending. Claim 1 was previously cancelled. By the present response, claims 2-3, 5-7 are amended, and claims 9-10 are added. Support for the amendment may at least be found in the application as originally filed as well as the priority application 60/482,597. Applicant respectfully submits that no new matter is added.

II. Double Patenting

Claims 2 and 5 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claims 2 and 5 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 37 U.S.C. § 103

Claims 2-8 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as being allegedly unpatentable over Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Begeja. Applicant respectfully traverses. Nevertheless, without acquiescing to the rejections and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claim 2.

Claim 2 has been amended to recite a method of providing video programming, comprising:

> receiving, by a processor of a media delivery server, login information of a user from the user's device;
>
> searching, by the processor, a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data;
>
> retrieving, by the processor, a list of appropriate potential media clips from a storage database, based on the user's profile;
>
> generating, by the processor, a unique unicast concatenated stream of media clips from the retrieved list of appropriate potential media clips;

streaming to the user the generated unique unicast concatenated stream of media clips;

providing, by the processor, an information display displayed on the user's device and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, the generated unique unicast concatenated stream of media clips;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's click on one of the visual exemplary representations in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the clicked visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

Applicant believes that the prior art of record applies to:

- the historical method wherein a "broadcaster" assembles and transmits broadly a stream of media meant for multiple viewers or listeners, or

- A one-on-one interactive relationship between a media consumer and a media-delivery device such as a jukebox.

Applicant's invention was formed in anticipation of the unicast, personalized media streams now delivered by services such as Pandora. These new services should not be regarded as broadcasters. They deliver personalized media streams tailored to each individual consumer.

Applicant's invention performs the following steps:

1. A user logs on to a media delivery service.

2. The central server sees this user and searches a viewing history database for that user's profile. This may include likes and dislikes stated by the user in prior viewing sessions. It will almost surely include the details of prior viewing/listening sessions - what was viewed and what was skipped or avoided. Additional demographic and psychographic data on the user may also be retrieved by the central server.

3. The server looks at all or some of this user data, as well as (generally) demographic and geographic data for that user, and even time of day and week status.

4. Based on this user data, a long list of appropriate potential media clips is retrieved from storage.

5. With, or without, the use of a template or assembly logic, a selection is made of media clips that are a best-fit to the user.

6. Streaming to the user of a unique concatenated stream of media clips is initiated.

7. This unique unicast stream is seen and/or heard at the user's device.

8. When each concatenated clip begins to play, or completes playing, a still image or a loop of an exemplary representation of each delivered clip enters the second screen area.

9. If the user wants to view a particular clip, or in some cases a related clip to the one displayed in the second screen area (this is an important variant), s/he clicks on the representation of the clip in the second screen area.

10. This returns a play request to the server, which interrupts the queued list of media clips prepared by the server for this particular viewer, and the requested clip (or a related clip derived by some logical or stored process) is immediately delivered to the first screen area of that user's screen.

The prior art of record fails to disclose caching representations of clips viewed in the first screen area in the second screen area.

Further, the Office Action has not identified anywhere in the prior art of record that discloses many features as described in claim 2, such as "receiving, by a processor of a media delivery server, login information of a user from the user's device," "searching, by the processor, a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data," "retrieving, by the processor, a list of appropriate potential media clips from a storage database, based on the user's profile," "generating, by the processor, a unique unicast concatenated stream of media clips from the retrieved list of appropriate potential media clips," " streaming to the user the generated unique unicast concatenated stream of media clips," "playing, in the first viewing area, the generated unique unicast concatenated stream of media clips," "when each concatenated media clip

completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips," "receiving the user's click on one of the visual exemplary representations in the second display area," "interrupting, by the processor, a queued list of media clips prepared for the user," "generating a new clip associated with the clicked visual exemplary representation based on a predefined rule, wherein the new clip is not previously played," and "sending the new clip to the first viewing area."

Accordingly, Applicant respectfully submits that a *prima facie* rejection of obviousness based on the prior art of record has not been presented for all of the features of Applicant's invention as recited in claim 2. Based on the foregoing, Applicant respectfully submits that claim 2 is patentable over the prior art of record. Withdrawal of the rejection to claim 2 is respectfully requested.

Further, independent claim 5 describes some features similar to that of claim 2. For at least the reasons stated above in connection with claim 2, Applicant respectfully submits that claim 5 is in condition for allowance. Accordingly, withdrawal of its rejections is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claims depending from claims 2 and 5 which include additional allowable subject matter further to the allowable subject matter of the independent claims 2 and 5.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Dan Li Limited Recognition No. L0529 /

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Date: September 6, 2019

Electronic Acknowledgement Receipt

EFS ID:	37094026
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Dan Li/Eileen Herring
Filer Authorized By:	Dan Li
Attorney Docket Number:	243449.000080
Receipt Date:	06-SEP-2019
Filing Date:	18-APR-2016
Time Stamp:	17:30:40
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		NFOAR_AF_2019-09-06_243449-000080.pdf	169748 9bd8b1532cd3c04a4423563f3a0874d76d9163fd	yes	9

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	4
	Applicant Arguments/Remarks Made in an Amendment	5	9
Warnings:			
Information:			
	Total Files Size (in bytes):	169748	

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	09/06/2019	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 9	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 12/09/2019

TROUTMAN SANDERS LLP
600 Peachtree St., NE, Suite 3000
Atlanta, GA 30308

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
12/09/2019	ELECTRONIC

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

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

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

jim.schutz@troutmansanders.com
patents@troutmansanders.com
ryan.schneider@troutmansanders.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA (FITF) Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 09/06/2019.

☐ 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) 2-10 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) 2-10 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Response to Arguments

2. Applicant's arguments with respect to claims 2 and 5 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Double Patenting

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

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

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

4. **Claims 2 and 5** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claims 2 and 5 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 5 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

5. **Claims 2 and 5** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claims 2 and 5 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 2 and 5 of U.S. Patent No 9,317,597 by

specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

> (a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. **Claims 2, 5, 9 and 10** are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding **claim 2**, the applicant currently claims "receiving, by a processor of a media delivery server, login information of a user from the user's device" in lines 2 and

3. However, the disclosure of the instant application as originally filed fails to explicitly or implicitly point out to any type of a user login.

Regarding **claims 2 and 5**, the applicant currently claims "a unique unicast" in lines 9, 11, 16 of claim 2 and lines 6 and 7 of claim 5. The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed "a unique unicast" content distribution scheme.

Regarding **claims 2 and 5**, the applicant currently claims "a user's click" in line 22 of claim 2 and line 13 of claim 5. However, the examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed clicking mechanism.

Regarding **claim 9**, the applicant currently claims that "visual exemplary representation includes at least one of an image… text information, and an audio file". The disclosure teaches that the mini-displays 230, i.e. visual exemplary representation of played media clips, in figure 2 may be a clip replays in a loop; paragraph [0021]. However, the examiner notes that the originally filed disclosure fails to explicitly or implicitly disclose that the "visual exemplary representation (e.g. mini-displays 230) include at least one of an image… text information, and an audio file" as claimed.

Regarding **claim 10**, the applicant currently claims that "the predefined rule is based on at least one of the following: contextual understanding of the user, and time of

day". The disclosure teaches collecting user information such as the user's demographic data and geographic data (figure 1); however, it is silent to explicitly or implicitly disclose collecting "contextual understanding of the user, and time of day" as claimed.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

9. **Claims 2 and 4 – 10** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kaiser et al. (Pub No US 2002/0019858) in view of Mackintosh et al. (Patent No US 6,317,784) further in view of Logan et al. (Patent No US 6,199,076). Hereinafter, referenced as Kaiser, Mackintosh and Logan, respectively.

Regarding **claim 2**, Kaiser discloses a method of providing video programming, comprising:

receiving, by a processor of a media delivery server, login information of a user from the user's device (Paragraph [0054]; user may login to allow the system to generate a historical record of the user);

searching, by the processor (e.g. servers 10a/10b), a viewing history database for the user's profile (e.g. historical record 810), the user's profile including the user's prior viewing and listening sessions (Paragraphs [0054] [0056] figures 1 and 8; storing user's historical records of selected pieces of media. Wherein the media may be audio, video, etc.; paragraph [0034]);

retrieving, by the processor, a list of appropriate potential media clips from a storage database, based on the user's profile (Paragraphs [0051] [0052] figure 7; personal station playlist search and mapping 715, based on user's profile; paragraph [0060] figure 10);

generating, by the processor, a unique unicast concatenated stream of media clips (Paragraph [0016]; playlist, channel or station "tailored" to the user's affinity) from the retrieved list of appropriate potential media clips (Paragraphs [0051] [0052] figure 7; personal station playing building 720);

streaming to the user the generated unique unicast concatenated stream of media clips (Paragraphs [0016] [0034] figure 1; present current playlist of content to the user);

providing, by the processor, an information display displayed on the user's device (Paragraphs [0054] [0055] figure 8; historical record of played songs 815);

playing, in the first viewing area, the generated unique unicast concatenated stream of media clips (Paragraphs [0016] [0034] [0055] figure 1; present current playlist of content to the user);

receiving the user's click on one of the visual exemplary representations (Paragraphs [0053] [0056] figures 7 and 8; user selects the "get more" button

associated with a current song or a previous song from the historical record of played songs 815, in order to build a new playlist of clips 745 with the same characteristics as the selected song);

interrupting, by the processor, a queued list of media clips prepared for the user (Paragraphs [0053] [0052] [0056] figures 7 and 8; generating the new playlist);

generating a new clip associated with the clicked visual exemplary representation based on a predefined rule, wherein the new clip is not previously played (Paragraphs [0053] [0052] [0056] figures 7 and 8; generated new playlist 745);

and sending the new clip to the first viewing area (Paragraphs [0053] [0052] [0056] figures 7 and 8; user experiences new playlist 745).

However, it is noted that Kaiser is silent to explicitly disclose partitioning the information display to comprise: a first viewing area; a second display area; and playing, in the first viewing area, the generated stream of media clips; when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips; and receiving the user's click on one of the visual exemplary representations in the second display area.

Nevertheless, in a similar field of endeavor Mackintosh discloses partitioning the information display (Figure 7 and 12) to comprise:

a first viewing area Col. 12 lines 55-63, col. 13 lines 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content

being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7);

a second display area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order);

and playing, in the first viewing area, the generated stream of media clips (Col. 12 lines 55-63, col. 13 liens 4-15, figures 7 and 12; window 302/526 displays content currently being played; e.g. television video broadcast);

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips (Col. 23 lines 7-25 figures 7 and 12; as a newer segment is played in window 302, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and receiving the user's click on one of the visual exemplary representations in the second display area (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the

users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

However, it is noted that Kaiser and Mackintosh are silent to explicitly disclose searching the user's profile, the user's profile including the user's demographic and geographic data.

Nevertheless, in a similar field of endeavor Logan discloses searching the user's profile, the user's profile including the user's demographic and geographic data (Col. 10 lines 29-43, col. 37 lines 3-26, col. 42 lines 11-13, figure 6; correlate user's responses with the user's age, sex and geographic location when generating a content playlist).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser and Mackintosh by specifically providing the elements mentioned above, as taught by Logan, for the predictable result of dynamically and interactively locating and selecting desired programming content in an intuitive way that accurately correlates to the user's demographic and geographic information.

Regarding **claim 4**, Kaiser, Mackintosh and Logan disclose the method of claim 2; however, Kaiser is silent to explicitly disclose that the second display area includes at least one viewing area displaying the video clips in a first-in, fist out order

Nevertheless, in a similar field of endeavor Mackintosh discloses that the second display area includes at least one viewing area displaying the video clips in a first-in, fist

out order (Col. 23 lines 7-25 figures 7 and 12; history window 306/525 with multiple images in chronological order of previously played segments).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Regarding **claims 5 and 8**, Kaiser, Mackintosh and Logan disclose all the limitations of claims 5 and 8; therefore, claims 5 and 8 are rejected for the same reasons stated in claims 2 and 4, respectively.

Regarding **claim 6**, Kaiser, Mackintosh and Logan disclose the method of claim 5; moreover, Kaiser discloses that each media includes at least one of the following: video, audio, and other time-based content (Paragraph [0034] figures 1 and 8; the media may be audio, video, etc.).

Regarding **claim 7**, Kaiser, Mackintosh and Logan disclose the method of claim 5; however, Kaiser is silent to explicitly disclose that each media is presented in a time-based or sequential form.

Nevertheless, in a similar field of endeavor Mackintosh discloses that each media is presented in a time-based or sequential form (Col. 23 lines 7-25 figures 7 and 12; chronological order).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Regarding **claim 9**, Kaiser, Mackintosh and Logan disclose the method of claim 1; however, Kaiser is silent to explicitly disclose that visual exemplary representation includes at least one of an image, a video, a video loop, text information, and an audio file.

Nevertheless, in a similar field of endeavor Mackintosh discloses that visual exemplary representation includes at least one of an image, a video, a video loop, text information, and an audio file (Figures 7 and 12; thumbnails 525a-c in sliding history window 306).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents

current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Regarding **claim 10**, Kaiser, Mackintosh and Logan disclose the method of claim 1; however, Kaiser and Mackintosh are silent to explicitly disclose that the predefined rule is based on at least one of the following: the user's demographic data, geographic data, contextual understanding of the user, and time of day.

Nevertheless, in a similar field of endeavor Logan discloses that the predefined rule is based on at least one of the following: the user's demographic data, geographic data, contextual understanding of the user, and time of day (Col. 10 lines 29-43, col. 37 lines 3-26, col. 42 lines 11-13, figure 6; correlate user's responses with the user's age, sex and geographic location when generating a content playlist).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser and Mackintosh by specifically providing the elements mentioned above, as taught by Logan, for the predictable result of dynamically and interactively locating and selecting desired programming content in an intuitive way that accurately correlates to the user's demographic and geographic information.

10. **Claim 3** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kaiser, Mackintosh and Logan further in view in view of Begeja et al. (Pub No US 2004/0025180). Hereinafter, referenced as Begeja.

Regarding **claim 3**, Kaiser, Mackintosh and Logan disclose the method of claim 2; moreover, Mackintosh discloses that the second display area includes a second viewing area and a third viewing area (Col. 23 lines 7-25 figures 7 and 12; e.g. history window 306/525 with multiple images in chronological order of previously played segments), and wherein the method further comprises the steps of:

displaying a primary video clip in the second viewing area (Figures 7 and 12; e.g. most recently played segment);

displaying the primary video clip in the third viewing area when a secondary video clip completes displaying in the first viewing area (Col. 23 lines 7-25 figures 7 and 12; as newer segments are played, the history information sliding history window 306/525 is updated. In other words, the segment that just finished playing in 302/526 is moved to most recent sub-window 525a in the sliding history window 306/525, bumping the previous history one slot down in the chronological order of played segments);

and displaying the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area (For example, moving the current Fastball clip to sub-window 255a and Fleetwood Mac to the next most recent sub-window 255a in sliding history window 306).

While Mackintosh discloses displaying the primary video clip in the second area (Figures 7 and 12; thumbnails 525a-c in sliding history window 306), it is noted that

Mackintosh is silent to explicitly disclose that displaying the primary video clip and secondary video clip comprises playing a primary video clip and a secondary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses that displaying the primary video clip comprises playing a primary video clip and a secondary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaiser, Mackintosh and Logan by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Conclusion

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 JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Applicant-Initiated Interview Summary	**Application No.** 15/131,873	**Applicant(s)** MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	**Art Unit** 2423	**AIA (FITF) Status** No

All participants (applicant, applicants representative, PTO personnel):

(1) JUNIOR O. MENDOZA. (3) _____.

(2) DAN LI. (4) _____.

Date of Interview: 12 November 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☑ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☐103 ☑Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 2.

Identification of prior art discussed: N/A.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

The applicant contacted the examiner in order to go over the latest set of amendments filed to the office. The applicant explained the amendments to independent claim 2, and their respective meaning. However, the examiner noted that there were multiple claimed limitations that were not supported by the originally filed specification, as shown in the current office action. No agreement was reached..

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

/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	

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 examiners 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 applicants 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 applicants 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 examiners 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 examiners initials.

Notice of References Cited	Application/Control No. 15/131,873	Applicant(s)/Patent Under Reexamination MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20020019858-A1	02-2002	Kaiser, Rolf	G06Q30/02	709/219
*	B	US-6199076-B1	03-2001	Logan; James	G06Q30/06	715/203
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	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
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	12/04/2019	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	12/04/2019	JM
Class 725 Plus Text Search	12/04/2019	JM
Double Patenting Search	12/04/2019	JM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	12/04/2019	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018	12/07/2018	05/31/2019	12/04/2019			
	1	✓	-	-	-	-	-			
	2		✓	✓	✓	✓	✓			
	3		✓	✓	✓	✓	✓			
	4					✓	✓			
	5					✓	✓			
	6					✓	✓			
	7					✓	✓			
	8					✓	✓			
	9						✓			
	10						✓			

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	3	("5,271,811" "5,732,216" "6,199,076").pn.	US-PGPUB; USPAT; USOCR	OR	ON	2019/12/04 20:27
L6	0	("5,271,811" "5,732,216" "6,199,076").pn. and playlist	US-PGPUB; USPAT; USOCR	OR	ON	2019/12/04 20:27
L5	36	4 and playlist same (demographic histor$4)	US-PGPUB; USPAT; USOCR	OR	ON	2019/12/04 20:25
L4	8640	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2019/12/04 20:25
S207	1	09/953086.app.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/04 19:05
S206	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/04 19:04
S205	5	"16001592"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/04 00:29
S204	4	"9924215".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/03 12:03
S203	3	barrage with interact$4 same relation$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:51
S202	4	(bullet with (id identification identif$6)) and tencent.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:47
S201	6	(bullet near screen).ti. and tencent.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:44
S200	2	"wo"$4"2017133172"$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2019/12/01 23:41
S199	11	bullet near screen and tencent.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:35
S198	1	"16037355"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:35
S197	706	bullet near screen	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/12/01 23:35
S196	1	"15206795"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/20 15:39
S195	0	"16027240"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2019/11/20 10:48

			IBM_TDB			
S194	4	"20150067186"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/20 10:46
S193	39	consolidat$4 with channel$4 same (epg guide) and "725".clas.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/18 22:31
S192	0	"16523640"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/18 22:23
S191	1	15/886,922	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/13 14:35
S190	2	("20140082647").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/13 14:35
S189	2	("20140082647").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/13 14:33
S188	1	"7,152,236".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/12 17:06
S187	2	"6,335,736".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/12 17:05
S186	1	"7,152,236".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/12 17:02
S185	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2019/11/12 14:01

EAST Search History (Interference)

< This search history is empty>

12/ 4/ 2019 9:51:11 PM
C:\ Users\ jmendoza\ Documents\ EAST\ Workspaces\ 15131873 Mini-clips for Content Delivery (GUI).wsp

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Final Office Action dated December 9, 2019.

Amendments to the Claims begin on page 2.

Remarks begin on page 7.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

receiving, by a processor of a media delivery server, ~~login information of~~ a user's request for a stream of media from the user's device;

storing, by a non-transitory storage medium of the media delivery server, a first class of non-monetizing media clips and a second class of monetizing media clips, wherein the non-monetizing media clips including royalty-free media clips and media clips for which royalty payments are due if delivered to a user, and the monetizing media clips including any media clip which generates revenue for an operator of the media delivery server;

searching, by the processor of the media delivery server, in near-real time, a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data after receiving the user's request;

automatically retrieving, by the processor, without human interaction, a list of appropriate potential media clips from the second class of monetizing media clips of the non-transitory storage medium~~a storage database~~, based on the user's profile, wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile;

generating, by the processor, a unique ~~unicast~~ concatenated stream of media clips from the retrieved list of appropriate potential media clips, the generated unique concatenated stream of media clips including one or more short-form teasers of advertisements;

streaming to the user the generated unique ~~unicast~~ concatenated stream of media clips;

providing, by the processor, an information display displayed on the user's device and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, the generated unique ~~unicast~~ concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's ~~click~~ selection on one of the visual exemplary representations in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the ~~clicked~~ selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

3. (Previously Presented) The method of claim 2, wherein the second display area includes a second viewing area and a third viewing area, and wherein the method further comprises the steps of:

playing a primary video clip in the second viewing area;

playing the primary video clip in the third viewing area when a secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

4.(Previously Presented) The method of claim 2, wherein the second display area includes at least one viewing area displaying the video clips in a first-in, first-out order.

5. (Currently Amended) A method of providing media programming, comprising:

providing, by a computer, an information display displayed on a user's computer and partitioning the information display to comprise:

a first viewing area;

a second display area; and

streaming to the user a unique ~~unicast~~ concatenated stream of media clips, the unique concatenated stream of media clips including one or more short-form teasers of advertisements;

playing, in the first viewing area, the unique ~~unicast~~ concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's ~~click~~ selection on one of the still images in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the ~~clicked~~ selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

6. (Previously Presented) The method of claim 5, wherein each media clip includes at least one of the following: video, audio, and other time-based content.

7. (Previously Presented) The method of claim 5, wherein each media clip is presented in a time-based or sequential form.

8.(Previously Presented) The method of claim 5, wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

9. (Canceled).

10. (Currently Amended) The method of claim 1, wherein the predefined rule is based on at least one of the following: the user's demographic data~~,~~ and geographic data~~, contextual understanding of the user, and time of day~~.

11. (New) The method of claim 1, wherein at least one of the media clips is tagged or labelled with aesthetic values of any useful type.

12. (New) The method of claim 1, wherein at least one of the media clips is tagged or labelled with content values of any useful kind.

13. (New) A system of providing media distribution, comprising:

a non-transitory storage medium configured to store:

a collection of user tags or headers with defining information about each user; and

a plurality of candidate media clips;

a processor configured to:

compare each user's profile data with the stored collection of user tags or headers for each candidate media clip;

select a plurality of media clips with tag values appropriate for each user's profile data;

assemble the selected media clips;

send the assembled media clips to a device of each user; and

move a thumbnail of each media clip from a primary screen area to a secondary screen area after each media clip plays, wherein the primary screen area and the secondary screen area are clickable, wherein each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user.

14. (New) The system of claim 13, wherein at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user, wherein the user's click or equivalent gesture initiates delivery to each user of:

a long-form media clip of the clicked short-form media clip, or

an assembly of a plurality of concatenated media clips associated with the clicked short-form media clip.

15. (New) The system of claim 14, wherein as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip.

16. (New) The system of claim 13, wherein after each user clicks on at least one of the primary screen area and the secondary screen area, the processor receives a remunerative value for a subsequent delivery of each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip.

17. (New) The system of claim 13, wherein the media clips are tagged as having remunerative values.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-8 and 10-17 are pending. By the present response, claims 2, 5 and 10 are amended, claim 9 is canceled, and claims 11-17 are added. Support for the amendments may at least be found in the application as originally filed as well as the priority application 60/482,597. For example, support for the amendments may at least be found in paragraphs [0015], [0016], [0018] and [0023]-[0025] of the specification as originally filed. Applicant respectfully submits that no new matter is added.

II. Double Patenting

Claims 2 and 5 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claims 2 and 5 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja. Applicant submits that the claims are still pending and asks that the rejection be held in abeyance until the final form of the claims is allowed and a proper comparison can be made.

III. Rejections under 35 U.S.C. § 112

Claims 2, 5, 9 and 10 stand rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully disagrees. Nevertheless, without acquiescing thereto and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claims. Applicant respectfully submits that the rejection is now moot. Withdrawal of the rejection is respectfully requested.

IV. Rejections under 37 U.S.C. § 103

Claims 2 and 4-10 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as being allegedly unpatentable over Kaiser et al. (US Publication No. 2002/0019858) ("Kaiser") in view of Mackintosh et al. (US Patent No. 6,317,784) ("Mackintosh") in view of Logan et al. (US Patent

No. 6,199,076) ("Logan"). Claim 3 stands rejected under pre-AIA 35 U.S.C. 103(a) as allegedly being unpatentable over Kaiser, Mackintosh and Logan further in view of Begeja et al. (US Publication No. 2004/0025180) ("Begeja"). Applicant respectfully traverses. Nevertheless, without acquiescing to the rejections and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claims.

Applicant's invention relates to an automated media-editing tool, which is characterized by the use of any known manner of media tagging performed in advance of the delivery of all or some of that media clip to a consumer. When the final personalized media program is assembled and streamed, there is no human interaction in the final editing process and each individual user receives a unique series of media clips (primarily video or audio) automatically assembled to be tailored to the particular user. The system is designed to perform this auto-assembly process in a massively parallel manner, such that, even if several users requested the same type of programming, each would receive a concatenated stream assembled from the same or similar or overlapping candidate clips, but which is unique to each individual user.

Further, Applicant's invention relates to a method of assembling a unique stream of concatenated media. For example, Applicant's invention utilizes any known method of clip selection, and the media clips are assembled in near-real time with no human interaction except that each user initiates the described process by making a request for a stream of media to be delivered to the user's device. Applicant's invention includes a non-transitory storage medium that stores at least two classes of media clips: non-monetizing and monetizing. The non-monetizing clips include royalty-free clips and clips for which royalty payments are due if delivered to a user. The monetizing clips are any media clips which generate revenue for the operator of the described media-delivery system and method. Examples among these are sponsorship clips and advertising clips.

According to Applicant's invention, the candidate clips returned by the system for a particular user's viewing/listening streaming session include monetizing clips, which may generate revenue for the end user as well as for the publisher. This revenue can be expressed as a credit or other benefit, real or perceived, on the user's account. Because the monetizing clip, in the case of an advertisement, has been matched to some characteristic of the end user, it is typically a high-value transaction relative to other single-clip transactions (typically other than pay-per-view fees, which may be significant), and more importantly, if the monetizing clip is an

advertisement or other media form designed to generate revenue or sales, it is now effectively 'opt-in', which significantly increases its value.

Further, Applicant's invention relates to a method of assembling a unique stream of concatenated media which includes one or all of sponsorship, infotainment or advertisement. By effectively matching the monetizing clip(s) to the user's profile or query the per-consumption value of the delivery of the monetizing clip is effectively increased and each user action becomes equivalent to a series of user-initiated opt-in actions.

Additionally, Applicant's invention relates to a system that delivers a typical advertisement into two parts - a short-form 'teaser' (typically about 6 seconds pulled from the most interest-generating part of the long-form ad) and a long-form advertisement or infomercial or the like. Thus, the delivery of a single ad to a single user is given more than one chance to monetize. First, by simple delivery of the properly matched ad or sponsorship clip - wherein the best match with the end user optionally generates a higher insertion fee from that user. Second, by first playing the short-form teaser ad and by inclusion in the concatenated media stream delivered to that user, thus encouraging the user to click on the teaser to see/hear more. This user action is generated by an indicative action in the first viewing area or the second display area. If the action is taken by the user in the second screen area then the longer-form ad delivered in response to the user's action is now an opt-in ad, which has a substantially higher per-action value. The process can be nested and repeated by moving deeper into the selling cycle by making even the longer-form advertisement actionable such that a user action or click causes the system to deliver yet another monetizing clip (for example, if the ad is selling an automobile the next tier clip might be a video tour of the vehicle of interest to the user).

The Office Action has not identified anywhere in the prior art of record that discloses many features as described in claim 2, such as "storing, by a non-transitory storage medium of the media delivery server, a first class of non-monetizing media clips and a second class of monetizing media clips, wherein the non-monetizing media clips including royalty-free media clips and media clips for which royalty payments are due if delivered to a user, and the monetizing media clips including any media clip which generates revenue for an operator of the media delivery server," "automatically retrieving, by the processor, without human interaction, a list of appropriate potential media clips from the second class of monetizing media clips of the non-transitory storage medium, based on the user's profile, wherein revenue generated from each

monetizing media clip is shown as a credit in the user's profile," "generating, by the processor, a unique concatenated stream of media clips from the retrieved list of appropriate potential media clips, the generated unique concatenated stream of media clips including one or more short-form teasers of advertisements," "receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played," and "playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection."

Accordingly, Applicant respectfully submits that a *prima facie* rejection of obviousness based on the prior art of record has not been presented for all of the features of Applicant's invention as recited in claim 2. Based on the foregoing, Applicant respectfully submits that claim 2 is patentable over the prior art of record. Withdrawal of the rejection to claim 2 is respectfully requested.

Further, independent claim 5 describes some features similar to that of claim 2. For at least the reasons stated above in connection with claim 2, Applicant respectfully submits that claim 5 is in condition for allowance. Accordingly, withdrawal of its rejections is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claims depending from claims 2 and 5 which include additional allowable subject matter further to the allowable subject matter of the independent claims 2 and 5.

Further, new claims 13-17 describe features not disclosed by the prior art of record. In particular, these claims highlight differences between Applicant's screen-area interfaces and that used by the prior art of record. Traditionally, the first screen area is to play the programmed media clips, and the second screen area displays media choices selected by the publisher (whether globally or individually). Thus, a click on the second screen area will deliver a unitary selection of media, which was pre-selected for the user(s). By contrast, in Applicant's invention, the first screen area is for media playing, but the second region variously contains programmatic choices for the viewer/listener. The displayed thumbnails or video/audio files of the media clips/streams in the second screen area are simply those clips that have been recently played by the publisher for this particular user. Once clicked, however, Applicant's system gets to work by comparing available media files with the user's profile and various other key factors - "each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a

template or equivalent assembly rules for delivery to each user" as described in claim 13. Based on the foregoing, Applicant respectfully submits that claim 13 and its dependent claims are patentable over the prior art of record.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
TROUTMAN SANDERS LLP

/Dan Li Limited Recognition No. L0529 /

Dan Li
Limited Recognition No. L0529

Please recognize our Customer No. 06980 as our correspondence address.
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Date: May 11, 2020

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Dan Li/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 2 months with $0 paid	2252	1	300	300
Miscellaneous:				
			Total in USD ($)	**300**

Electronic Acknowledgement Receipt

EFS ID:	39407017
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Dan Li/Eileen Herring
Filer Authorized By:	Dan Li
Attorney Docket Number:	243449.000080
Receipt Date:	11-MAY-2020
Filing Date:	18-APR-2016
Time Stamp:	16:16:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$300
RAM confirmation Number	E20205AG16437171
Deposit Account	201507
Authorized User	Eileen Herring

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		FOAR_2020-05-11_243449-000080.pdf	179485 2a2b45e25d1ff9dee110ab687e81f474ce43229c	yes	12

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Response After Final Action	1	1
Claims	2	6
Applicant Arguments/Remarks Made in an Amendment	7	12

Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30706 63c7c94acf95c4697b450542ed49f0d2301b42d6	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	210191		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	05/11/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 15	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/JAMES E MASON/
*** 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
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 05/20/2020
TROUTMAN SANDERS LLP
600 Peachtree St., NE, Suite 3000
Atlanta, GA 402214

EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
05/20/2020	ELECTRONIC

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

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

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

jim.schutz@troutman.com
patents@troutman.com
ryan.schneider@troutman.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 15/131,873	**Applicant(s)** MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	**Art Unit** 2423	**AIA (FITF) Status** No

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

THE REPLY FILED 11 May 2020 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☑ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☑ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection.The current period for reply expires ____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☑ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: See Continuation Sheet (See 37CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicants reply has overcome the following rejection(s): _____
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☑ For purposes of appeal, the proposed amendment(s):(a) ☑ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed:_____.
    Claim(s) objected to:_____.
    Claim(s) rejected:2-10.
    Claim(s) withdrawn from consideration:_____.

/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	

Continuation of 3. NOTE: Applicant's proposed amendments do not merely cancel claims, remove issues for appeal, or in some other way require only a cursory review by the examiner. Accordingly, further search and/or consideration is required on the part of the examiner. For example, the proposed amendment to all the independent claims has deleted language previously presented and/or presented new claim elements, effectively changing the scope of the claims.

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Final Office Action dated December 9, 2019.

Amendments to the Claims begin on page 2.

Remarks begin on page 7.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

DO NOT ENTER: /J.O.M/
05/14/2020

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. 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	15131873	Filing Date	2016-04-18	Docket Number (if applicable)	243449.000080	Art Unit	2423
First Named Inventor	Dwight MARCUS			Examiner Name	MENDOZA, JUNIOR O		

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 RESPONSE TO FINAL OFFICE ACTION filed May 11, 2020

☒ Enclosed

☐ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☒ Other Three Month Extension of Time (2 month extesion of time paid on May 11, 2020)

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 201507

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

X Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
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Signature of Registered U.S. Patent Practitioner			
Signature	/Dan Li Limited Recognition No. L0529/	Date (YYYY-MM-DD)	2020-06-09
Name	Dan Li	Registration Number	L0529

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.

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

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

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

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

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

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

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

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

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

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

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Dan Li/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 3 months with $300 paid	2253	1	400	400
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	2820	1	950	950
		Total in USD ($)		**1350**

Electronic Acknowledgement Receipt

EFS ID:	39664793
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Dan Li/Eileen Herring
Filer Authorized By:	Dan Li
Attorney Docket Number:	243449.000080
Receipt Date:	09-JUN-2020
Filing Date:	18-APR-2016
Time Stamp:	11:40:12
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$1350
RAM confirmation Number	E202069B40308910
Deposit Account	201507
Authorized User	Eileen Herring

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	RCE_2020-06-09_243449-000080.PDF	1366366 44ddea0547062ad5794a50fb2f8f381459bc5a5c	no	3
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	32478 01290489920b0b8f14a2c604aa799aa5188e3caf	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1398844		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	06/09/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 15	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	SLIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ADRIENE D. SELLMAN/
*** 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.**

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 06/25/2020

TROUTMAN SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
06/25/2020	ELECTRONIC

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

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

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

jim.schutz@troutman.com
patents@troutman.com
ryan.schneider@troutman.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA (FITF) Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 05/11/2020.

☐ 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) 2-8 and 10-17 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) 2-8 and 10-17 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/09/2020 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 2, 5 and 13 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Claim Objections

4. **Claims 10, 11 and 12** are objected to because of the following informalities: Claims 10, 11 and 12 currently depend from the method of "claim 1". However, claim 1 is currently cancelled; for the purposes of this examination, the examiner will assume claims 10, 11 and 12 depend from independent claim 2.

Appropriate correction is required.

Allowable Subject Matter

5. **Claim 2** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 3, 4 and 10-12**, they depend from allowable claims 3, 4 and 10-12. Therefore, claims 6-8 are also held allowable.

6. **Claim 5** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 6-8**, they depend from allowable claim 5. Therefore, claims 6-8 are also held allowable.

In order to advance prosecution, the examiner suggests cancelling claims 13-17 in order to place the instant application in conditions for allowance. Alternatively, the examiner suggests mirroring the captured limitations of allowable claims 1 and 5 into independent claim 13.

Double Patenting

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

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

The USPTO internet Web site contains terminal disclaimer forms which may be used. Please visit http://www.uspto.gov/forms/. The filing date of the application will determine what form should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all

requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to http://www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

8. **Claims 5 and 13** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claims 5 and 13 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 5 and 13 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

9. **Claims 5 and 13** are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja et al.

(Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claims 5 and 13 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip.

Nevertheless, in a similar field of endeavor Begeja discloses playing, in the second viewing area of the information display, the primary video clip (Paragraphs [0068] [0092] figure 5; video clips in section 505 may be represented as thumbnails, video thumbscreens or video files).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 5 and 13 of U.S. Patent No 9,317,597 by specifically providing the elements mentioned above, as taught by Begeja, for the predictable result of enriching a user interface video clip representations in a manner that is more visually pleasing to the user, effectively increasing customer satisfaction.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

> (a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. **Claims 2 and 13-17** are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding **claim 2**, the applicant currently claims "searching... in near-real time". The original disclosure is silent to explicitly or implicitly disclose searching "in near-real time".

Regarding **claim 2**, the applicant currently claims "searching... a viewing history database for user's profile.... after receiving the user's request". The original disclosure is silent to explicitly or implicitly disclose the sequence of events in the order that was claimed. While paragraph [0017] and figure 1 teach collecting user information regarding demographic and prior history of interaction with the system; they is nothing in the specification that points to searching the collected user profile information "after receiving the user's request". The examiner suggests deleting the claimed "after receiving the user's request" feature.

Regarding **claim 2**, the applicant currently claims "wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile". The original

disclosure is silent to explicitly or implicitly disclose any sort of credit assigned to a user profile, even less showing said credit in the user's profile.

The examiner notes that dependent **claims 3, 4 and 10-12** are also rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement; since dependent claims 3, 4 and 10-12 also incorporate all the rejected new matter elements as rejected for independent claim 2.

Regarding **claim 13**, the applicant claims "a collection of user tags or headers defining information about each user". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed.

Regarding **claim 13**, the applicant claims "compare each user's profile data with the stored collection of user tags or headers for each candidate media clip". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed.

Regarding **claim 13**, the applicant claims "media clips with tag values appropriate for each user's profile". As noted before, the disclosure as originally filed fails to explicitly or implicitly disclose "tag values" related to a user's profile.

Regarding **claim 13**, the applicant claims that "each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent

assembly rules for delivery to each user". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed user's clicking mechanism.

Regarding **claims 13-16**, the applicant currently claims "a user's click" and "media clips which are clickable". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed user's clicking mechanism.

Regarding **claim 15**, the applicant claims that "as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed feature.

Regarding **claim 16**, the applicant claims that after selecting a clip receiving payment for "for a subsequent delivery of each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip". However, the examiner notes that while the specification discloses that the clips may be advertisements or pay to view clips, there is nothing that supports receiving payment for "each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered

media clip" as claimed. At best, the disclosure as originally filed teaches that the user pays to view certain clips; paragraph [0025].

Regarding **claim 17**, the applicant that the media clips are "tagged" as having remunerative values. However, the examiner notes that while the specification discloses that the clips may be advertisements or pay to view clips, there is nothing that supports that these clips are "tagged" as claimed.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

13. **Claims 13 – 15** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Marcus (Patent No US 6,032,156) in view of Mackintosh et al. (Patent No US 6,317,784) further in view of Kaiser et al. (Pub No US 2002/0019858). Hereinafter, referenced as Marcus, Mackintosh and Kaiser, respectively.

Regarding **claim 13**, Marcus discloses a system of providing media distribution, comprising:

a non-transitory storage medium configured to store (Figure 1):

a collection of user tags or headers with defining information about each user (Col. 3 lines 1-30 figures 1 and 2; content tags 120 including viewer profiles 130);

and a plurality of candidate media clips (Figure 1; clips 80);

a processor configured to: compare each user's profile data with the stored collection of user tags or headers for each candidate media clip (Col. 10 lines 9-21, col. 14 lines 8-17; using viewer database information to create a customized programming);

select a plurality of media clips with tag values appropriate for each user's profile data (Col. 9 lines 23-45 figure 6; read clip identification information, e.g. tag values, 605 and pull clips from library 610);

assemble the selected media clips (Col. 9 lines 23-45 figure 6; assemble clips into customized programming 615);

send the assembled media clips to a device of each user (Col. 9 lines 9-21, col. 13 lines 45-51, col. 14-13-29 figures 5 and 6; utilizing various templates 505 to assemble customized video clips programming to distribute to the user).

However, it is noted that Marcus is silent to explicitly disclose move a thumbnail of each media clip from a primary screen area to a secondary screen area after each media clip plays, wherein the primary screen area and the secondary screen area are clickable.

Nevertheless, in a similar field of endeavor Mackintosh discloses move a thumbnail of each media clip from a primary screen area (Col. 12 lines 55-63, col. 13 lines 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-

30 and col. 19 lines 5-7) to a secondary screen area after each media clip plays (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order),

wherein the primary screen area (e.g. buy now clickable button 326) and the secondary screen area are clickable (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

However, it is noted that Marcus and Mackintosh are silent to explicitly disclose each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user.

Nevertheless, in a similar field of endeavor Kaiser discloses disclose each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user (Paragraphs [0053] [0052] [0056] figures 7 and 8; user selects the “get more” button associated with a

current song or a previous song from the historical record of played songs 815, in order to build a new playlist of clips 745 with the same characteristics as the selected song).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus and Mackintosh by specifically providing the elements mentioned above, as taught by Kaiser, for the predictable result of allowing the user to further redefine their generated playlists with the highest affinity possible to their preferences (Kaiser – paragraph [0015]).

Regarding **claim 14**, Marcus, Mackintosh and Kaiser disclose the system of claim 13; however, it is noted that Marcus is silent to explicitly disclose that at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user, wherein the user's click or equivalent gesture initiates delivery to each user of: a long-form media clip of the clicked short-form media clip, or an assembly of a plurality of concatenated media clips associated with the clicked short- form media clip.

Nevertheless, in a similar field of endeavor Mackintosh discloses that at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection),

wherein the user's click or equivalent gesture initiates delivery to each user of: a long-form media clip of the clicked short-form media clip, or an assembly of a plurality of concatenated media clips associated with the clicked short- form media clip (Col. 20

lines 43-67 figure 9; store program data 446 and an image associated with the program data 448, which is retrieved with the user selects it from the history track 450. Wherein the program data may include videos and audios of the selected image; col. 5 lines 2-6, col.10 lines 30-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Regarding **claim 15**, Marcus, Mackintosh and Kaiser disclose the system of claim 14; however, it is noted that Marcus is silent to explicitly disclose that as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip.

Nevertheless, in a similar field of endeavor Mackintosh discloses that as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-

delivered media clip (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

14. **Claims 16 and 17** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Marcus, Mackintosh and Kaiser further in view of Fiedler (Pub No US 2003/0040917). Hereinafter, referenced as Fiedler.

Regarding **claim 16**, Marcus, Mackintosh and Kaiser disclose the system of claim 13; moreover, Mackintosh discloses that after each user clicks on at least one of the primary screen area and the secondary screen area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. McDonalds advertisement, which display five most recently displayed segments in chronological order),

the processor receives a subsequent delivery of each successively-delivered media clip (e.g. McDonalds advertisement) or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip (Col.

16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

However, it is noted that Marcus, Mackintosh and Kaiser are silent to explicitly disclose that a processor receives a remunerative value for each successively-delivered clip.

Nevertheless, in a similar field of endeavor Fiedler discloses that it is well-known in the art for a processor to receive remunerative value for each successively-delivered clip (Paragraphs [0018] [0123]; content delivery royalties).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus, Mackintosh and Kaiser by specifically providing the elements mentioned above, as noted by Fiedler, for the predictable result of providing a monetary incentive for the content distributors to distribute created content to their viewers.

Regarding **claim 17**, Marcus, Mackintosh and Kaiser in view of Official Notice disclose all the limitations of claim 17; therefore, claim 17 is rejected for the same reasons stated in claim 16.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Notice of References Cited	Application/Control No. 15/131,873	Applicant(s)/Patent Under Reexamination MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20030040917-A1	02-2003	Fiedler, Mark	G11B27/031	704/500
*	B	US-6032156-A	02-2000	Marcus; Dwight	G11B27/031	1/1
	C					
	D					
	E					
	F					
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	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	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
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018	12/07/2018	05/31/2019	12/04/2019	06/19/2020		
	1	✓	-	-	-	-	-	-		
	2		✓	✓	✓	✓	✓	✓		
	3		✓	✓	✓	✓	✓	✓		
	4					✓	✓	✓		
	5					✓	✓	✓		
	6					✓	✓	✓		
	7					✓	✓	✓		
	8					✓	✓	✓		
	9						✓	-		
	10						✓	✓		
	11							✓		
	12							✓		
	13							✓		
	14							✓		
	15							✓		
	16							✓		
	17							✓		

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	12/04/2019	JM
H04N21/8549 G06F16/738 G06Q30/0273 G06Q30/02 H04N7/17318 H04N21/25883 H04N21/25891 H04N21/4312 H04N21/4314 H04N21/4722 H04N21/812 G06Q20/123	06/19/2020	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	06/19/2020	JM
Class 725 Plus Text Search	06/19/2020	JM
Double Patenting Search	06/19/2020	JM

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	06/19/2020	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L4	161	(H04N21/8549 or G06F16/738 or G06Q30/0273 or G06Q30/02 or H04N7/17318 or H04N21/25883 or H04N21/25891 or H04N21/4312 or H04N21/4314 or H04N21/4722 or H04N21/812 or G06Q20/123).cpc. and @rlad<="20030624" and royalt$4 same revenue	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/21 15:39
L2	98,491	(H04N21/8549 or G06F16/738 or G06Q30/0273 or G06Q30/02 or H04N7/17318 or H04N21/25883 or H04N21/25891 or H04N21/4312 or H04N21/4314 or H04N21/4722 or H04N21/812 or G06Q20/123).cpc. @rlad<="20030624" and royalt$4 same revenue	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/21 15:36
S223	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2020/06/20 22:50
S222	15	@rlad<="20030624" and royalt$4 same credit same free	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 22:16
S221	2	09/884532.app.	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 22:07
S220	15	@rlad<="20030624" and royalt$4 same credit same free	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 22:05
S219	464	@rlad<="20030624" and royalt$4 same credit	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 22:05
S218	12	@rlad<="20030624" and royalt$4 same free same revenue	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 21:52
S217	11	"725".clas. and @rlad<="20030624" and royalt$4 same free	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/20 21:51
S216	14	(marcus and dwight).in. and royalty	US-PGPUB; USPAT;	OR	ON	2020/06/20 21:49

			USOCR; FPRS; EPO; JPO; IBM_TDB			
S215	100	marcus.in. and royalty	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2020/06/20 21:49
S214	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2020/06/20 17:22
S213	4	"6032156".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2020/06/15 22:50
S212	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2020/06/12 20:52

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	10	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2020/06/21 15:42
L5	26	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2020/06/21 15:42

6/21/2020 3:43:11 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

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 15/131,873	Filing Date 04/18/2016	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		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 $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	10/23/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 12	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/PEARLIE A FENNELL/
*** 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.

Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO NON-FINAL OFFICE ACTION

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

Commissioner:

This is in response to the Non-Final Office Action dated June 25, 2020.

Amendments to the Claims begin on page 2.

Remarks begin on page 7.

To the extent necessary, an additional petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

receiving, by a processor of a media delivery server, a user's request for a stream of media from the user's device;

storing, by a non-transitory storage medium of the media delivery server, a first class of non-monetizing media clips and a second class of monetizing media clips, wherein the non-monetizing media clips including royalty-free media clips and media clips for which royalty payments are due if delivered to a user, and the monetizing media clips including any media clip which generates revenue for an operator of the media delivery server;

searching, by the processor of the media delivery server, in near-real time, a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data after receiving the user's request;

automatically retrieving, by the processor, without human interaction, a list of appropriate potential media clips from the second class of monetizing media clips of the non-transitory storage medium, based on the user's profile, wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile;

generating, by the processor, a unique concatenated stream of media clips from the retrieved list of appropriate potential media clips, the generated unique concatenated stream of media clips including one or more short-form ~~teasers of advertisement~~monetizing media;

streaming to the user the generated unique concatenated stream of media clips;

providing, by the processor, an information display displayed on the user's device and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, the generated unique concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's selection on one of the visual exemplary representations in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

3. (Previously Presented) The method of claim 2, wherein the second display area includes a second viewing area and a third viewing area, and wherein the method further comprises the steps of:

playing a primary video clip in the second viewing area;

playing the primary video clip in the third viewing area when a secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

4.(Previously Presented) The method of claim 2, wherein the second display area includes at least one viewing area displaying the video clips in a first-in, first-out order.

5. (Currently Amended) A method of providing media programming, comprising:

providing, by a computer, an information display displayed on a user's computer and partitioning the information display to comprise:

a first viewing area;

a second display area; and

streaming to the user a unique concatenated stream of media clips, the unique concatenated stream of media clips including one or more short-form teasers of advertisements;

playing, in the first viewing area, the unique concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, displaying ~~entering~~ an exemplary visual element representative of a last-played clip ~~exemplary representation of the concatenated media clip into~~ in the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips, wherein each user can select one of the played media clips, wherein each user's selection interacts with the user's unique viewing history, the user's personal profile and an assembly logic or template branching functionality, to create a stream of media programming that dynamically optimizes the selected media clip and dynamically reshuffles or automatically generates new concatenations of media clips which become progressively more targeted to the user;

receiving the user's selection on one of the ~~still~~ images in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area,

wherein each media clip includes at least one of the following: video, audio, and other time-based content,

wherein each media clip is presented in a time-based or sequential form, and

wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

6-9. (Canceled).

10. (Currently Amended) The method of claim ~~12~~, wherein the predefined rule is based on at least one of the following: the user's demographic data and geographic data.

11. (Currently Amended) The method of claim ~~12~~, wherein at least one of the media clips is tagged or labelled with aesthetic values of any useful type.

12. (Currently Amended) The method of claim ~~12~~, wherein at least one of the media clips is tagged or labelled with content values of any useful kind.

13. (Currently Amended) A system of providing media distribution, comprising:

a non-transitory storage medium configured to store:

a collection of user tags or headers with defining information about each user; and

a plurality of candidate media clips;

a processor configured to:

compare each user's profile data with the stored collection of user tags or headers for each candidate media clip;

select a plurality of media clips with tag values appropriate for each user's profile data;

assemble the selected media clips by a template or equivalent organizing logic governing ordering and assembly of each user's playlist in order to approximate human decisions;

send the assembled media clips to a device of each user; and

move a thumbnail of each media clip from a primary screen area to a secondary screen area after each media clip plays, wherein the primary screen area and the secondary screen area are clickable, wherein each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user.

14. (Currently Amended) The system of claim 13, wherein at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user, wherein the user's click or equivalent gesture initiates delivery to each user of:

a longer-form media clip or series of clips derived from, or related to each user's action ~~of the clicked short-form media clip~~, or

an assembly of a plurality of concatenated media clips associated with the clicked short-form media clip.

15. (Previously Presented) The system of claim 14, wherein as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip.

16. (Previously Presented) The system of claim 13, wherein after each user clicks on at least one of the primary screen area and the secondary screen area, the processor receives a remunerative value for a subsequent delivery of each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip.

17. (Previously Presented) The system of claim 13, wherein the media clips are tagged as having remunerative values.

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-5 and 10-17 are pending. By the present response, claims 2, 5 and 10-14 are amended, and claims 6-8 are canceled. Support for the amendments may at least be found in the application as originally filed as well as the priority application 60/482,597. Applicant respectfully submits that no new matter is added.

II. Claim Objections

Claims 10, 11 and 12 stand objected to because of alleged informalities. Applicant respectfully disagrees. Nevertheless, without acquiescing thereto and solely for purposes of expediating prosecution of the present application, Applicant hereby amends claims 10-12. Applicant submits that the objection is now moot. Withdrawal of the objection is respectfully requested.

III. Allowable Subject Matter

Applicant would like to thank Examiner for indicating allowable subject matter in claims 2, 3, 4, 5, 6-8 and 10-12.

IV. Double Patenting

Claims 5 and 13 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 8,875,185 in view of Begeja et al. (US Pub. No. 2004/0025180) ("Begeja"). Claims 5 and 13 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1 of U.S. Patent No. 9,317,597 in view of Begeja.

Applicant respectfully disagrees. Nevertheless, without acquiescing thereto and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claims.

For example, claim 13 is amended by including "assemble the selected media clips by a template or equivalent organizing logic governing ordering and assembly of each user's playlist in order to approximate human decisions." The claimed "template or equivalent logic" more

closely approximates the decisions that would be made by human editors and media programmers.

Applicant submits that the double patenting rejection is now moot in view of the present claim amendments. Withdrawal of the rejection is respectfully requested.

V. Rejections under 35 U.S.C. § 112

Claims 2 and 13-17 stand rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully disagrees.

Nevertheless, without acquiescing thereto and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claims. Applicant respectfully submits that the rejection is now moot. Withdrawal of the rejection is respectfully requested.

VI. Rejections under 37 U.S.C. § 103

Claims 13-15 stand rejected under (pre-AIA) 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,032,156 to Marcus in view of U.S. Patent No. 6,317,784 to Mackintosh further in view of U.S. Publication No. 2002/0019858 to Kaiser. Claims 16 and 17 stand rejected under pre-AIA 35 U.S.C. 103(a) as allegedly being unpatentable over Marcus, Mackintosh and Kaiser further in view of U.S. Publication No. 2003/0040917 to Fiedler.

Applicant respectfully disagrees. Nevertheless, without acquiescing thereto and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claim 13. Claim 13 is amended by including "assemble the selected media clips by a template or equivalent organizing logic governing ordering and assembly of each user's playlist in order to approximate human decisions." The claimed "template or equivalent logic" more closely approximates the decisions that would be made by human editors and media programmers.

The Office has not identified anywhere in the prior art of record that discloses all features of claim 13.

Accordingly, Applicant respectfully submits that a *prima facie* rejection of obviousness based on the prior art of record has not been presented for all of the features of Applicant's invention as recited in claim 13. Based on the foregoing, Applicant respectfully submits that

claim 13 is patentable over the prior art of record. Withdrawal of the rejection to claim 13 is respectfully requested.

Furthermore, Applicant requests that the Examiner allow claims depending from claim 13 which include additional allowable subject matter further to the allowable subject matter of the independent claim 13.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Respectfully submitted,
Troutman Pepper Hamilton Sanders LLP

/Dan Li Registration No. 78814/

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Date: October 23, 2020

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Dan Li/Chanelle Rogers
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	2251	1	110	110
Miscellaneous:				
			Total in USD ($)	**110**

Electronic Acknowledgement Receipt

EFS ID:	40934953
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Dan Li/Chanelle Rogers
Filer Authorized By:	Dan Li
Attorney Docket Number:	243449.000080
Receipt Date:	23-OCT-2020
Filing Date:	18-APR-2016
Time Stamp:	17:09:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$110
RAM confirmation Number	E20200MH11568930
Deposit Account	
Authorized User	

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		243449_000080Response.pdf	123195 420ecf8edaddcb5a6fafe65929faa0c54f218322	yes	10
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	6	
	Applicant Arguments/Remarks Made in an Amendment		7	10	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30708 dddf917fe28db6655c2a8d25d883c642c8516421	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	153903		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 01/28/2021

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EXAMINER	
MENDOZA, JUNIOR O	

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
01/28/2021	ELECTRONIC

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

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

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

jim.schutz@troutman.com
patents@troutman.com
ryan.schneider@troutman.com

Office Action Summary	Application No. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA (FITF) Status No

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

Period for Reply

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

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

Status

1)☑ Responsive to communication(s) filed on 10/23/2020.

☐ 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) 2-5 and 10-17 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) 2-5 and 10-17 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

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

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

4) ☐ Other: _____.

DETAILED ACTION

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

Response to Arguments

2. Applicant's arguments filed 10/23/2020 have been fully considered but they are not persuasive.

Regarding **claims 2 and 13-17**, applicant argues that claims 2 and 13-17 have been amended to overcome the rejection under 35 U.S.C. 112(a) first paragraph for failing to comply with the written description requirement; remarks page 8.

However, the examiner respectfully disagrees with the applicant. In fact, the examiner notes that the applicant has failed to address any of the features rejected under 35 U.S.C. 112(a) first paragraph for failing to comply with the written description requirement.

It is noted that the rejected features have not been deleted from the claim language; additionally, the application has failed to provide reasonably rebuttal arguments providing support in the originally filed disclosure of the current application. Therefore, the rejection under 35 U.S.C. 112(a) first paragraph for failing to comply with the written description requirement for claims 2 and 13-17 is maintained.

Regarding **claim 13**, applicant argues that Marcus fails to teach the features direct to "assemble the selected media clips by a template or equivalent organizing logic governing ordering and assembly or each user's playlist in order to approximate human decisions"; remarks pages 8-9.

However, the examiner respectfully disagrees with the applicant. In this case Marcus clearly discloses utilizing various templates 505 to assemble customized video clips programming to distribute to the user; Col. 9 lines 9-21, col. 13 lines 45-51, col. 14-13-29 figures 5 and 6. Wherein temporal organizational templates 315/505 may be based on target audiences demographics utilizing to create the content clip playlist; col. 3 line 66 – col. 4 line 7, col. 8 lines 16-43; figures 3 and 5. Therefore, Marcus clearly discloses "assemble the selected media clips by a template or equivalent organizing logic governing ordering and assembly or each user's playlist in order to approximate human decisions", as claimed.

Allowable Subject Matter

3. **Claim 2** would be allowable, provided that the rejection under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement is overcome.

Regarding **claims 3, 4 and 10-12**, they depend from allowable claims 3, 4 and 10-12. Therefore, claims 6-8 are also held allowable.

4. **Claim 5** would be allowable, provided that the rejection under nonstatutory double patenting is overcome.

Double Patenting

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

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

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

6. **Claims 5 and 13** are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 8,875,185 in view of Mackintosh et al. (Patent No 6,317,784). Although the claims at issue are not identical, they are not patentably distinct from each other because claims 1-20 of U.S. Patent No. 8,875,185 already captures all the elements being claimed on claims 5 and 13 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip; wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

Nevertheless, in a similar field of endeavor Mackintosh discloses playing, in the second viewing area of the information display, the primary video clip (Figure 7; current content playing in big window);

wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area (Col. 15 line 56 – col. 16 line 23 figures 7

and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order),

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 1-20 of U.S. Patent No. 8,875,185 by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

7. **Claims 5 and 13** are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 9,317,597 in view of Begeja et al. (Pub No US 2004/0025180). Although the claims at issue are not identical, they are not patentably distinct from each other because claims 1-20 of U.S. Patent No. 9,317,597 already captures all the elements being claimed on claims 5 and 13 of the instant application, except for playing, in the second viewing area of the information display, the primary video clip; wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

Nevertheless, in a similar field of endeavor Mackintosh discloses playing, in the second viewing area of the information display, the primary video clip (Figure 7; current content playing in big window);

wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order),

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify claims 1-20 of U.S. Patent No. 9,317,597 by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

> (a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. **Claims 2 and 13-17** are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding **claim 2**, the applicant currently claims "searching... in near-real time"; line 9. The original disclosure is silent to explicitly or implicitly disclose searching "in near-real time". The order to advance prosecution, the examiner suggests deleting "in real-time" form the claim language.

Regarding **claim 2**, the applicant currently claims "searching... a viewing history database for user's profile.... after receiving the user's request"; lines 9-10. The original disclosure is silent to explicitly or implicitly disclose the sequence of events in the order that was claimed. While paragraph [0017] and figure 1 teach collecting user information regarding demographic and prior history of interaction with the system; there is nothing in the specification that points to searching the collected user profile information "after receiving the user's request". The examiner suggests deleting the claimed "after receiving the user's request" feature.

Regarding **claim 2**, the applicant currently claims "wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile", lines 14-15.

The original disclosure is silent to explicitly or implicitly disclose any sort of credit assigned to a user profile, even less showing said credit in the user's profile.

The examiner notes that dependent **claims 3, 4 and 10-12** are also rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement; since dependent claims 3, 4 and 10-12 also incorporate all the rejected new matter elements as rejected for independent claim 2.

Regarding **claim 13**, the applicant claims "a collection of user tags or headers defining information about each user". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the rejected claimed feature.

Regarding **claim 13**, the applicant claims "compare each user's profile data with the stored collection of user tags or headers for each candidate media clip". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the rejected claimed feature.

Regarding **claim 13**, the applicant claims "media clips with tag values appropriate for each user's profile". As noted before, the disclosure as originally filed fails to explicitly or implicitly disclose "tag values" related to a user's profile.

Regarding **claim 13**, the applicant claims "a template or equivalent organizing logic governing ordering and assembly or each user's playlist in order to approximate human decisions". Nothing in the specification as originally filed provides support for the claimed feature.

Regarding **claim 13**, the applicant claims that "each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed user's clicking mechanism.

Regarding **claims 13-16**, the applicant currently claims "a user's click" and "media clips which are clickable". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the claimed user's clicking mechanism.

Regarding **claim 15**, the applicant claims that "as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip". The examiner notes that the disclosure of the instant application as originally filed fails to explicitly or implicitly disclose the rejected claimed feature.

Regarding **claim 16**, the applicant claims that after selecting a clip receiving payment for "for a subsequent delivery of each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip". However, the examiner notes that while the specification discloses that the clips may be advertisements or pay to view clips, there is nothing that supports receiving payment for "each successively-delivered media clip or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip" as claimed. At best, the disclosure as originally filed teaches that the user pays to view certain clips; paragraph [0025].

Regarding **claim 17**, the applicant that the media clips are "tagged" as having remunerative values. However, the examiner notes that while the specification discloses that the clips may be advertisements or pay to view clips, there is nothing that supports that these clips are "tagged" as claimed.

Claim Rejections - 35 USC § 103

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, 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.

11. **Claims 13 – 15** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Marcus (Patent No US 6,032,156) in view of Mackintosh et al. (Patent No US 6,317,784) further in view of Kaiser et al. (Pub No US 2002/0019858). Hereinafter, referenced as Marcus, Mackintosh and Kaiser, respectively.

Regarding **claim 13**, Marcus discloses a system of providing media distribution, comprising:

a non-transitory storage medium configured to store (Figure 1):

a collection of user tags or headers with defining information about each user (Col. 3 lines 1-30 figures 1 and 2; content tags 120 including viewer profiles 130);

and a plurality of candidate media clips (Figure 1; clips 80);

a processor configured to: compare each user's profile data with the stored collection of user tags or headers for each candidate media clip (Col. 10 lines 9-21, col. 14 lines 8-17; using viewer database information to create a customized programming);

select a plurality of media clips with tag values appropriate for each user's profile data (Col. 9 lines 23-45 figure 6; read clip identification information, e.g. tag values, 605 and pull clips from library 610);

assemble the selected media clips (Col. 9 lines 23-45 figure 6; assemble clips into customized programming 615) by a template (e.g. template layer 315/505) or equivalent organizing logic governing ordering and assembly or each user's playlist in order to approximate human decisions (Col. 3 line 66 – col. 4 line 7, col. 8 lines 16-43; figures 3 and 5; temporal organizational templates 315/505 based on target audiences);

send the assembled media clips to a device of each user (Col. 9 lines 9-21, col. 13 lines 45-51, col. 14-13-29 figures 5 and 6; utilizing various templates 505 to assemble customized video clips programming to distribute to the user).

However, it is noted that Marcus is silent to explicitly disclose move a thumbnail of each media clip from a primary screen area to a secondary screen area after each media clip plays, wherein the primary screen area and the secondary screen area are clickable.

Nevertheless, in a similar field of endeavor Mackintosh discloses move a thumbnail of each media clip from a primary screen area (Col. 12 lines 55-63, col. 13 lines 4-15, figures 7 and 12; window 302/526 displays content currently being played. Wherein while the content being displayed refers to radio content, the disclosure may be also implemented with television video broadcasts, col. 5 lines 12-15, col. 6 lines 25-30 and col. 19 lines 5-7) to a secondary screen area after each media clip plays (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. Fleetwood Mac, which display five most recently displayed segments in chronological order),

wherein the primary screen area (e.g. buy now clickable button 326) and the secondary screen area are clickable (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the

users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

However, it is noted that Marcus and Mackintosh are silent to explicitly disclose each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user.

Nevertheless, in a similar field of endeavor Kaiser discloses disclose each user's click or equivalent gesture serves to initiate concatenation deemed appropriate by a template or equivalent assembly rules for delivery to each user (Paragraphs [0053] [0052] [0056] figures 7 and 8; user selects the “get more” button associated with a current song or a previous song from the historical record of played songs 815, in order to build a new playlist of clips 745 with the same characteristics as the selected song).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus and Mackintosh by specifically providing the elements mentioned above, as taught by Kaiser, for the predictable result of allowing the user to further redefine their generated playlists with the highest affinity possible to their preferences (Kaiser – paragraph [0015]).

Regarding **claim 14**, Marcus, Mackintosh and Kaiser disclose the system of claim 13; however, it is noted that Marcus is silent to explicitly disclose that at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user, wherein the user's click or equivalent gesture

initiates delivery to each user of: a long-form media clip or series of clips derived from, or related to each user's, or an assembly of a plurality of concatenated media clips associated with the clicked short- form media clip.

Nevertheless, in a similar field of endeavor Mackintosh discloses that at least one of the primary screen area and the secondary screen area displays short-form media clips which are clickable by each user (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection),

wherein the user's click or equivalent gesture initiates delivery to each user of: a longer form media clip or series of clips derived from, or related to each user's, or an assembly of a plurality of concatenated media clips associated with the clicked short-form media clip (Col. 20 lines 43-67 figure 9; store program data 446 and an image associated with the program data 448, which is retrieved with the user selects it from the history track 450. Wherein the program data may include videos and audios of the selected image; col. 5 lines 2-6, col.10 lines 30-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

Regarding **claim 15**, Marcus, Mackintosh and Kaiser disclose the system of claim 14; however, it is noted that Marcus is silent to explicitly disclose that as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip.

Nevertheless, in a similar field of endeavor Mackintosh discloses that as each user clicks on a successively-delivered media clip, the processor returns to the user progressively long-form media clips of the successively-delivered media clip, or an assembly of a plurality of concatenated media clips associated with the successively-delivered media clip (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus by specifically providing the elements mentioned above, as taught by Mackintosh, for the predictable result of allowing the users to easily and effectively select clips of content from a screen which presents current and previous clips simultaneously, without the need to force the user to navigate through multiple interface screens, making the interface of the instant combination more user friendly.

12. **Claims 16 and 17** are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Marcus, Mackintosh and Kaiser further in view of Fiedler (Pub No US 2003/0040917). Hereinafter, referenced as Fiedler.

Regarding **claim 16**, Marcus, Mackintosh and Kaiser disclose the system of claim 13; moreover, Mackintosh discloses that after each user clicks on at least one of the primary screen area and the secondary screen area (Col. 15 line 56 – col. 16 line 23 figures 7 and 12; most recent sub-window 525a in sliding history window 306/525, e.g. McDonalds advertisement, which display five most recently displayed segments in chronological order),

the processor receives a subsequent delivery of each successively-delivered media clip (e.g. McDonalds advertisement) or an assembly of a plurality of concatenated media clips associated with each successively-delivered media clip (Col. 16 lines 9-23 figures 7 and 12; the user may simply click on one of the windows in the history bar to bring up the information for that selection).

However, it is noted that Marcus, Mackintosh and Kaiser are silent to explicitly disclose that a processor receives a remunerative value for each successively-delivered clip.

Nevertheless, in a similar field of endeavor Fiedler discloses that it is well-known in the art for a processor to receive remunerative value for each successively-delivered clip (Paragraphs [0018] [0123]; content delivery royalties).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Marcus, Mackintosh and Kaiser by specifically

providing the elements mentioned above, as noted by Fiedler, for the predictable result of providing a monetary incentive for the content distributors to distribute created content to their viewers.

Regarding **claim 17**, Marcus, Mackintosh and Kaiser in view of Official Notice disclose all the limitations of claim 17; therefore, claim 17 is rejected for the same reasons stated in claim 16.

Conclusion

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 JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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 https://ppair-my.uspto.gov/pair/PrivatePair. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	12/04/2019	JM
H04N21/8549 G06F16/738 G06Q30/0273 G06Q30/02 H04N7/17318 H04N21/25883 H04N21/25891 H04N21/4312 H04N21/4314 H04N21/4722 H04N21/812 G06Q20/123	06/19/2020	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	01/22/2021	JM
Class 725 Plus Text Search	06/19/2020	JM
Double Patenting Search	01/22/2021	JM
H04N21/8549 G06F16/738 G06Q30/0273 G06Q30/02 H04N7/17318 H04N21/25883 H04N21/25891 H04N21/4312 H04N21/4314 H04N21/4722 H04N21/812 G06Q20/123 Plus Text Search	01/22/2021	JM
Google Patent Search	01/22/2021	JM

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	06/19/2020	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

TikTok Ex. 1007, Page 341 of 405

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

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

CLAIMS

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

CLAIM		DATE								
Final	Original	01/06/2017	09/29/2017	05/11/2018	12/07/2018	05/31/2019	12/04/2019	06/19/2020	01/22/2021	
	1	✓	-	-	-	-	-	-	-	
	2		✓	✓	✓	✓	✓	✓	✓	
	3		✓	✓	✓	✓	✓	✓	✓	
	4					✓	✓	✓	✓	
	5					✓	✓	✓	✓	
	6					✓	✓	✓	-	
	7					✓	✓	✓	-	
	8					✓	✓	✓	-	
	9						✓	-	-	
	10						✓	✓	✓	
	11							✓	✓	
	12							✓	✓	
	13							✓	✓	
	14							✓	✓	
	15							✓	✓	
	16							✓	✓	
	17							✓	✓	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	161	(H04N21/8549 or G06F16/738 or G06Q30/0273 or G06Q30/02 or H04N7/17318 or H04N21/25883 or H04N21/25891 or H04N21/4312 or H04N21/4314 or H04N21/4722 or H04N21/812 or G06Q20/123).cpc. and @rlad<="20030624" and royalt$4 same revenue	US-PGPUB; USPAT; USOCR	OR	ON	2021/01/23 20:32
S242	52	H04N21/2343.cpc. and parent$4 near3 control$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/22 21:57
S241	0	h04n7/15$.cpc. and (webex zoom) same invit$6 same URL	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:40
S240	36	h04n7/15$.cpc. and (webex zoom) same invit$6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:40
S239	2,181	h04n7/15$.cpc. and (webex zoom)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:39
S238	23,075	h04n7/15$.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:39
S237	5	webex.ab.	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2021/01/21 23:35

			JPO; IBM_TDB			
S236	0	"17101873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 20:40
S235	138	clip with playlist and length and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 20:27
S234	20	("20070124737" | "20070271338" | "20090249222" | "20100083324" | "20110063503" | "20130031266" | "20150089372" | "5808662" | "8849948" | "8893022" | "8990317" | "9215510").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 20:27
S233	85	S232 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 16:38
S232	7,198	H04N21/44$.CPC. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 16:38
S231	1	("20130198298").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 14:51
S230	20	("20070124737" | "20070271338" | "20090249222" | "20100083324" | "20110063503" | "20130031266" | "20150089372" | "5808662" | "8849948" | "8893022" | "8990317" | "9215510").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 14:51
S229	1	"14476548"	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2021/01/21 14:50

			JPO; IBM_TDB			
S228	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/20 18:06

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L4	11	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2021/01/23 20:50
L3	28	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2021/01/23 20:50

1/23/2021 8:50:53 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

Google playlist videos based on previous selections

All Videos News Images More Settings Tools

About 3,950 results (0.34 seconds)

www.google.com/patents/US9479811

Video recommendation based on video co-occurrence statistics

Based on the video co-occurrence data of the target video, one or more ... Some video hosting sites allow users to create video playlists, create a video viewing channel ... Another factor that can be used by the video ranking module 300 is the ... disparate live media output streams in mixed mode based on user selection.
Grant · Filed Sep 18, 2014 · Issued Oct 25, 2016 · Li Wei · Google, Inc.
Overview · Related · Discuss

www.google.com/patents/US20120060195

Smart playlist

A customization module generates a customized playlist for a target viewer from the plurality of viewers, based on the list of popular content items and a profile of ..
App. · Filed Sep 7, 2010 · Published Mar 8, 2012 · Alex Fishman · Opentv, Inc.
Overview · Related · Discuss

www.google.com/patents/US9355174

Multi-input playlist selection

The process comprises identifying, by a computer server system, a base topic for a ... on a computer-based system to identify media items (e.g., songs, video shorts, ... Acoustic analysis 106, another source of song data for forming a playlist, ...
Grant · Filed Feb 5, 2013 · Issued May 31, 2016 · Michael Moss · Iheartmedia Management Services, Inc.
Overview · Related · Discuss

www.google.com/patents/US9621855

Apparatus and method for video-on-demand playlist

A method of providing programming content from a video server to a client coupled ... The steps of sending the playlist, sending the content, and modifying the ... Such devices may automatically record programs for the user based on his or her ... An exemplary embodiment of an apparatus, according to another aspect of the ...
Grant · Filed Dec 10, 2007 · Issued Apr 11, 2017 · Steven Riedl · Time Warner Cable Enterprises Llc
Overview · Related · Discuss

www.google.com/patents/US8788659

Playlist analytics

Based on analytics and metrics derived from the gathered ... relating to a sequence of selections of videos in the video playlist corresponding to ...
Grant · Filed Mar 29, 2012 · Issued Jul 22, 2014 · Keekim Heng · Google Inc.
Overview · Related · Discuss

www.google.com/patents/US20030160770

Method and apparatus for an adaptive audio-video program ...

An audio-video program recommendation system stores a list of preferred ... an algorithm based upon the number and type of previous selections by the user.
App. · Filed Feb 25, 2002 · Published Aug 28, 2003 · John Zimmerman · Koninklijke Philips Electronics N.V.
Overview · Related · Discuss

www.google.com/patents/US20060292537

System and method for conducting multimedia karaoke sessions

Clients search for multimedia files (audio, video, karaoke, and/or images files) on the .. Processed data of the media selections is sent to peripheral devices, such as an .. To set up some prior art karaoke systems, the DJ/KJ must also typically ... requests to the playlist in the order of each client's place in the rotation based ...
App. · Filed Jun 27, 2005 · Published Dec 28, 2006 · John Nute · Arcturus Media, Inc.
Overview · Related · Discuss

www.google.com/patents/US20110087665

Client playlist generation

Users interact with media assets, such as to play music or watch a video on a ... a playlist of music tracks for a user based on previous user selections and/or ...
App. · Filed Oct 12, 2009 · Published Apr 14, 2011 · Christopher B. Weare · Weare Christopher B
Overview · Related · Discuss

www.google.com/patents/WO2011087814A2?cl=en

Video segment management and distribution system and method

In another aspect, the system allows the user to maintain a playlist on the distribution ... The search would return all videos and/or video fragments, based on the ...
App. · Filed Dec 21, 2010 · Published Jul 21, 2011 · Estefano Emilio Isaias · Estefano Emilio Isaias
Overview · Related · Discuss

www.google.com/patents/US8230099

System and method for sharing playlists

According to another aspect, the present invention comprises a system for sharing ... of player device the selection is to be played upon, or the preference of the user based ... Indeed, audio playlist may contain video selections and vice-versa.
Grant · Filed May 2, 2008 · Issued Jul 24, 2012 · Martin Weel · Dryden Enterprises, Llc
Overview · Related · Discuss

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

PTO/AIA/82A (07-13)
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NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	15/131,873
Filing Date	04-18-2016
First Named Inventor	Dwight MARCUS
Title	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
Art Unit	2423
Examiner Name	MENDOZA, JUNIOR O
Attorney Docket Number	243449.000080

SIGNATURE of Applicant or Patent Practitioner

Signature	/Louis J. DelJuidice - 47,522/	Date (Optional)	June 17, 2021
Name	Louis J. DelJuidice	Registration Number	47522
Title (if Applicant is a juristic entity)	Attonrey for Applicant		
Applicant Name (if Applicant is a juristic entity)	NTECH Properties, Inc.		

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

☐ *Total of _____ forms are submitted.

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Application Number	Filing Date

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☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced i the attached transmittal letter (form PTO/AIA/82A) or identified above: 6980

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

NTECH Properties, Inc.

☐ Inventor or Joint Inventor (title not required below)

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

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

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

SIGNATURE of Applicant for Patent

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

Signature		Date (Optional)	6.11.21
Name	DNIGHT MARCUS		
Title	CEO, NTECH / INVENTOR		

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

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amo 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. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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EFS ID:	43012128
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Eileen Herring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	17-JUN-2021
Filing Date:	18-APR-2016
Time Stamp:	09:58:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA_2021-06-17_243449-000080.PDF	301982 7153e5e7a70313367a7c569e113ee1932bdc5f25	no	2

Warnings:

Information:	
Total Files Size (in bytes):	301982

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
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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
15/131,873	04/18/2016	Dwight MARCUS	243449.000080

CONFIRMATION NO. 9056

6980
TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

POA ACCEPTANCE LETTER

OC000000126462005

Date Mailed: 06/23/2021

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/17/2021.

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

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

/dtdinh/

Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed	PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**
Application Number	15131873
Filing Date	18-Apr-2016
First Named Inventor	Dwight MARCUS
Attorney Docket Number	243449.000080
Title of Invention	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action

☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.

Owner	Percent Interest
NTECH PROPERTIES, INC.	100%

The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)

8875185

9317597

as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

◉	Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.
○	I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

Applicant claims the following fee status:

◉ Small Entity

○ Micro Entity

○ Regular Undiscounted

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

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

◉ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 47522

○ A sole inventor

○ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application

○ A joint inventor; all of whom are signing this request

Signature	/Louis J. DelJuidice/
Name	Louis J. DelJuidice

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

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
STATUTORY OR TERMINAL DISCLAIMER	2814	1	170	170
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**170**

Doc Code: DISQ.E.FILE
Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 15131873

Filing Date: 18-Apr-2016

Applicant/Patent under Reexamination: MARCUS

Electronic Terminal Disclaimer filed on June 25, 2021

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

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

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

EFS ID:	43089920
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Eileen Herring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	25-JUN-2021
Filing Date:	18-APR-2016
Time Stamp:	17:55:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$170
RAM confirmation Number	E20216OH55420190
Deposit Account	201507
Authorized User	Eileen Herring

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Terminal Disclaimer-Filed (Electronic)	eTerminal-Disclaimer.pdf	33498 ec1fe8248d4451e9bb9e0fb69298ac6a8c7b1777	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30691 3eb918020c263ab67f02e73ea0dde19469a55ae2	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	64189		

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

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Docket No.: 243449.000080
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This is in response to the Final Office Action dated January 28, 2021.

Amendments to the Claims begin on page 2.

Remarks begin on page 5.

Terminal Disclaimer filed together with this Response.

To the extent necessary, an additional petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. 06980 and please credit any excess fees to such deposit account.

AMENDMENTS TO THE CLAIMS

1. (Cancelled)

2. (Currently Amended) A method of providing video programming, comprising:

receiving, by a processor of a media delivery server, a user's request for a stream of media from the user's device;

storing, by a non-transitory storage medium of the media delivery server, a first class of non-monetizing media clips and a second class of monetizing media clips, wherein the non-monetizing media clips including royalty-free media clips and media clips for which royalty payments are due if delivered to a user, and the monetizing media clips including any media clip which generates revenue for an operator of the media delivery server;

searching, by the processor of the media delivery server~~, in near-real-time,~~ a viewing history database for the user's profile, the user's profile including the user's prior viewing and listening sessions, demographic and geographic data ~~after receiving the user's request~~;

automatically retrieving, by the processor, without human interaction, a list of appropriate potential media clips from the second class of monetizing media clips of the non-transitory storage medium, based on the user's profile~~, wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile~~;

generating, by the processor, a unique concatenated stream of media clips from the retrieved list of appropriate potential media clips, the generated unique concatenated stream of media clips including one or more short-form monetizing media;

streaming to the user the generated unique concatenated stream of media clips;

providing, by the processor, an information display displayed on the user's device and partitioning the information display to comprise:

a first viewing area;

a second display area; and

playing, in the first viewing area, the generated unique concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips;

receiving the user's selection on one of the visual exemplary representations in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area.

3. (Previously Presented) The method of claim 2, wherein the second display area includes a second viewing area and a third viewing area, and wherein the method further comprises the steps of:

playing a primary video clip in the second viewing area;

playing the primary video clip in the third viewing area when a secondary video clip completes displaying in the first viewing area; and

playing the secondary video clip in the second viewing area when the primary video clip is displayed in the third viewing area.

4. (Previously Presented) The method of claim 2, wherein the second display area includes at least one viewing area displaying the video clips in a first-in, first-out order.

5. (Previously Presented) A method of providing media programming, comprising:

providing, by a computer, an information display displayed on a user's computer and partitioning the information display to comprise:

a first viewing area;

a second display area; and

streaming to the user a unique concatenated stream of media clips, the unique concatenated stream of media clips including one or more short-form teasers of advertisements;

playing, in the first viewing area, the unique concatenated stream of media clips;

receiving the user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played;

playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection;

when each concatenated media clip completes playing, displaying an exemplary visual element representative of a last-played clip in the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips, wherein each user can select one of the played media clips, wherein each user's selection interacts with the user's unique viewing history, the user's personal profile and an assembly logic or template branching functionality, to create a stream of media programming that dynamically optimizes the selected media clip and dynamically reshuffles or automatically generates new concatenations of media clips which become progressively more targeted to the user;

receiving the user's selection on one of the images in the second display area;

interrupting, by the processor, a queued list of media clips prepared for the user;

generating a new clip associated with the selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and

sending the new clip to the first viewing area,

wherein each media clip includes at least one of the following: video, audio, and other time-based content,

wherein each media clip is presented in a time-based or sequential form, and

wherein the second display area includes at least one viewing area displaying, in a first-in, first-out order, the one or more visual elements signifying media programs historically played in the main viewing area.

6-9. (Canceled).

10. (Previously Presented) The method of claim 2, wherein the predefined rule is based on at least one of the following: the user's demographic data and geographic data.

11. (Previously Presented) The method of claim 2, wherein at least one of the media clips is tagged or labelled with aesthetic values of any useful type.

12. (Previously Presented) The method of claim 2, wherein at least one of the media clips is tagged or labelled with content values of any useful kind.

13-17. (Cancelled)

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claims 2-5 and 10-17 were pending. By the present response, claim 2 is currently amended, and claims 13-17 are canceled. Claim 2 is amended to delete several features as suggested by the Examiner. Applicant respectfully submits that no new matter is added. Applicant is not conceding that the subject matter encompassed by the claims prior to this Amendment is unpatentable over the art cited by the Examiner. Applicant respectfully reserves the right to pursue claims in one or more continuing applications, including claims capturing the subject matter encompassed by claims 1-17 prior to this Response.

Upon amendments, claims 2-5 and 10-12 are pending.

II. Allowable Subject Matter

Applicant would like to thank Examiner for indicating allowable subject matter in claims 2-5 and 10-12.

III. Double Patenting

Claims 5 and 13 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of US Patent No. 8,875,185 in view of US Patent No. 6,317,784 to Mackintosh et al.

Claims 5 and 13 stand rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of US Patent No. 9,317,597 in view of US Patent Publication No. 2004/0025180 to Begeja et al.

Applicant has filed a terminal disclaimer together with this Response with respect to US Patent No. 8,875,185 and US Patent No. 9,317,597, and thus the double patenting rejection to claim 5 is now overcome.

Applicant has cancelled claim 13, and thus the double patenting rejection to claim 13 is now moot. Applicant respectfully reserves the right to pursue the cancelled claim 13 in one or more continuing applications.

Withdrawal of the rejections on the ground of nonstatutory double patenting is respectfully requested.

IV. Rejections under 35 USC § 112

Claims 2 and 13-17 stand rejected under 35 USC 112(a) or 35 USC 112 (pre-AIA), first paragraph, as allegedly failing to comply with the written description requirement.

Without acquiescing thereto and solely for purposes of expediting prosecution of the present application, Applicant hereby amends claims in accordance with Examiner's suggestions.

Specifically, Applicant has deleted the features "in near-real time," "after receiving the user's request," and "wherein revenue generated from each monetizing media clip is shown as a credit in the user's profile" from claim 2. The rejections to claim 2 under 35 USC § 112 are now overcome.

Applicant has cancelled claims 13-17, and thus the rejections under 35 USC § 112 are now moot. Applicant respectfully reserves the right to pursue the cancelled claims 13-17 in one or more continuing applications.

Upon amendments, the rejections under 35 USC § 112 are either overcome or moot. Withdrawal of the rejections is respectfully requested.

V. Rejections under 37 USC § 103

Claims 13-15 stand rejected under (pre-AIA) 35 USC § 103(a) as being allegedly unpatentable over US Patent No. 6,032,156 to Marcus in view of US Patent No. 6,317,784 to Mackintosh further in view of US Publication No. 2002/0019858 to Kaiser.

Claims 16 and 17 stand rejected under pre-AIA 35 USC 103(a) as allegedly being unpatentable over Marcus, Mackintosh and Kaiser further in view of US Publication No. 2003/0040917 to Fiedler.

Applicant has cancelled claims 13-17, and thus the rejections under 35 USC § 103 are now moot.

CONCLUSION

It is believed the application is now in condition for allowance. The Examiner is respectfully requested to contact the undersigned if there are any remaining issues which can be resolved by a Supplemental or Examiner's Amendment.

To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 201507 associated with Customer No. **06980** and please credit any excess fees to such deposit account.

Dated: June 25, 2021

Respectfully Submitted,

/Louis J. DelJuidice – 47,522/

Louis J. DelJuidice
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Louis.DelJuidice@troutman.com (Email)
Attorneys/Agents for Applicant
Customer No. 06980

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 2 months with $0 paid	2252	1	320	320
Miscellaneous:				
			Total in USD ($)	**320**

Electronic Acknowledgement Receipt

EFS ID:	43097167
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Eileen Herring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	25-JUN-2021
Filing Date:	18-APR-2016
Time Stamp:	17:59:04
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$320
RAM confirmation Number	E20216OH59210250
Deposit Account	201507
Authorized User	Eileen Herring

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

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

37 CFR 1.17 (Patent application and reexamination processing fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		FOAR_AF_2021-06-25_243449-000080.pdf	46973 2e4dcf28a78f0ad83281fb64054cc3dcd202dbad	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Response After Final Action	1	1
	Claims	2	5
	Applicant Arguments/Remarks Made in an Amendment	6	8

Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30980 435debf19757588af9382595631 2bcd63b469513	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	77953		

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

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New International Application Filed with the USPTO as a Receiving Office

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

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

6980 7590 07/08/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

DATE MAILED: 07/08/2021

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

TITLE OF INVENTION: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	10/08/2021

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (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)

6980 7590 07/08/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

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 transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

TITLE OF INVENTION: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	10/08/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
MENDOZA, JUNIOR O	2423	725-044000

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 03-09 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 must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). 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. Fees submitted: ❑ Issue Fee ❑ Publication Fee (if required) ❑ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

TikTok Ex. 1007, Page 374 of 405

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.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 07/08/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

EXAMINER	
MENDOZA, JUNIOR O	
ART UNIT	PAPER NUMBER
2423	

DATE MAILED: 07/08/2021

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

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

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

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

TikTok Ex. 1007, Page 375 of 405

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 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, 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. 15/131,873	Applicant(s) MARCUS, Dwight	
	Examiner JUNIOR O MENDOZA	Art Unit 2423	AIA (FITF) 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 after final response filed on 06/25/2021.
   ☐ 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 2-5 and 10-12 . 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 _____.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Terminal Disclaimer

2. The terminal disclaimer filed on 06/25/2021 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent No. 8,875,185 and 9,317,597 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

3. Claims 2-5 and 10-12 are allowed.

Regarding **claims 2 and 5**, the prior art of record fails to explicitly or implicitly disclose, alone or in combination, the claimed unique combination of elements when considering claims 2 and 5 as a whole; and further defined by generating, by the processor, a unique concatenated stream of media clips from the retrieved list of appropriate potential media clips, the generated unique concatenated stream of media clips including one or more short-form monetizing media; streaming to the user the generated unique concatenated stream of media clips; providing, by the processor, an information display displayed on the user's device and partitioning the information display to comprise: a first viewing area; a second display area; and playing, in the first viewing area, the generated unique concatenated stream of media clips; receiving the

user's selection of at least one short-form teaser when the generated unique concatenated stream of media clips is played; playing, in the first viewing area, a long-form advertisement associated with the user's selection after receiving the user's selection; when each concatenated media clip completes playing, entering a visual exemplary representation of the concatenated media clip into the second display area, wherein the second display area includes a plurality of viewing areas, each viewing area is configured to display a visual exemplary representation of one of the played media clips; receiving the user's selection on one of the visual exemplary representations in the second display area; interrupting, by the processor, a queued list of media clips prepared for the user; generating a new clip associated with the selected visual exemplary representation based on a predefined rule, wherein the new clip is not previously played; and sending the new clip to the first viewing area. Therefore, claims 2 and 5 are held allowable.

Regarding **claims 3, 4 and 10-12**, they depend from allowable claim 2. Therefore, claims 3, 4 and 10-12 are also held allowable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Mon-Fri 11 am - 8 pm.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Bruckart can be reached on 571-272-3982. 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 https://ppair-my.uspto.gov/pair/PrivatePair. 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.

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

CPC - Searched*		
Symbol	Date	Examiner
H04N 21/262$, H04N 21/4825	12/04/2019	JM
H04N21/8549 G06F16/738 G06Q30/0273 G06Q30/02 H04N7/17318 H04N21/25883 H04N21/25891 H04N21/4312 H04N21/4314 H04N21/4722 H04N21/812 G06Q20/123	06/19/2020	JM

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

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

Search Notes		
Search Notes	Date	Examiner
Updated EAST text search (US-PGPUB, USPAT, USOCR, FPRS, EPO, JPO,IBM_TDB)	06/30/2021	JM
Class 725 Plus Text Search	06/30/2021	JM
Double Patenting Search	06/30/2021	JM
H04N21/8549 G06F16/738 G06Q30/0273 G06Q30/02 H04N7/17318 H04N21/25883 H04N21/25891 H04N21/4312 H04N21/4314 H04N21/4722 H04N21/812 G06Q20/123 Plus Text Search	06/30/2021	JM
Google Patent Search	06/30/2021	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	Art Unit
	JUNIOR O MENDOZA	2423

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
All	Claim Language Search (US-PGPUB,USPAT, UPAD)	06/30/2021	JM

/JUNIOR MENDOZA/ Primary Examiner.Art Unit 2423	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	**Art Unit**
	JUNIOR O MENDOZA	2423

CPC						
Symbol					**Type**	**Version**
H04N	/	21	/	8549	F	2013-01-01
G06F	/	16	/	738	I	2019-01-01
G06Q	/	30	/	02	I	2013-01-01
H04N	/	7	/	17318	I	2013-01-01
H04N	/	21	/	25883	I	2013-01-01
H04N	/	21	/	25891	I	2013-01-01
H04N	/	21	/	4312	I	2013-01-01
H04N	/	21	/	4314	I	2013-01-01
H04N	/	21	/	4722	I	2013-01-01
H04N	/	21	/	812	I	2013-01-01
G06Q	/	20	/	123	I	2013-01-01
G06Q	/	30	/	0273	I	2013-01-01

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

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	7	
/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	30 June 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No.: 20210630

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	**Art Unit**
	JUNIOR O MENDOZA	2423

INTERNATIONAL CLASSIFICATION					
CLAIMED					
H04N	/	21	/	431	
H04N	/	21	/	8549	
	/		/		

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

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

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	7	
/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	30 June 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/131,873	MARCUS, Dwight
	Examiner	**Art Unit**
	JUNIOR O MENDOZA	2423

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

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1	4	10												
1	2	5	11												
2	3	6	12												
3	4		13												
7	5		14												
	6		15												
	7		16												
	8		17												
	9														

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	7	
/JUNIOR O MENDOZA/ Primary Examiner, Art Unit 2423	30 June 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Google

concatenate video clips playlist

All Videos News Images More Settings Tools

About 1,230 results (0.43 seconds)

www.google.com/patents/US20110007797

Digital Audio and Video Clip Encoding

App. · Filed Mar 18, 2009 · Published Jan 13, 2011 · Alex Palmer · Randall-Reilly Publishing Company, Llc

An encoded clip generator comprises an input interface (402) for receiving ... by concatenating the encoded video frames of each subsequent clip onto the ... generated on the fly from a playlist which merely specifies the clips to be used and ...

Overview · Related · Discuss

www.google.com/patents/US20120311075

Playlists for real-time or near real-time streaming

App. · Filed Sep 2, 2011 · Published Dec 6, 2012 · Roger Pantos · Roger Pantos

... by a video playlist which can be separate from the variant audio playlist. ... In cumulative mode, the server can create a playlist file and append media file ... In rolling mode, the server may limit the availability of media files by removing media ...

Overview · Related · Discuss

www.google.com/patents/US20060235550

Creation of playlists using audio identification

App. · Filed Apr 23, 2004 · Published Oct 19, 2006 · Tibor Csicsatka · Csicsatka Tibor G

A method for creating a playlist uses audio clips (i.e. a segment or portion of ... of digitised analogue information signals, e.g. audio or video signals on discs.

Overview · Related · Discuss

www.google.com/patents/US9626372

Concatenating multiple media files into a single file based ...

Grant · Filed Jun 3, 2014 · Issued Apr 18, 2017 · Ben Werdmuller von Elgg · Latakoo, Inc

For example, in the example of video, the web browser or client application at the client 205 may view the video as a contiguous, compatible video file. While only ...

Overview · Related · Discuss

www.google.com/patents/US8990856

Media playlist management and viewing remote control

Grant · Filed May 25, 2012 · Issued Mar 24, 2015 · Joseph A. Zott · Joseph A. Zott

A playlist function is capable of storing and managing playlist files or databases. ... provide for automatic concatenation of sequential videos in a playlist 2502.

Overview · Related · Discuss

www.google.com/patents/US7043477

Navigating media content via groups within a playlist

Grant · Filed Oct 17, 2002 · Issued May 9, 2006 · Ian Cameron Mercer · Microsoft Corporation

A playlist is a convenient way to organize groups of audio, video, and image files on a computer-readable medium. The playlist may include, but is not limited to, ...

Overview · Related · Discuss

www.google.com/patents/US20100169303

Playlists for real-time or near real-time streaming

App. · Filed Jun 5, 2009 · Published Jul 1, 2010 · David Biderman · David Biderman

The plurality of media files and the playlist file can be made available for ... content of a program (e.g. a live video broadcast), into a plurality of distinct media files ... In

cumulative mode, the server can create a playlist file and append media file ...
Overview · Related · Discuss

www.google.com/patents/US20120284744

Automated playlist generation

App. · Filed Oct 10, 2009 · Published Nov 8, 2012 · Kshitij Kumar · Tellytopia, Inc.
The workflow includes automatic search for new/updated set of localized targeted text Ads, matching the Genre and other features of the particular video clip ...
Overview · Related · Discuss

www.google.com/patents/CN101133617A?cl=en

Method of multiple file streaming service through playlist ...

App. · Filed Feb 10, 2006 · Published Feb 27, 2008 · 允钟申 · 维迪亚特企业公司
The present disclosure pertains to a method of streaming content media files ... be stored in the playlist, perhaps allow the position of playlist decision video file; ...
Overview · Related · Discuss

www.google.com/patents/EP1414042A2?cl=en

Navigating media content via groups within a playlist

App. · Filed Sep 26, 2003 · Published Apr 28, 2004 · Ian Cameron Mercer · Microsoft Corporation
... and method for on-demand video serving from magnetic tape using disk leader files . of multimedia data files to a target device by assembling and concatenating ... Microsoft Corporation Wrapper playlists on streaming media services.
Overview · Related · Discuss

Help Send feedback Privacy Terms

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L12	13	("6816628" | "20040231003" | "20090013347" | "20090298418" | "20080066111" | "20080115169" | "7911497" | "20020049978").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/06/30 18:13
L11	1	"8875185".PN.	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:13
L10	1	"9,317,597".PN.	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:12
L9	215	(viewing same area same (ad advertis$6)).clm.	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:09
L8	0	(viewing same area same (ad advertis$6) same clip).clm.	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:09
L7	27	6 and playlist same template	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:08
L6	19,548	(H04N21/8549 or G06F16/738 or G06Q30/0273 or G06Q30/02 or H04N7/17318 or H04N21/25883 or H04N21/25891 or H04N21/4312 or H04N21/4314 or H04N21/4722 or H04N21/812 or G06Q20/123 or G06Q20/306).cpc. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/06/30 18:08
L5	42	(US-20050044569-$ or US-20030163815-$ or US-20050198677-$ or US-20030046693-$ or US-20020075572-$ or US-20020056098-$ or US-20060053448-$ or US-20030066085-$ or US-20010027475-$ or US-20020060750-$ or US-	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/06/30 18:08

		20020138440-$ or US-20020111912-$ or US-20020166122-$ or US-20030229894-$ or US-20040205816-$ or US-20030037332-$ or US-20020016965-$ or US-20020019858-$ or US-20020056100-$ or US-20020154157-$ or US-20020067376-$ or US-20040025180-$ or US-20020069308-$ or US-20030167202-$ or US-20020032019-$ or US-20060031551-$).did. or (US-6522342-$ or US-6711741-$ or US-6141003-$ or US-7174512-$ or US-6154771-$ or US-7263188-$ or US-7099849-$ or US-6993508-$ or US-7185283-$ or US-5621456-$ or US-6314575-$ or US-7434245-$ or US-6799327-$ or US-7003515-$ or US-6539395-$ or US-6317784-$).did.				
L4	40	((("MARCUS") near3 ("Dwight"))).INV.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2021/06/30 18:07
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L2	8,635	"725".clas. and @rlad<="20030624"	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/30 18:06
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		"5835087" | "7178107" | "7130790" | "6526580" | "7006881" | "5999173" | "5835667" | "6166735" | "6324338" | "5805763" | "6038296" | "6236395" | "6243676" | "5734893" | "20040117831" | "20080120345" | "6188398" | "6956573" | "20020093591" | "20020173964" | "6564263" | "6970915" | "20020152464" | "20050223408" | "6298482" | "6678890").PN.				
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S242	52	H04N21/2343.cpc. and parent$4 near3 control$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/22 21:57
S241	0	h04n7/15$.cpc. and (webex zoom) same invit$6 same URL	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:40
S240	36	h04n7/15$.cpc. and (webex zoom) same invit$6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:40
S239	2,181	h04n7/15$.cpc. and (webex zoom)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:39
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S237	5	webex.ab.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 23:35
S236	0	"17101873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 20:40
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S233	85	S232 and clip same (template playlist)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 16:38
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S230	20	("20070124737" | "20070271338" | "20090249222" | "20100083324" | "20110063503" | "20130031266" | "20150089372" | "5808662" | "8849948" | "8893022" | "8990317" | "9215510").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 14:51

S229	1	"14476548"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/21 14:50
S228	1	"15131873"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; IBM_TDB	OR	ON	2021/01/20 18:06

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S245	11	(clip same (template playlist) same temporal).clm.	US-PGPUB; USPAT	OR	ON	2021/01/23 20:50
S244	28	(marcus and dwight).in. and clip same (template playlist)	US-PGPUB; USPAT	OR	ON	2021/01/23 20:50

6/30/2021 6:14:18 PM
C:\Users\jmendoza\Documents\EAST\Workspaces\15131873 Mini-clips for Content Delivery (GUI).wsp

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AFTER ALLOWANCE UNDER 37 CFR § 1.312

Commissioner:

This Amendment under 37 CFR § 1.312 is submitted after the Notice of Allowance mailed May 13, 2021. Entry of the following Amendment under 37 CFR § 1.312 is respectfully requested.

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

Remarks and Conclusion begin on page **3** of this paper.

Amendments to the Specification

Please amend paragraph [0001] of the specification as follows:

[0001] This application is a continuation application of U.S. Patent Ser. No. 14/494,110, filed on Sep. 23, 2014, issued as U.S. Patent No. 9,317,597 on April 19, 2016, which is a continuation application of U.S. Patent Ser. No. 13/195,709, filed on August 1, 2011, issued as U.S. Patent No. 8,875,185 on Oct. 28, 2014, which is a continuation application of ~~co-pending~~ U.S. patent application Ser. No. 10/874,819, ~~entitled Method and Apparatus for Efficient, Entertaining Information Delivery,~~ filed on Jun. 23, 2004, now abondoned, which ~~application~~ claims priority to U.S. Provisional Patent Application No. 60/482,597 filed on Jun. 24, 2003. This application hereby also incorporates by reference the disclosures of U.S. patent application Ser. No. 09/896,838 filed Jun. 29, 2001; U.S. patent application Ser. No. 09/953,569 filed Sep. 13, 2001; U.S. patent application Ser. No. 09/953,086 filed Sep. 10, 2001; and U.S. Pat. No. 6,032,156 filed Apr. 1, 1998. The entire contents of all of the foregoing patents and applications are hereby incorporated by reference herein for all purposes.

REMARKS

Applicant has amended paragraph [0001] to include two prior applications, i.e., U.S. Patent Ser. No. 14/494,110 filed on Sep. 23, 2014, and U.S. Patent Ser. No. 13/195,709, filed on August 1, 2011, in the section "RELATED APPLICATIONS." The Amendments are supported by the section "Domestic Benefit/National Stage Information" of the Application Data Sheet filed on April 18, 2016. Applicant respectfully submits that no matter has been introduced.

CONCLUSION

Applicant believes that no fees are due for this Amendment. However, the Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 23-2415, referencing Attorney Docket 243449.000080.

Dated: October 6, 2021

Respectfully Submitted,

/Louis J. DelJuidice – 47,522/

Louis J. DelJuidice
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Louis.DelJuidice@troutman.com (Email)
Attorneys/Agents for Applicant
Customer No. 06980

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (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)

6980 7590 07/08/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

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 transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

Louis J. DelJuidice	(Typed or printed name)
/Louis J. DelJuidice/	(Signature)
October 6, 2021	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

TITLE OF INVENTION: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	10/08/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
MENDOZA, JUNIOR O	2423	725-044000

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 03-09 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 TROUTMAN PEPPER HAMILTON SANDERS LLP
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 must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: **NTECH PROPERTIES, INC.**

(B) RESIDENCE: (CITY and STATE OR COUNTRY): **OXNARD, CALIFORNIA**

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

4a. Fees submitted: ☒ Issue Fee ☒ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. 201507

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 /Louis J. DelJuidice - 47,522/ Date October 6, 2021

Typed or printed name Louis J. DelJuidice Registration No. 47522

TikTok Ex. 1007, Page 396 of 405

Electronic Patent Application Fee Transmittal

Application Number:	15131873
Filing Date:	18-Apr-2016
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Filer:	Louis J. DelJuidice/Eileen Herring
Attorney Docket Number:	243449.000080

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
UTILITY APPL ISSUE FEE	2501	1	600	600
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**600**

Electronic Acknowledgement Receipt

EFS ID:	43960326
Application Number:	15131873
International Application Number:	
Confirmation Number:	9056
Title of Invention:	METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY
First Named Inventor/Applicant Name:	Dwight MARCUS
Customer Number:	6980
Filer:	Louis J. DelJuidice/Eileen Herring
Filer Authorized By:	Louis J. DelJuidice
Attorney Docket Number:	243449.000080
Receipt Date:	06-OCT-2021
Filing Date:	18-APR-2016
Time Stamp:	12:12:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$600
RAM confirmation Number	E202106C12491020
Deposit Account	201507
Authorized User	Eileen Herring

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

37 CFR 1.21 (Miscellaneous fees and charges)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		312Am_2021-10-06-243449-000080.pdf	26586 76a228ca72766e709acaf873f41dc1d96aeef00b	yes	3
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Amendment after Notice of Allowance (Rule 312)		1	1	
	Specification		2	2	
	Applicant Arguments/Remarks Made in an Amendment		3	3	
Warnings:					
Information:					
2	Issue Fee Payment (PTO-85B)	IssueFee_2021-10-06_243449-000080.PDF	1757986 5eb7401b2861ffe6fb25d8214d997f113f3299ca	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	40583 897cec3cd0e9542ea184e7b11dbcd1fe223ac1da	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1825155		

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.
15/131,873	04/18/2016	Dwight MARCUS	243449.000080	9056

6980 7590 10/15/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

EXAMINER
MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
2423	

NOTIFICATION DATE	DELIVERY MODE
10/15/2021	ELECTRONIC

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

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

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

jim.schutz@troutman.com
patents@troutman.com
ryan.schneider@troutman.com

Response to Rule 312 Communication	Application No.	Applicant(s)	
	15/131,873	MARCUS, Dwight	
	Examiner	Art Unit	AIA (FITF) Status
	JUNIOR O MENDOZA	2423	No

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

1. ☑ The amendment filed on 06 October 2021 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.

———

/JUNIOR O MENDOZA/
Primary Examiner, Art Unit 2423

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dwight MARCUS	Customer No.: 06980
Application No.: 15/131,873	Confirmation No.: 9056
Filing Date: April 18, 2016	Art Unit: 2423
For: METHOD AND APPARATUS FOR EFFICIENT, ENTERTAINING INFORMATION DELIVERY	Examiner: MENDOZA, JUNIOR O.

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AFTER ALLOWANCE UNDER 37 CFR § 1.312

Commissioner:

This Amendment under 37 CFR § 1.312 is submitted after the Notice of Allowance mailed May 13, 2021. Entry of the following Amendment under 37 CFR § 1.312 is respectfully requested.

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

Remarks and Conclusion begin on page **3** of this paper.

OK TO ENTER: /J.O.M/
10/08/2021

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.
15/131,873	11/23/2021	11184686	243449.000080	9056

6980 7590 11/03/2021

TROUTMAN PEPPER HAMILTON SANDERS LLP
600 PEACHTREE ST NE
STE 3000
ATLANTA, GA 30308

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 0 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):

NTECH PROPERTIES, INC., Oxnard, CA;

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